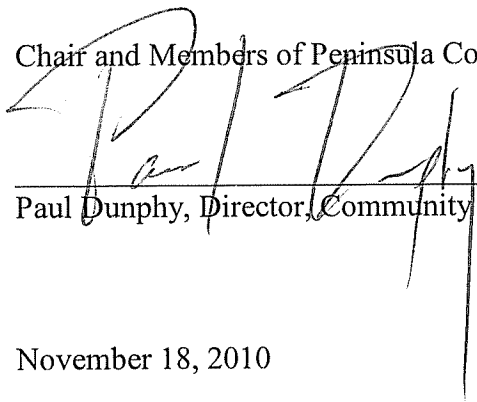


Peninsula Community Council
December 13, 2010

TO: Chair and Members of Peninsula Community Council

SUBMITTED BY: 
Paul Dunphy, Director, Community Development

DATE: November 18, 2010

SUBJECT: **Case 15937: Fenwick Tower Redevelopment: MPS / LUB
Amendments and Development Agreement**

ORIGIN

- Application by Templeton Properties Limited
- Regional Council - Initiation of MPS Amendments, March 9, 2010

RECOMMENDATION

It is recommended that Peninsula Community Council:

1. Give Notice of Motion to consider approval of the proposed Development Agreement contained in Attachment C to allow for the redevelopment of the Fenwick Tower property, and schedule a joint public hearing with Regional Council;
2. Recommend that Regional Council give First Reading to the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as contained in Attachments A and B and schedule a joint public hearing with Peninsula Community Council; and
3. Recommend that Regional Council approve the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law as contained in Attachments A and B.

EXECUTIVE SUMMARY

Templeton Properties proposes to redevelop the Fenwick Tower property in the South End of Halifax by enlarging and recladding the existing Fenwick Tower and constructing new building elements throughout its site. The existing Tower is a prominent feature in the landscape of the region, but it is largely viewed as unattractive due to its uniform shape and concrete exterior. The same condition exists at the site itself, where the base of the Tower is comprised of unusable open space areas and has a poor relationship to its surroundings. Although the proposal requires a departure from the existing planning policies and regulations that apply for high-rise development, the project offers a rare opportunity to provide improvements at both regional and local scales. To allow the proposal, amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law are recommended. The development itself is to be approved by development agreement, which is also included in this report.

BACKGROUND

Fenwick Tower is a 33 storey apartment building on a property that is between Fenwick Street and South Park Street in the South End of Halifax (*Map 1, Location and Zoning*). It has a significant prominence in the landscape, but with its uniform shape and concrete exterior it is largely recognized as an unattractive building. Templeton Properties Limited acquired it from Dalhousie University in 2009. It now proposes a commercial-residential development that will involve enlarging and recladding the existing tower and constructing new building elements throughout the site. Amendments to the Halifax Municipal Planning Strategy and Land Use By-law are required to allow this project. Approval is to be by development agreement.

Site

Kenny Construction of Yarmouth was in the midst of constructing Fenwick Tower in 1970 when it filed for bankruptcy. Dalhousie University had a need for additional residences and purchased the partially-constructed building in 1971. It proceeded to complete the building and occupy it as a student residence.¹ In addition to the residence, it established clinical and laboratory office space within the base of the building and on one of the uppermost floors.

Currently, the property has the following components:

- the tower portion of the building sits upon a large podium that is comprised of a two level parking garage that is accessed off Fenwick Street, and a floor containing office uses that are used by Dalhousie for clinical and laboratory purposes;

¹Buildings of Dalhousie University, www.library.dal.ca/duasc/buildings/Fenwick.htm

- the ground floor of the Tower itself, which is accessed directly from Fenwick Street by a semi-circular ramp, has general office uses, administration offices for the building, and a restaurant;
- apartments are found on the floors above the ground floor, with a total of 274 dwelling units;
- around the tower, the area above the parking and office podium, is a desolate concrete surface; and
- the area of the property that is off South Street is a vacant gravel lot.

With Templeton's purchase of the property, aside from continued residence uses upon the top floors, the building's apartments are no longer affiliated with Dalhousie.

Surroundings

The lands surrounding the site include:

- McKeen Manor, a 10 storey senior citizens home at the corner of South and Queen streets;
- The James, a 10 storey apartment building (plus penthouse), upon South Street, immediately to the north;
- a 3 storey apartment building, upon South Street, to the west;
- low and medium density house forms, along Fenwick and its side streets, to the west and immediately across from the site;
- a Sobeys grocery store and parking lot on the south side of Fenwick street, across from the site;
- Fenwick Medical Centre, a 3 storey commercial building along Fenwick Street, immediately to the east of the site;
- local commercial uses in buildings that are 2-3 storeys in height, that extend from on the south-west corner of Fenwick and Queen streets; and
- houses and small apartment buildings.

Proposal

Templeton proposes to significantly redevelop the property by constructing a single building that will have a variety of building elements, in addition to the existing Fenwick Tower. The proposal is to include:

- an expansion and recladding of Fenwick Tower;
- a 10 storey building tower off South Street (South Street Tower) which is to have at grade commercial uses and upper storey residential uses;
- an 8 storey building tower on the west side of the site (West Tower) that is to have at grade commercial uses and upper floors that may be used for either office or residential uses;
- townhouse style dwellings upon Fenwick Street (Fenwick Townhouses) that are to have at grade commercial uses facing Fenwick Street;
- a pedestrian passage through the site, linking Fenwick Street and South Street, enclosed on

both sides by the building towers and 1 and 2 storey building elements (West and East Mews Buildings) that are to have at grade commercial uses and either second floor commercial or residential uses;

- an expansion of the existing below-grade parking garage throughout the site, with a total of 423 parking spaces, and the creation of a new vehicular access off South Street; and
- new landscaped open space throughout the site including the spaces above the parking podiums and upon low roof-tops.

The landscaped open spaces will have both an amenity and an environmentally sustainable (green roof) focus, depending on their size and location. The development agreement plans included in this staff report package show a total of 510 dwelling units and 92,160 square feet of commercial floor area. There is flexibility in the development agreement to allow changes to this, notably with the potential for the West Tower to be used for commercial uses. If converted in its entirety, this would increase the total commercial square footage to 121,044 square feet and correspondingly decrease the total number of dwelling units to 482. Aside from this there is a modest allowance for an increase in the specified maximum of 510 dwelling units, through the potential conversion of the second floors of the Mews Buildings.

The project will involve constructing its various elements in phases as follows:

Phase 1	West Tower Western side of the pedestrian passageway and associated building elements
Phase 2	Fenwick Street Townhouses Fenwick Tower extension Fenwick Tower recladding Western side of the pedestrian passageway and associated building elements
Phase 3	South Street Tower Fenwick Tower's east extension
Phase 4	Fenwick Tower's interior renovations Fenwick Tower Penthouse

The phasing places an emphasis upon recladding the Tower at an early stage of the project.

Current Policies and Regulations

The Fenwick Tower site is within the South End Area Plan, a secondary plan that is part of the overall Halifax Municipal Planning Strategy. The Plan does not make specific mention of the Fenwick Tower site. However, it envisions a transition in land use and height towards the lower density house forms found to the west of the site, along Fenwick Street and its side streets. This is achieved with a High Density Residential designation that lies over the majority of the site and a Medium Density Residential designation upon the south-west of the site. In addition to the

residential designations, a small part of the site is within the Commercial designation (*Map 2, Generalized Future Land Use Map*). Through Height Precincts that establish maximum allowable heights within various Districts, the Plan also foresees that a much smaller development should eventually replace the existing building. The maximum heights over the Fenwick Tower property are 100 feet, closer to South Street, and 35 feet, closer to Fenwick Street (*Map 3, Height Precincts*).

Consistent with the South End Plan, there are three zones that apply to the site:

- the R-3 (High Density) Zone, which permits apartment buildings, over the majority of the site;
- the R-2A (General Residential Conversion) Zone, which permits low scale apartment buildings of up to 14 dwelling units within traditional house forms; and
- the C-2A (Minor Commercial) Zone, which permits commercial uses (*Map 1, Location and Zoning*).²

The tower element on the site is within the R-3 Zone. It has several requirements, first introduced in 1965, that address issues associated with apartment building development:

1. Land Use

The R-3 Zone limits non-residential development to commercial uses that are compatible with and that typically provide a service to apartment building uses, such as small convenience stores.

2. Population Density

The R-3 Zone regulates population density relative to the size of a lot. In the area within which the Fenwick property is located, generally the central core of Halifax Peninsula, the maximum allowable population is 250 persons per gross acre (gross area includes portions of abutting streets). The population is based upon the number of habitable rooms within an apartment; generally one person per habitable room.

3. Minimum Lot Area and Frontage

The R-3 Zone has a minimum lot area of 8,100 square feet a minimum frontage requirement of 90 feet.

²The R-3-Z and C-2A-Z zones also apply to the site; the “Z” solely denotes the presence of a viewplane

4. Privacy and Daylight Controls

The size of an apartment building and its location relative to property boundaries is largely controlled through angular planes that extend over a property, within which a building is to be enclosed.

5. Landscaped Open Space

Landscaped open space is the provision of amenity space relative to the number of persons within different apartment types (based upon the number of bedrooms). It can be provided at grade, on top of certain parking podiums, as common amenity space such as a fitness facilities, through balconies, or upon rooftops.³

Parking is also required within the Land Use By-law. There are varied regulations across the Peninsula respecting the number of parking spaces that are required for residential development. In the South End Area Plan, one parking space is required for every dwelling unit that is greater than 800 square feet and one space for every two dwelling units than are less than 800 square feet. On the Peninsula, parking is not typically required for commercial uses.

Other regulations from the Halifax Land Use By-law that warrant highlighting are protected View Plane and Rampart Views from the Citadel. There are ten view planes that allow for the preservation of certain views from the Citadel, by limiting the height of buildings within their path. Two such view planes extend over the Fenwick Tower site (*Map 1, Location and Zoning*). Building heights are also limited by Rampart view requirements, that serve to ensure that the upper levels of buildings are not visible from certain places within the Citadel. The existing Fenwick Tower is not within this view restriction.

Proposal in Light of Current Policies and Regulations

The existing Fenwick Tower was approved under the 1965 R-3 Zone requirements, which are still in place with only minor changes that have been adopted over time. Based upon them, very little in the way of additional development is allowed upon the site, due to the size and density of Fenwick Tower. As such, Templeton's proposal far exceeds many of the existing policies and regulations applicable to the site, including that:

- the West Tower and the enlargement of the Fenwick Tower exceed the height requirements of the South End Area Plan;

³Zoning Controls for High Density Residential Development, Staff Report to Halifax City Council, May 11, 1964

- the intensity of the development on the western part of the site exceeds, with regard to the form of development and number dwelling units, the policy intent expressed through the Medium-density Residential designation;
- the mixture of land uses, namely the size and type of commercial uses, is not permitted within the R-3 or R-2A zones;
- the proposed population density is approximately 2.5 times what is permitted in the R-3 Zone, even if the entire site was completely within this zone;
- parts of the proposed new building elements, including the South Tower and West Tower, do not meet that angular plane requirements;
- the open space that would be required, based upon size and number of dwelling units that are shown on the plans, is estimated to be 144,360 square feet, whereas the actual amount being provided is estimated to be 77,849 square feet; and

It is estimated that the project would only slightly exceed the residential parking standards of the R-3 Zone, with 425 parking spaces that are required and 423 that are being provided. The project is to meet the requirements within the Land Use By-law for bicycle parking.

The proposal meets the minimum lot area and frontage regulations of the R-3 Zone and it complies with the View Plane and Rampart View requirements.

DISCUSSION

Rationale for the Proposal

Templeton has submitted a rationale for the development, prepared by MVH Urban Planning & Design (*see Attachment D, Letter from MVH Community Planning and Design*) that is organized under the following headings:

- “1. *Sustainable and Smart Growth Development Principles* that provide a sound rationale for the development within the context of the Halifax Regional Municipality and Halifax development areas;
2. *A Rationale for Additional Density* that advocates a more sensitive form-based and community directed approach reflective of emerging policy in Downtown Halifax;
3. A comprehensive list of *Community Benefits* that are the result of the community consultation process; and
4. A summary of the *Sustainability Features* that outlines the sustainable components of the project.”

As noted in the Background section of this report, the proposal to redevelop the Fenwick Tower property is a departure from the policy intent of the Halifax Municipal Planning Strategy and it significantly exceeds the Land Use By-law development requirements. Although it may be counter-intuitive, allowing for additional development presents an opportunity to ameliorate existing conditions, such as the vacant parking lot along South Street. From a streetscape perspective, rather than left as a vacant lot as required under the existing requirements, it would be beneficial for it to be developed with a new building that is of a scale that matches the James Place and McKeen Manor. Based upon this, it is desirable to improve upon the existing site based upon its attributes, rather than the standards found in the Land Use By-law. These standards are not viewed as being relevant to the review of the project as they would allow for no further development upon the site.

In considering this proposal, HRM staff have been particularly concerned with ensuring that the development:

- is suitable from a streetscape perspective, providing an appropriate relationship to both Fenwick and South streets;
- is suitable for the property and its surroundings with respect to the scale of buildings and land uses;
- meets the View Plane and Rampart height requirements;
- has high quality landscaped open spaces;
- accounts for environmental conditions, including shadow and wind impacts;
- does not create undue parking and traffic issues and further to this, that a second access to South Street is established;
- creates additional parking;
- is comprised of high quality building materials; and
- will be constructed through a comprehensive plan that includes construction phasing.

It should be noted that staff have taken a deliberate direction to not being directly concerned with traditional density factors, such as specifying a maximum population density. Rather, the approach has been to ensure that the form of development, from a site planning and design perspective, is appropriate for the lands and the surroundings. With this, the focus is upon ensuring that there is a mixture of apartment dwelling types within these building elements. Concentrating upon the form of development rather than factors such as a theoretical density is seen as a more predictable way of achieving desirable development.

Studies and reports have been submitted in response to issues relating to wind, shadow, parking and traffic impacts, public safety regarding the pedestrian passageway as a public space, and the suitability of developing the west side of the site from a geological perspective (an issue that was raised during the public consultation). The findings of these studies and reports are summarized below.

Proposal Studies

Wind

Wind conditions influence the comfort and safety of spaces that are used by people for walking, standing, and sitting. The size, shape, and arrangement of buildings and other built-form features can direct, block, slow, and accelerate wind.

HRM is typically concerned with the impact of potential adverse wind conditions on public open spaces, which in this case are the sidewalks upon Fenwick Street and South Street. However, for this proposal, wind impacts are also a concern upon the site itself, given the public nature of pedestrian passageway and the need for quality landscaped open space for residents. In response to this, the Developer commissioned RWDI Consultants and Engineers to establish levels of comfort for walking, standing, and sitting that are to be achieved in certain locations of the site. Safety failures, occurrences of unsafe winds, are also accounted for. These are to be confirmed prior to the issuance of permits for the development through a detailed wind tunnel assessment. The standards are included as a schedule of the proposed development agreement. In order to be able to meet the standards, there is flexibility in the development agreement to allow for the installation of features such as canopies and landscaping to help address any identified wind conditions.

Shadowing

Like wind, shadows influence the comfort of environments for various activities. HRM has been typically concerned with how new development may shade and adversely impact public open spaces. Consistent with the approach outlined above with respect to wind impacts, shadow impacts upon both public open space and on-site landscaped open space are important. Based on this, a Shadow Analysis by the project's Architect has been submitted, which considers both types of spaces.

With regard to public open space, although they are not parks, the potential impact of additional shadowing upon the Fort Massey and Holy Cross cemeteries, on the north side of South Street, were considered. The existing Fenwick Tower already casts a shadow upon these spaces. The study found that the proposed enlargement of the Tower will cast only a small amount of additional shadow and that the new South Street tower, "affects only a small portion of Fort Massey/Holy Cross Cemetery and leaves cemetery by 12:30 p.m. (fall equinox) and 1:00 p.m. (spring equinox)." Furthermore, there is no additional impact upon the cemeteries on the June 21 solstice.

For landscaped open spaces such as the pedestrian passageway, there is a reasonable amount of shadowing at various times of the day and year. Based upon this, care will need to be taken to

consider the combined wind and shadow conditions at the detailed design stage of the landscaped open spaces.

Parking and Traffic

There are currently 249 parking spaces upon the Fenwick property. A further 174 spaces are to be established with the new development, for a total of 423 spaces. Additional development upon the site has potential implications for parking and traffic in the immediate area. The Fenwick property is currently accessed off Fenwick Street, which is a local street, and it fronts onto a lower density neighbourhood area. It is therefore important to understand the impact of the proposal. In response to this, Templeton Properties commissioned a study from Terrain Group (now Genivar) that responds to the following questions raised by HRM staff:

1. How will the existing and additional proposed parking garages at the Fenwick Tower development accommodate residential and commercial aspects of the development?
2. How will the internal parking garage ramps interconnect between the existing and proposed parking levels? Will parking garage traffic be evenly split between the Fenwick Street and South Street entrances?
3. How will parking demand impact curb side parking on surrounding streets?

The study found that:

- “1. The 423 parking spaces in the completed parking garage are expected to meet the needs of residential and commercial tenants, neighbourhood residents, and hourly parking, and still have significant numbers of spaces for monthly rentals.
2. The direct connections provided between two existing parking levels in the Fenwick Tower garage with two parking levels of the proposed West tower and South Street tower will allow all parking garage vehicles to have easy access to both Fenwick Street and South Street parkade entrances.
3. Since South Street has moderate peak traffic hour volumes and provides good connections to the regional street network with signalized intersections at South Park Street to the west and Queen Street to the east, it is expected that more than 50%, and possibly as much as 70%, of parking garage traffic will use the South Street parkade entrance.

4. Since curb side spaces near the development are usually limited to one or two hour parking, they would not be considered appropriate for employees or clients of the commercial tenants.
5. Since curb side parking spaces near the development are now occupied by residents or other neighbourhood visitors, and since Fenwick Tower development will include a large number of parking spaces, the development is not expected to have any significant impact on curb side parking usage in the Study Area.”

Geotechnical

During the course of public consultation, a question was raised about the suitability of the geology on the western side of the site to support the proposal. The Developer had a geotechnical study conducted that found that there are no unusual impediments and that the site is suitable for the intended construction.

CPTED

Out of a concern of the design of the pedestrian passageway, especially where it extends through Fenwick Tower, and other public open space areas, a Crime Prevention Through Environmental Design (CPTED) audit was undertaken by HRM. It found that the pedestrian passageway meets the requirements of CPTED principles. It also recommends that reviews be for the detailed design stage of the project. The proposed development agreement specifies that there is to be a CPTED review as each phase proceeds.

Early Public Consultation

Prior to this application being submitted, Templeton undertook a significant consultation program involving community stakeholders and the general public. Meetings included:

- a facilitated workshop on October 6 and 8, 2009;
- two “in-progress” open houses on October 20 and 22;
- a stakeholders open house on November 17, 2009; and
- a public open house on November 19, 2009.

Further information about how this consultation influenced the application is found in *Attachment D, Letter from MVH Community Planning and Design*. HRM also undertook public consultation which included holding a public information meeting (see Community Engagement).

Proposed Municipal Planning Strategy Policy

The proposal before Council is to adopt policy and by-law amendments for the Fenwick property that require that the redevelopment project be regulated by a development agreement. These amendments are not only site-specific to the Fenwick property, they are quite specific to the redevelopment proposal itself; requiring in policy that any significant change to the current development scheme would be at the discretion of Regional Council (*Attachment A, Proposed Amendments to the Halifax Municipal Planning Strategy and Attachment B, Proposed Amendments to the Halifax Peninsula Land Use By-law*).

With respect to process, the proposed amendments to the Municipal Planning Strategy and Land Use By-law are to be considered and adopted by Regional Council. These amendments are then required to be approved by the Province. Following this, the Peninsula Community Council will then consider the proposed development agreement.

Proposed Development Agreement

The proposed development agreement is predicated upon the adoption of the recommended Municipal Planning Strategy and Land Use By-law amendments. Consistent with the proposed policy criteria, it has specifications over matters such as:

- permitted heights and setbacks from property boundaries;
- the form, appearance, and materials of the various building elements;
- landscaping of the pedestrian passageway and on lower rooftops;
- permitted land uses, with restrictions on the range of commercial uses, with the intent of solely allowing those uses that are viewed as being compatible with residential uses;
- a mixture of apartment dwelling unit types;
- parking, requiring that the number of vehicular spaces be consistent with the submitted plans and that bicycle parking be provided pursuant to the requirements of the land uses by-law;
- wind conditions, requiring that a full wind tunnel assessment be conducted; and
- phasing, requiring that various elements of the project be complete within specified time-frames and that the project in its entirety be finished within 6 years from the start of construction.

Conclusion

The proposed redevelopment of the Fenwick Tower property is ambitious, adding a significant amount of new commercial floor area and residential dwelling units in the South End Plan Area. Much of the success of the project will depend upon care and quality that is taken in the construction and maintenance of the development, particularly in the fine details within and

surrounding the landscaped open spaces. Consideration at the construction design stage will need to be given to mitigating potential on-site issues associated with shadowing and wind. Overall, it is felt that the proposal is appropriate for the site and its surroundings and will be a benefit to the South End area and the region as a whole. As result, it is recommended that Council adopt the proposed amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law and enter into proposed development agreement.

BUDGET IMPLICATIONS

For the amendments to the planning documents, the HRM costs associated with processing this application can be accommodated within the approved operating budget for C310. With respect to the proposed development agreement, there are no budget implications. The developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved budget with existing resources.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting on March 24, 2010 (*Attachment E, Public Information Meeting Minutes*). Notices of this meeting were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on *Map 4, Area of Notification*.

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

The proposal will potentially impact property owners and residents in the surrounding area.

ALTERNATIVES

1. Council may approve the attached amendments to the Halifax MPS and Halifax Peninsula Land Use By-law. This is the recommended alternative.

2. Council may refuse to amend the Halifax MPS and Halifax Peninsula Land Use By-law.

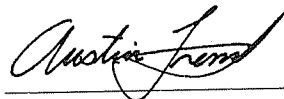
ATTACHMENTS

Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Map 3	Height Precincts
Map 4	Area of Notification
Attachment A	Proposed Amendments to the Halifax Municipal Planning Strategy with Schedule 1 (Map)
Attachment B	Proposed Amendments to the Halifax Peninsula Land Use By-law with Schedule 2 (Map)
Attachment C	Proposed Development Agreement
Attachment D	Letter from MVH Community Planning And Design
Attachment E	Public Information Meeting Minutes

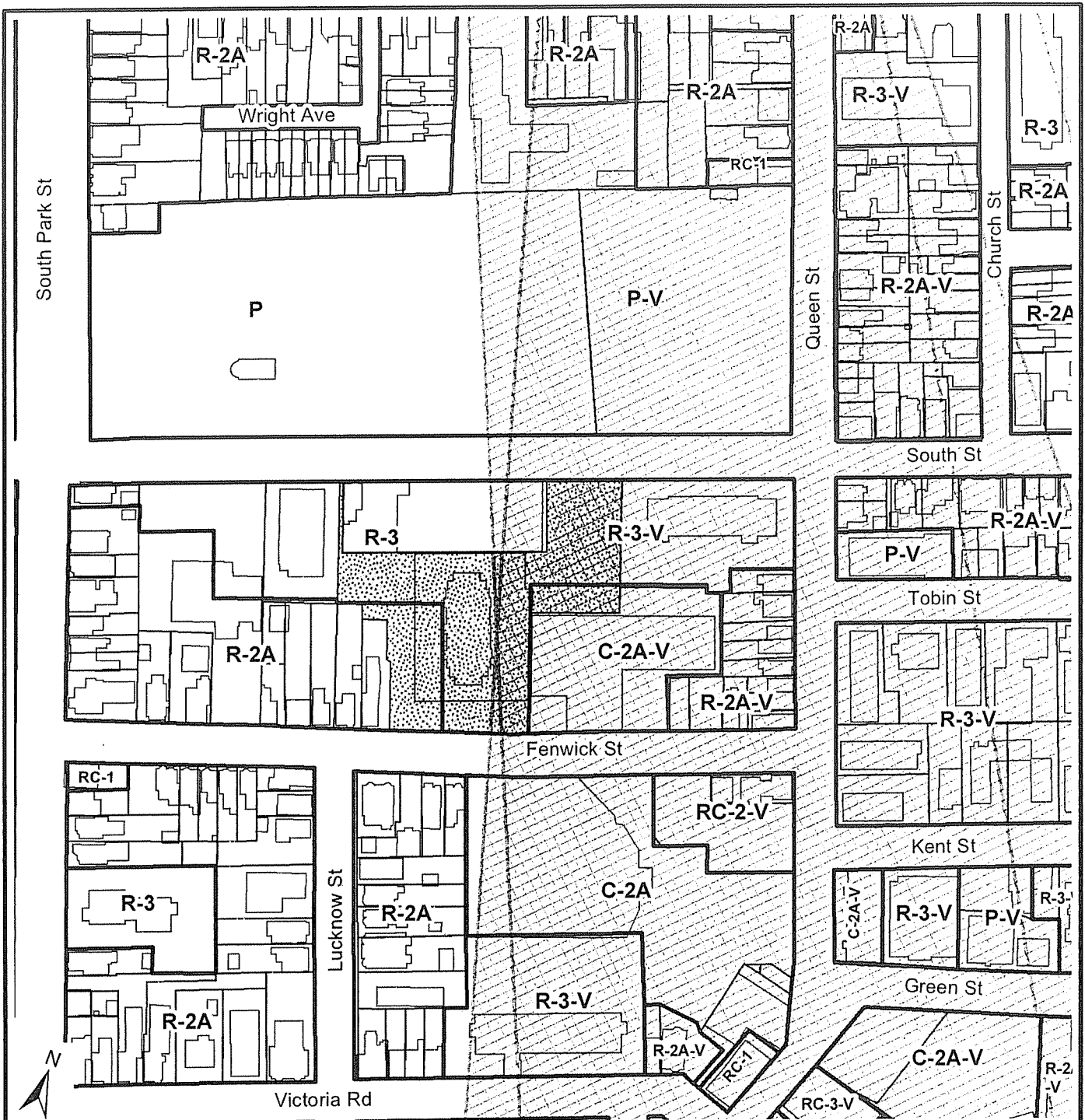
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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

Report Approved by:




Austin French, Manager of Planning Services, 490-6717



Map 1 - Location and Zoning

5595 Fenwick Street
Halifax

 Subject property

Zone (-V within view plane)

R-2A General Residential Conversion
 R-3 Multiple Dwelling
 RC-1 Neighbourhood Commercial
 RC-2 Residential Minor Commercial
 C-2A Minor Commercial
 P Park and Institutional
 P-V Park and Institutional
 R-2A-V General Residential Conversion
 R-3-V Multiple Dwelling
 RC-2-V Residential Minor Commercial
 C-2A-V Minor Commercial
 RC-3-V Residential Minor Commercial

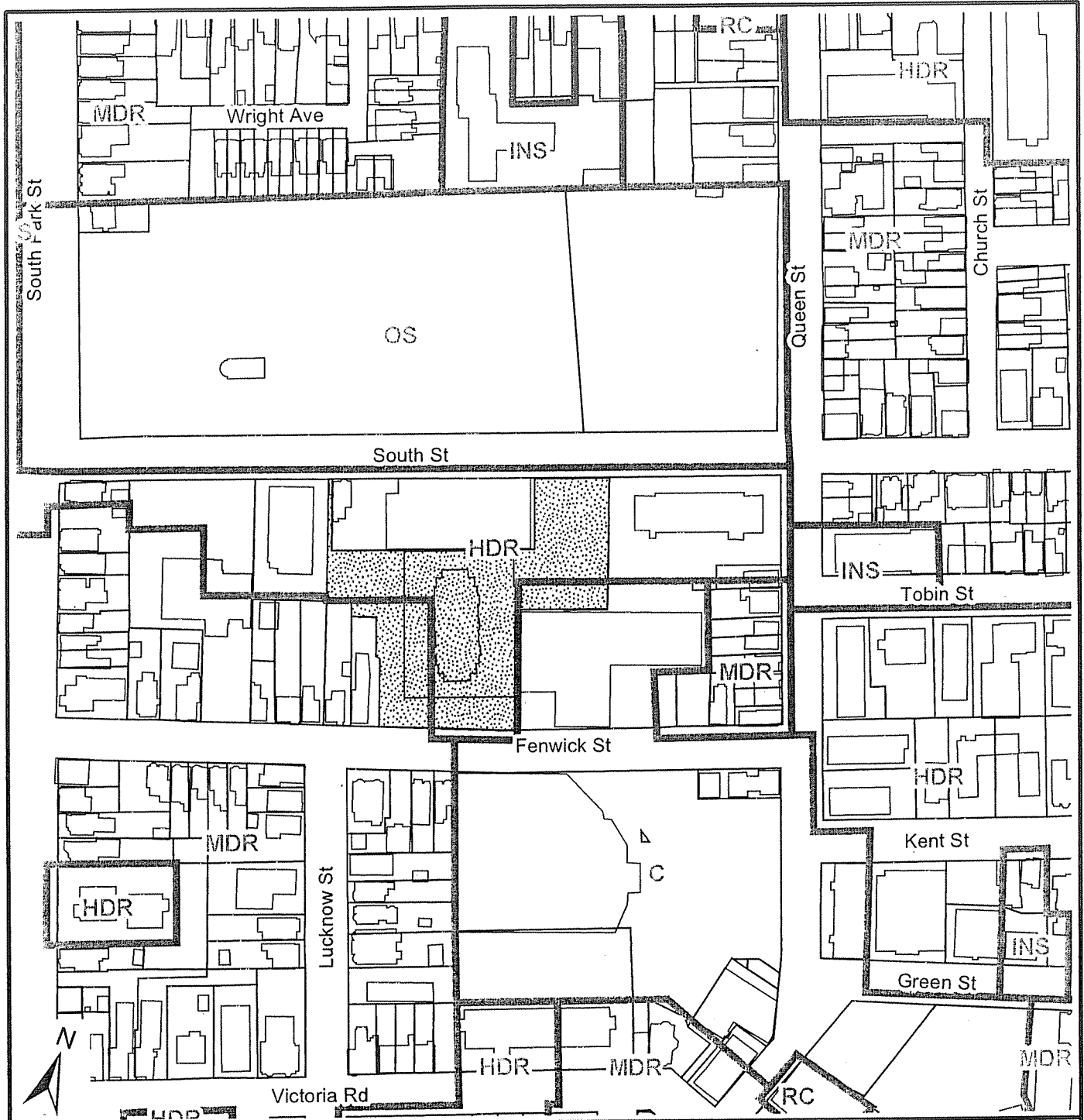
HALIFAX
 REGIONAL MUNICIPALITY
 COMMUNITY DEVELOPMENT
 PLANNING SERVICES

0 20 40 m

This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula Land Use By-Law Area.


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

Halifax Peninsula
 Land Use By-Law Area



Map 2 - Generalized Future Land Use

5595 Fenwick Street
Halifax

 Subject property

Designation

MDR	Medium Density Residential
HDR	High Density Residential
RC	Residential Commercial Mix
C	Commercial
INS	Institutional
OS	Open Space

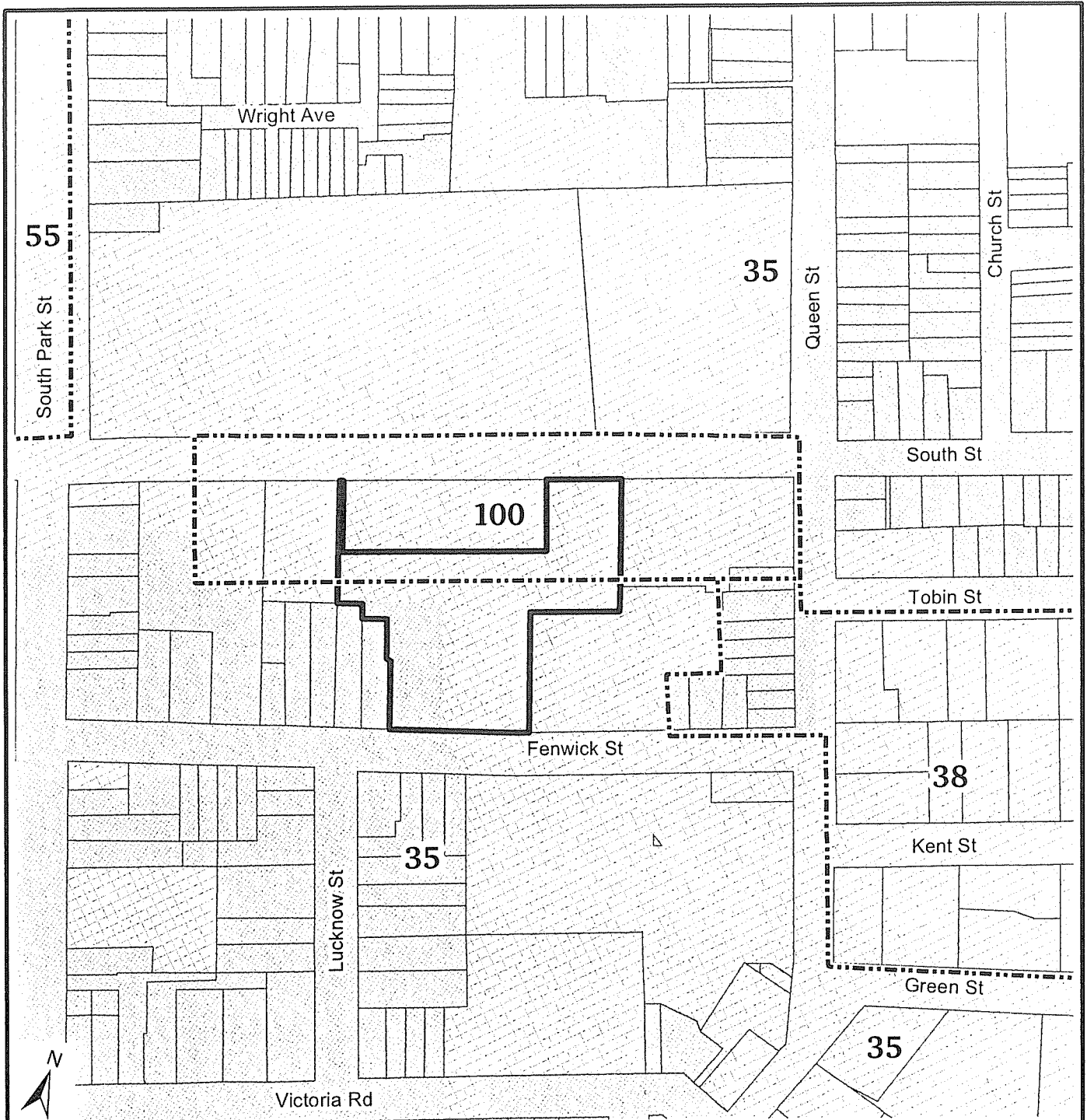
Halifax Plan Area
South End Detailed Area Plan

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 20 40 m

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Halifax Plan Area.

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



Map 3 - Height Precincts

5595 Fenwick Street
Halifax



Subject property



Height precinct boundary

Halifax Peninsula
Land Use By-Law Area

Interpretation of Building Height

Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building

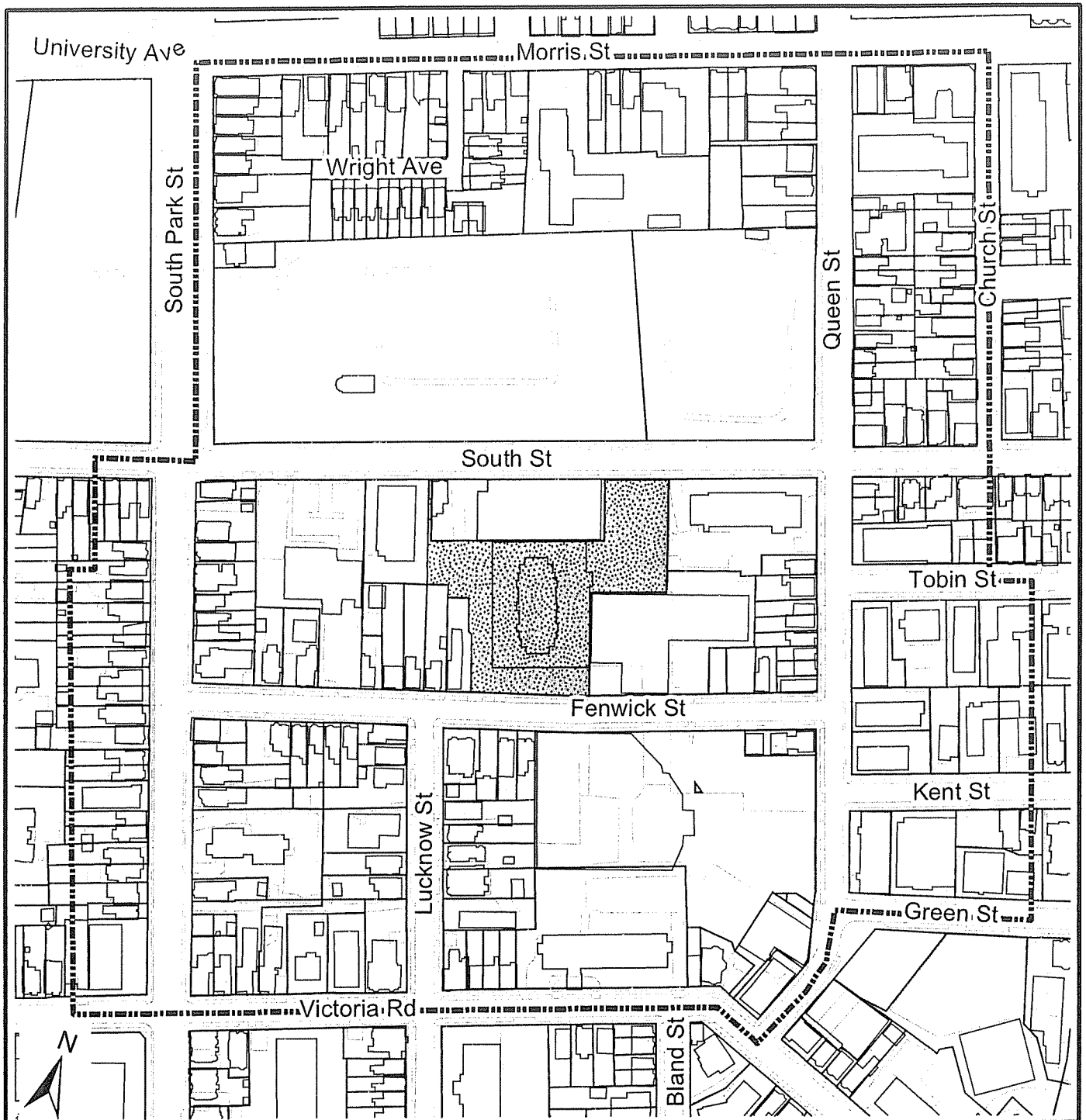
Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 20 40 m



This map is an unofficial reproduction of a portion of the Height Precincts Map for the Halifax Peninsula Land Use By-Law Area

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



Map 4 - Area of Notification

5595 Fenwick Street
Halifax

-  Subject property
-  Area of notification

Halifax Peninsula
Land Use By-Law Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 20 40 60 m

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any representation on this plan.

Attachment A - Proposed Amendments to the Halifax Municipal Planning Strategy

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Halifax Municipal Planning Strategy is hereby amended as follows:

1. By inserting the following within the Residential Environments section of the South End Area Plan:
 - 7.7A Notwithstanding the High Density Residential designation applied to PID 41030735, the Fenwick Tower lands, and other policies of this Municipal Planning Strategy, Council may consider a redevelopment proposal for the entirety of these lands by development agreement.
 - 7.7A.1 In considering a development agreement proposal pursuant to policy 7.7A, Council shall have regard for the following:
 - a) that a proposal is a comprehensive plan for the development of the lands in their entirety and includes construction phasing;
 - b) that the development conforms with the Citadel Rampart and View Plane requirements;
 - c) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development, and commercial uses that are compatible with residential uses;
 - d) that there is an adequate supply of vehicular and bicycle parking;
 - e) that vehicular parking is exclusively provided within an interior parking garage that has access from both South Street and Fenwick Street;
 - f) that the proposal is a single building with an underground parking garage, above which the form and land use of individual building elements is consistent with the following:
 - i. the existing Fenwick Tower may be enlarged towards Fenwick Street and its existing exterior cladding shall be replaced, along with the addition of a new penthouse;
 - ii. Fenwick Tower shall contain commercial uses within its first three levels, residential uses throughout the remainder of the building element, with an option for commercial uses upon top level of the building;
 - iii. at the base of Fenwick Tower, along Fenwick Street, there shall be Townhouse style dwelling units with an option for at grade commercial uses;

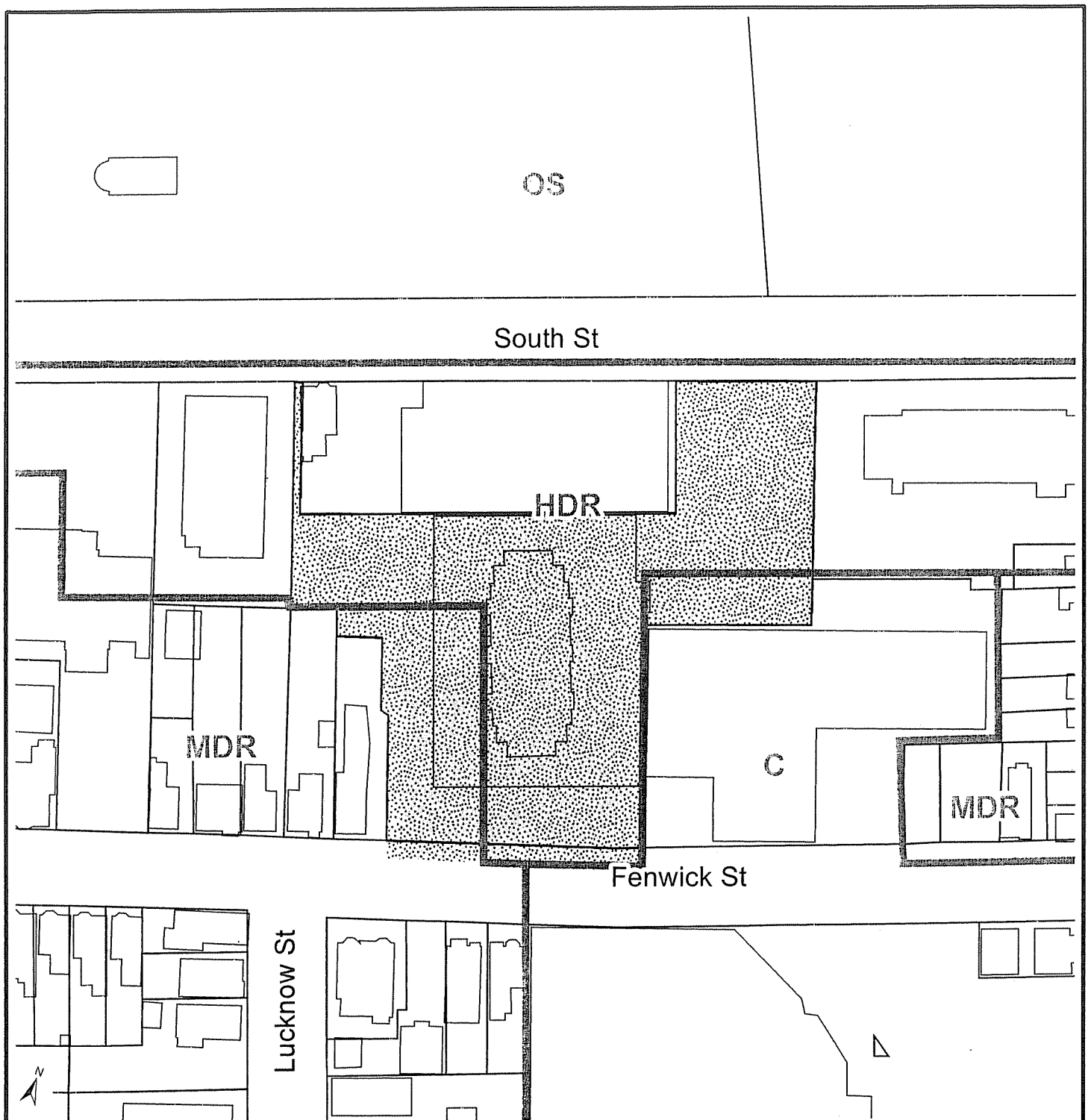
- iv. to the north-west of Fenwick Tower, there may be a building element that is a maximum of 8 storeys and a maximum of 85 feet above the level of the parking garage rooftop, that shall be comprised of ground floor commercial uses and either residential dwelling units or office uses;
- v. upon South Street, there may be a building element that is a maximum of 10 storeys from South Street and in conformity with the Citadel View Plane requirements, that shall be comprised of ground floor commercial uses and upper storey residential uses;
- vi. connecting South Street and Fenwick Street, there shall be a pedestrian passageway that is accessible to the general public and that may have one and two storey building elements along it, above the level of the parking garage rooftop, that shall have ground floor commercial uses and either second floor commercial or residential uses;
- g) that rooftop areas around the base of the building elements described above and the pedestrian passageway, are comprised of landscaping;
- h) that mechanical equipment and other utilitarian features are concealed;
- i) that environmental factors, including sun/shadow and wind conditions are suitable for in the intended use of the site; and
- j) that the form of the development is of a high quality and that the development and its land uses are suitable with surrounding properties.

2. By amending Map 9A, the Generalized Future Land Use Map of the South End Area Plan, to include the entirety of PID 41030735 within the High Density Residential designation, as shown on Schedule 1.

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Halifax, as set out above, were passed by a majority vote of the Regional Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2010.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2010.

Municipal Clerk



SCHEDULE 1

Proposed Amendments to the Halifax Municipal Planning Strategy

5595 Fenwick Street
Halifax



Area to be designated HDR on
Map 9A of the Halifax Municipal
Planning Strategy

Designation

MDR	Medium Density Residential
HDR	High Density Residential
RC	Residential Commercial Mix
C	Commercial
OS	Open Space

Halifax Plan Area
South End Detailed Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 20 40 m

This map is an unofficial reproduction of a
portion of the Zoning Map for the Halifax
Peninsula Land Use By-Law Area.

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

Attachment B - Proposed Amendments to the Halifax Peninsula Land Use By-law

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

1. By inserting the following within Section 94 (s), the “Development Agreement Provisions”, “South End Development Agreements”:

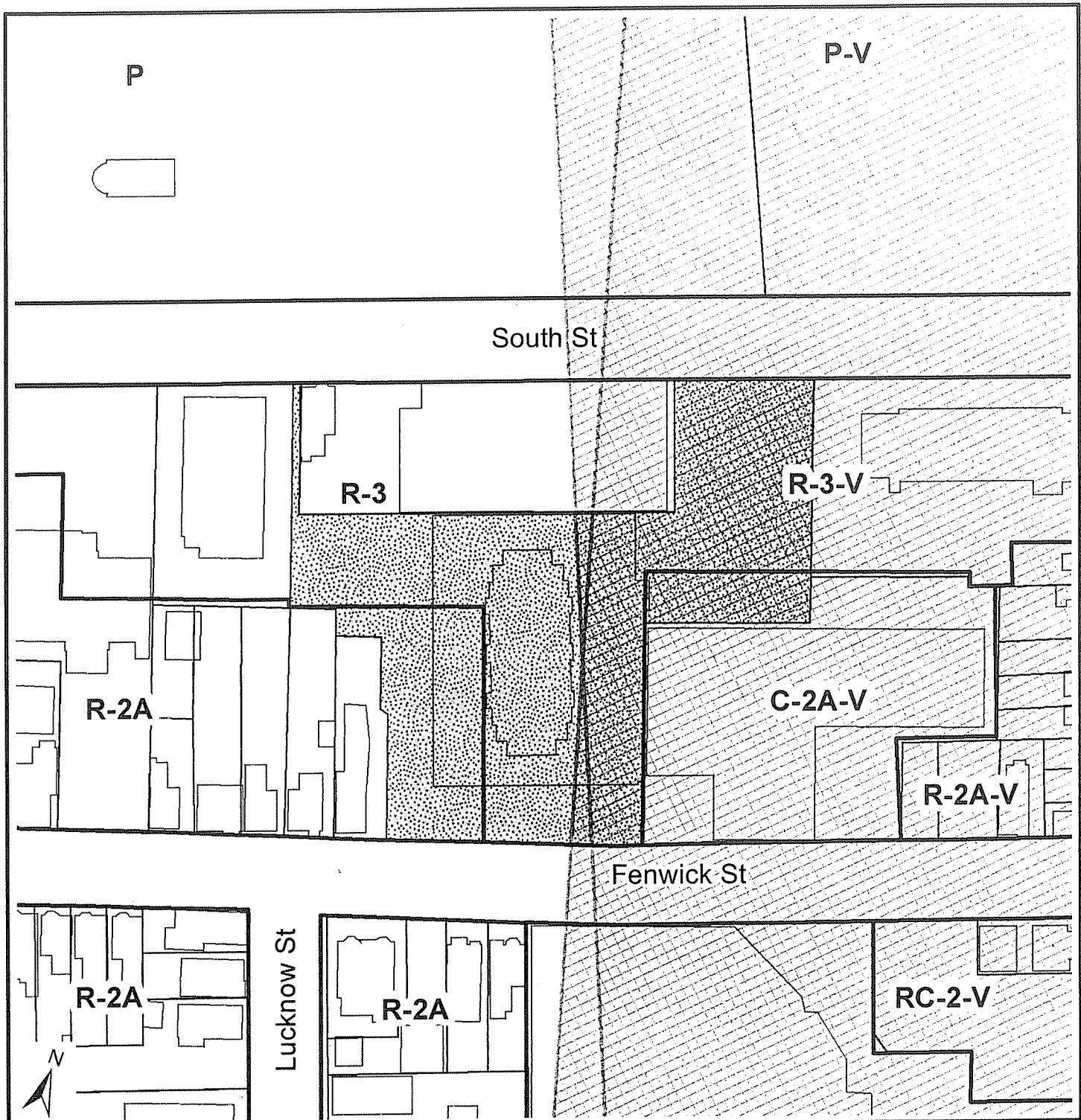
Fenwick Tower

- (s) permit a mixed use residential and commercial development in accordance with policies 7.7A and 7.7A.1
2. By amending the Zoning Map, Map ZM-1, to include the entirety of PID 41030735 within the R-3 Zone and the R-3-V Zone (within view plane), as shown on Schedule 2.

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Halifax, as set out above, were passed by a majority vote of the Regional Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2010.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2010.


Municipal Clerk




SCHEDULE 2

Proposed Amendments to the Halifax Peninsula Land Use By-Law

5595 Fenwick Street
Halifax

 View plane

Halifax Peninsula
Land Use By-Law Area

 Area to be rezoned to R-3(-V)
on ZM-1 of the Halifax Peninsula
Land Use By-Law

Zone (-V within view plane)

R-2A General Residential Conversion
R-3 Multiple Dwelling
RC-2 Residential Minor Commercial
C-2A Minor Commercial
P Park and Institutional

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 20 40 m

This map is an unofficial reproduction of a
portion of the Zoning Map for the Halifax
Peninsula Land Use By-Law Area.

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

Attachment C - Proposed Development Agreement

THIS AGREEMENT made this ____ day of _____, 20__,

BETWEEN:

[INSERT REGISTERED OWNER NAME]

a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 5599 Fenwick Street and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for a redevelopment that includes new commercial and residential uses on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and Policies 7.7A and 7.7A.1 of Section 7, *District Policies of the South End Area Plan* of the Halifax Municipal Planning Strategy and *Development Agreement Provisions, South End*, Clause 94(1)(s) of the Halifax Peninsula Land Use By-law (Land Use By-law);

AND WHEREAS the Peninsula Community Council for the Municipality approved this request at a meeting held on _____, referenced as Municipal Case Number 15937;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

- 1.1.1 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

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

1.3 Applicability of Other By-laws, Statutes and Regulations

- 1.3.1 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 Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

- 1.4.1 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.
- 1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

- 1.5.1 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 laws, by-laws, regulations and codes applicable to the Lands.

1.6 Provisions Severable

- 1.6.1 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: DEFINITIONS

2.1 Words Not Defined under this Agreement

- 2.1.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

2.2 Definitions Specific to this Agreement

- 2.1.2 The following words used in this Agreement shall be defined as follows:
 - (a) “Building” means the building that is the subject of this Agreement, in its entirety, of which there are several building elements.
 - (b) “Building element” means West Tower, Fenwick Street Townhouses, South Street Tower, Mews West, Mews East, or Fenwick Tower, as identified on the Schedules.

- (c) “Community meeting areas” means interior floor areas that are used as amenity space for residents of the development or assembly for the general public.
- (d) “Development” means the development that is enabled by this Agreement.
- (e) “Information sign” means a sign that provides information, including a sign guiding vehicular or pedestrian traffic or a sign identifying the name of a building element, that is generally for safety or directional purposes.
- (f) “Pedestrian Passageway” means the walkway that extends between South Street and Fenwick Street and between the building elements and through the northern end of Fenwick Tower, as shown on the Schedules.
- (g) “Phase” means a construction phase specified in Schedule A-49.
- (h) “Public parking” means parking that is available to the general public.
- (I) “Landscape Architect” means a professional, full member in good standing with the Canadian Society of Landscape Architects.
- (j) “Landscaped Open Space” means the areas identified on the Schedules, including the Pedestrian Passageway.
- (k) “Months from the initial permit for construction” means the number of months from the first building permit for the construction of the development, in whole or in part.
- (l) “Personal service use” means a business that is associated with the grooming or health of persons or the maintenance or repair of personal wardrobe articles and accessories, and may include a hair salon, beauty parlor, tailor, self service laundry, or depots for collecting dry cleaning and laundry.

PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS

3.1 Schedules

- 3.1.1 The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement and filed in the Halifax Regional Municipality as Case Number 15937:

Schedule A, Legal Description of the Lands

Schedule B, Plans

Drawing	A-1	Site Plan
	A-2	Building Elements
	A-3	South Elevation
	A-4	West Elevation
	A-5	North Elevation
	A-6	East Elevation
	A-7	Parkade Level 1 - Fenwick Tower
	A-8	Parkade Level 2 - Fenwick Tower
		Parkade Level 1 - South St. Tower/West Tower
	A-9	Parkade Level 3 - Fenwick Tower
		Parkade Level 2 - South St. Tower/West Tower
	A-10	Level 1 - Fenwick Tower
		Parkade Level 3 - South St Tower/West Tower
	A-11	Level 1 - Fenwick Townhouses
	A-12	Level 2 - Fenwick Tower
		Level 1 - West Tower/Mews Buildings
		Level 1A - South Street Tower
		Level 2 - Fenwick Townhouses
	A-13	Level 3 - Fenwick Tower
		Level 2 - West Tower/Mews
		Level 1B - South St. Tower
		Level 3 - Fenwick Townhouses
	A-14	Level 4 - Fenwick Tower
		Level 3 - West Tower
		Level 2 - South St. Tower
		Level 4 - Fenwick Townhouses
	A-15	Level 5 - Fenwick Tower
		Level 4 - West Tower
		Level 3 - South St Tower
	A-16	Level 6 - Fenwick Tower
		Level 5 - West Tower

	Level 4 - South St Tower
A-17	Level 7 - Fenwick Tower
	Level 6 - West Tower
	Level 5 - South St Tower
A-18	Level 8 - Fenwick Tower
	Level 7 - West Tower
	Level 6 - South Street Tower
A-19	Level 9 - Fenwick Tower
	Level 8 - West Tower
	Level 7 - South St Tower
A-20	Level 10 - Fenwick Tower
	Level 8 - South St Tower
A-21	Level 11 - Fenwick Tower
	Level 9 - South Street Tower
A-22	Level 12 - Fenwick Tower
	Level 10 - South St Tower
A-23	Level 13-15 - Fenwick Tower
A-24	Level 16 - Fenwick Tower
A-25	Level 17-22 - Fenwick Tower
A-26	Level 23-29 - Fenwick Tower
A-27	Level 30 - Fenwick Tower
A-28	Level 31 - Fenwick Tower
A-29	Level 32 - Fenwick Tower
A-30	Level 33 - Fenwick Tower
A-31	Building Elevations - Heights Fenwick Townhouses Fenwick Tower
A-32	Building Elevations - Heights West Tower West Mews Fenwick Tower South St Tower
A-33	Building Elevations - Heights West Tower
A-34	Building Elevations - Heights West Mews - West Elevation
A-35	Building Elevations - Heights West Mews - East Elevation
A-36	Building Elevations - Heights South St Tower West Tower East Mews

A-37	Building Elevations - Heights South Street Tower
A-38	Building Elevations - Heights West Mews Fenwick Tower Base
A-39	Building Elevations - Heights South St Tower (West Elevation)
A-40	Detailed Pedestrian Level Elevations - Materials West Mews (East Elevation)
A-41	Detailed Pedestrian Level Elevations - Materials West Elevations - Fenwick Tower & Fenwick Townhouses
A-42	Detailed Pedestrian Level Elevations - Materials South Tower - West Elevation
A-43	Detailed Pedestrian Level Elevations - Materials East Mews - East Elevation
A-44	Detailed Pedestrian Level Elevations - Materials South Tower - North Elevation
A-45	Detailed Pedestrian Level Elevations - Materials Fenwick Street Townhouses
A-46	Project Lighting Description
A-47.1	Landscape Plan Pedestrian Mews
A-47.2	Landscape Plan Roof Top Terraces
A-48.1	Landscape Plan Planting Key
A-48.2	Landscape Planting Key (cont'd)
A-49	Phasing Plan

Schedule C, Wind Testing Methodology and Criteria

3.2 Requirements Prior to Approval

- 3.2.1 Prior to the issuance of the first Construction Permit, the Developer shall submit a wind tunnel test report, pursuant to Section 3.13.
- 3.2.2 Prior to the issuance of a Construction Permit for each phase, the Developer shall provide the following to the Development Officer:
- (a) where a phase is impacted by the View Plane or Rampart requirements of the Land Use By-law, confirmation from a Nova Scotia Land Surveyor that the planned construction, or part thereof, meets said requirements; and
 - (b) landscape plans, pursuant to Section 3.11.

- 3.2.3 Prior to the issuance of a municipal Occupancy Permit for a building element in each construction phase, the Developer shall provide the following to the Development Officer:
- (a) where a construction phase is impacted by the View Plane or Rampart requirements of the Land Use By-law, confirmation from a Nova Scotia Land Surveyor that the completed construction meets said requirements; and
 - (b) confirmation of the completion of landscape open spaces, pursuant to Section 3.11.
- 3.2.4 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.4 Land Use

- 3.4.1 The following land uses shall be permitted:
- (a) commercial uses, as follows:
 - (i) banks;
 - (ii) commercial recreation uses;
 - (iii) daycares;
 - (iv) offices;
 - (v) personal service uses;
 - (vi) restaurants;
 - (vii) schools; and
 - (viii) stores for retail trade;
 - (b) community meeting areas;
 - (c) public parking;
 - (d) residential uses; and
 - (e) accessory uses to the foregoing.
- 3.4.2 For greater certainty, in no case shall adult entertainment uses be permitted.

3.5 Land Use Requirements

- 3.5.1 Unless otherwise provided for in the text of this Agreement, the location of land uses shall be as shown on the Schedules.
- 3.5.2 Floor areas identified on the Schedules as commercial floor areas shall be used for commercial uses, except that the second level of the Mews Building Elements may be used for residential uses provided that they are comprised of a minimum of two bedrooms per dwelling unit. Such residential development shall be counted as part of the total number of dwelling units pursuant to clause 3.5.5.
- 3.5.3 Changes in the interior arrangement of commercial floor areas shall be permitted provided that there continues to be direct access to the Pedestrian Passageway and Fenwick Street, as shown on the Schedules.
- 3.5.4 Floor areas identified on the Schedules as residential floor areas shall be used for residential uses, except as otherwise specified.
- 3.5.5 The maximum number and distribution of residential dwelling units shall be as follows:

Dwelling Units	Building Element				
	Fenwick Tower	West Tower	South Street Tower	Townhouses	Total
Maximum number of dwelling units in each building element	379	38	87	6	510

- 3.5.6 Pursuant to 3.5.5 and the Schedules, changes to the interior layout of residential floor areas and the number of dwelling units within each building element may be altered provided that:
- (a) there is a maximum of 510 dwelling units for the entire development; and
 - (b) a minimum of 50% of the dwelling units in each of the building elements contain 2 or more bedrooms.
- 3.5.7 Further to 3.5.4:
- (a) in the West Tower, residential floor areas may be used for office uses and in such instances, there shall be a corresponding decrease in the maximum number of permitted dwelling units; and

- (b) the Penthouse shown on Schedule A-30 may be used for commercial uses.

3.6 Phasing

- 3.6.1 Construction shall proceed in phases, pursuant to Schedule B, Drawing A-49, *Project Phasing Plan Schedule*, and all construction within each construction phase shall be complete by the dates below:

Phase	Months from the Initial Permit for Construction
1	36
2	48
3	60
4	72

- 3.6.2 Construction of individual phases may occur simultaneously, but an Occupancy Permit shall not be issued upon any development within a phase until the construction of all preceding phases is complete.
- 3.6.3 Clause 3.6.2 shall not apply to residential occupancies within Fenwick Tower, which may be occupied during construction of the development.

3.7 Architectural Requirements

- 3.7.1 All vents, down spouts, flashing, electrical conduits, metres, service connections, and other functional elements shall be treated as integral parts of the design. Where appropriate these elements shall be painted to match the colour of the adjacent surface, except where used expressly as an accent.
- 3.7.2 Mechanical systems (HVAC, exhaust fans, etc.), telecommunication equipment, propane tanks, or other utilitarian features, but excluding mechanical systems associated with individual dwelling units, shall be visually screened from:
- (a) Fenwick Street;
 - (b) South Street,
 - (c) abutting residential properties; and
 - (d) any landscaped open space, including the Pedestrian Passageway.

3.7.3 In addition to 3.7.2, all roof mounted mechanical systems and telecommunication equipment shall be visually integrated into the roof design of each of the Building Elements.

3.7.4 Noise reduction measures shall be implemented for any of the mechanical utilitarian features referred to in this Section.

3.8 Subdivision of the Lands

3.8.1 No subdivision of the lands shall be permitted.

3.9 Parking, Circulation, and Access

3.9.1 There shall be a minimum of 420 vehicular parking spaces for the whole of the development.

3.9.2 Bicycle parking shall be provided for in conformance with the requirements of the Land Use By-law.

3.9.3 Parking associated with each building element shall be complete prior to the issuance of an Occupancy Permit for said building element.

3.9.4 Parking shall be subject to the following:

- (a) The minimum size of a parking stall shall be 8 feet in width and 16 feet in length; and
- (b) The minimum width of driveways, except between pillars, shall be 20 feet.

3.9.5 The interior arrangement of the parking spaces and driveways shown on the Schedules may be modified provided that the requirements of this Section are met and that there are no changes to the location and function of parking garage entrances/exits.

3.9.6 Upon completion of the landscaping for Phase 3, the Developer agrees to allow the general public to access the pedestrian passageway, as identified on the Schedules, and to use it as a means of travel between South Street and Fenwick Street.

3.9.7 Further to 3.9.6, there shall be no gates, doors, or other similar barriers that impede public access and travel within the public circulation areas.

3.10 Lighting

- 3.10.1 This Agreement shall not oblige the Developer to illuminate the exterior of the building, but where illumination occurs, it shall comply with the Schedules.
- 3.10.2 The lighting pursuant to 3.10.1 shall be directed away from surrounding properties, including municipal right-of-ways, except to the extent as shown on the Schedules.
- 3.10.3 Lighting shall not include illumination that flashes, moves, or varies in intensity.

3.11 Landscaped Open Space and Landscaping

- 3.11.1 All plant material shall conform to the Canadian Nursery Trades Association Metric Guide Specifications and Standards and sodded areas to the Canadian Nursery Sod Growers' Specifications.
- 3.11.2 For each construction phase, prior to the issuance of a Construction Permit, the Developer shall submit a Landscape Plan, prepared by a Landscape Architect, which complies with the provisions of this section and Schedules.
- 3.11.3 Prior to issuance of an Occupancy Permit for a building element in each construction phase, the Developer shall submit a letter prepared by a Landscape Architect, certifying that landscaped open space and landscaping for said construction phase, has been completed according to the terms of this Development Agreement.
- 3.11.4 Notwithstanding 3.11.3, an Occupancy Permit may be issued provided that the weather and time of year does not allow the completion of the outstanding landscape works and that the Developer supplies a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate is to be prepared by a Landscape Architect. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work as described herein and illustrated on the Schedules, and as approved by 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 in this section of the Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.

3.12 Crime Prevention through Environmental Design

- 3.12.1 Prior to the submission of a development permit application for the construction of each construction phase, the Developer agrees to request that HRM undertake a review of the plans for said construction phase from a Crime Prevention Through Environmental Design perspective.
- 3.12.2 Further to 3.12.1, recommendations from HRM that result in changes to the design of the development may be permitted provided that such changes, in the opinion of the Developer Officer, do not materially alter the appearance of the Development as shown on the Schedules.

3.13 Wind

- 3.13.1 The developer agrees to undertake wind tunnel testing pursuant to the methodology identified in the Initial Wind Testing Assessment (Schedule C) for the entirety of the development, and submit a report to the Development Officer.
- 3.13.2 As a condition of the issuance of a development permit for first Construction Permit for the development, the report pursuant to 3.13.1 shall confirm that the expected levels of comfort identified in the Initial Wind Testing Assessment (Schedule C) shall be achieved for the entirety of the development; otherwise issuance of a development permit shall be refused.
- 3.13.3 Where required by the report pursuant to 3.13.1, wind mitigation measures, including the modification of the building, the installation of canopies, screens, and landscaping that, in the opinion of the Developer Officer, do not materially alter the appearance of the Development as shown on the Schedules, shall be permitted.

3.14 Signs

- 3.14.1 Signs, excepting information signs, shall be related to a commercial business located upon the lands.
- 3.14.2 Each business shall be permitted to install the following signs upon every exterior wall of their premise that faces the Pedestrian Passageway or Fenwick Street:
 - (a) one facial sign, having a maximum height of 2 feet, located immediately above storefront windows and entrances;
 - (b) ~~one projecting sign, subject to said sign being:~~
 - (i) a maximum of 6 square feet in size; and

- (ii) a minimum height of 8 feet from the bottom of the sign to ground below; and
- (c) signs upon or immediately behind storefront windows, provided they occupy a maximum of 30 percent of that window's area.

3.14.3 Signs shall not include any animation or illumination that flashes, moves, or varies in intensity.

3.14.4 Information signs are permitted on all parts of the building.

3.15 Temporary Construction Buildings

3.15.1 Temporary construction buildings shall be permitted on the Lands for the purpose of housing equipment, materials and office related matters relating to the construction and sale of the development in accordance with this Agreement. The construction building shall be removed from the Lands prior to the issuance of the last Occupancy Permit.

3.16 Hours of Operation

3.16.1 Restaurants shall be permitted to operate between the hours of 6:00 a.m. and 1:00 a.m.

3.16.2 Deliveries to the building, and the collection of refuse and recyclables, shall occur between the hours of 7:00 a.m. and 10:00 p.m.

3.16.3 Hours of operation not defined in this Section shall conform with all relevant Municipal and Provincial legislation and regulations, as may be amended from time to time.

3.17 Maintenance

3.17.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the 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 and ice control, salting of walkways and driveways.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

- 4.1.1 All design and construction of primary and secondary service systems shall satisfy Municipal Service Systems Specifications unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking the work.

4.2 Off-Site Disturbance

- 4.2.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

4.3 Underground Services

- 4.3.1 All secondary and primary electrical, telephone, cable service, and other similar wires to the building shall be underground installation.

4.4 Solid Waste

- 4.4.1 The building shall include designated space for three stream (refuse, recycling and composting) source separation services. 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 Solid Waste Resources.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 Storm Water

- 5.1.1 All storm water systems shall be maintained in good order in order to maintain full storage capacity.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

6.1.1 The following items are considered by both parties to be not substantive and may be amended by resolution of Council:

- (a) changes to the requirements of Section 3.7, *Architectural Requirements* with respect to the materials shown on the following Schedules:
 - (I) A-40;
 - (ii) A-41;
 - (iii) A-42, but limited to the ground floor facing the pedestrian passageway; and
 - (iv) A-43;
- (b) changes to the distribution of dwelling units between building elements, pursuant to clause 3.5.5;
- (c) changes to the requirements of Section 3.8, *Subdivision of the Lands*;
- (d) changes to the requirements of Section 3.11, *Landscaped Open Space and Landscaping*;
- (e) changes to the requirements of Section 3.14, *Signs*, where said requirements are for signs that face the Pedestrian Passage; and
- (f) the granting of an extension to the date of commencement of construction as identified in Section 7.3, *Commencement of Construction*.

6.2 Substantive Amendments

6.1.2 Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

7.1 Registration

7.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

- 7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by Council.
- 7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

- 7.3.1 In the event that development on the Lands has not commenced within 3 years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the 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.
- 7.3.2 For the purpose of this section, commencement of development shall mean the issuance of the first Construction Permit for the development.
- 7.3.3 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.1, if the Municipality receives a written request from the Developer at least 60 calendar days prior to the expiry of the commencement of development time period.

7.4 Completion of Development

- 7.4.1 Upon the completion of the whole development or complete phases of the development, 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; or
 - (d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law, as may be amended from time to time.

7.5 Discharge of Agreement

- 7.5.1 If the Developer fails to complete the development after 9 years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office, 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; or
 - (c) discharge this Agreement.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

8.1 Enforcement

- 8.1.1 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 24 hours of receiving such a request.

8.2 Failure to Comply

- 8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer 30 days written notice of the failure or default, 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 Lands 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 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 the Lands 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; or
- (d) in addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

WITNESS that this Agreement, made in triplicate, was properly executed by the respective Parties on this _____ day of _____, A.D., 20__.

SIGNED, SEALED AND DELIVERED in
the presence of:

(Insert Registered Owner Name)

Per: _____

Per: _____

=====

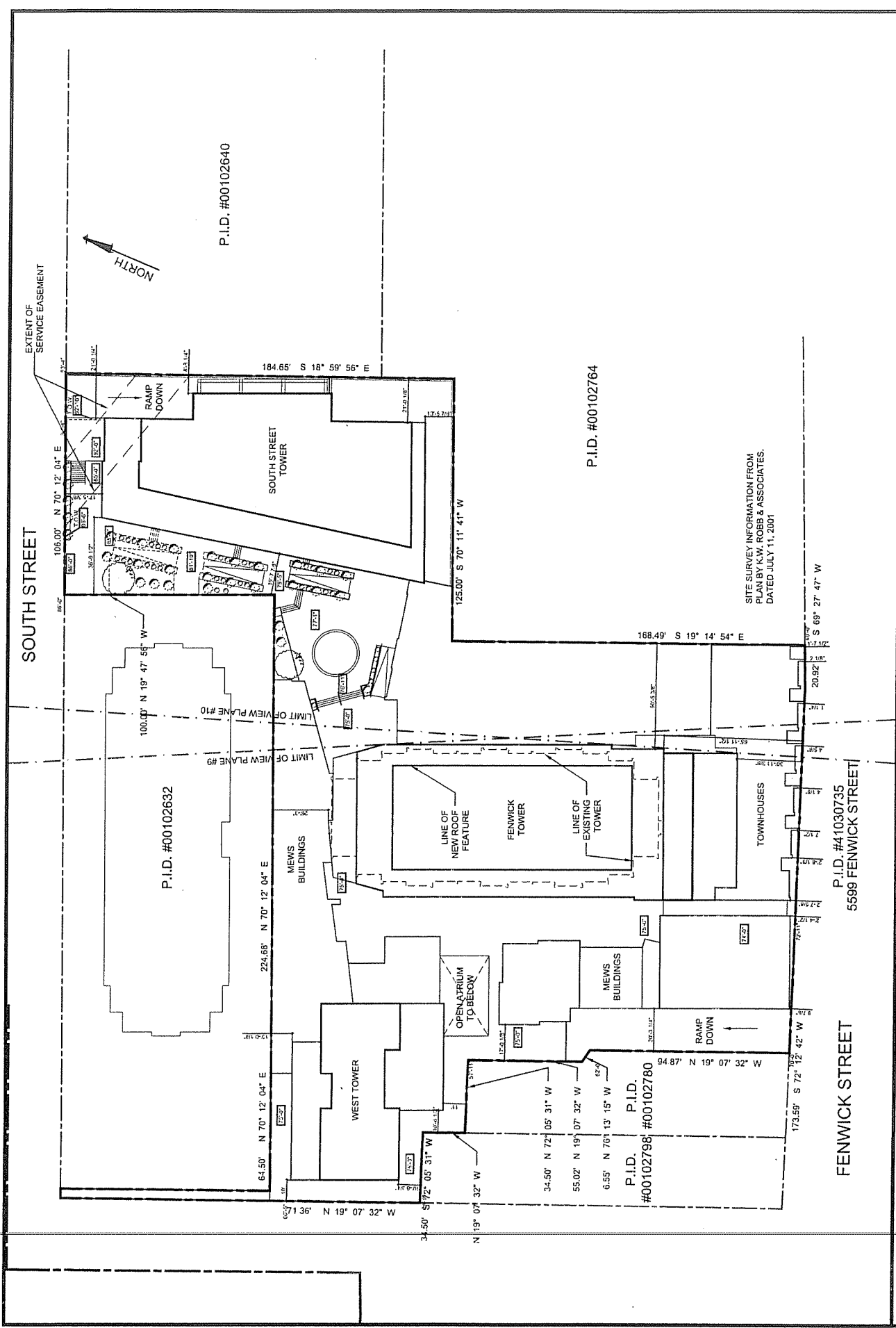
**SEALED, DELIVERED AND
ATTESTED** to by the proper signing
officers of Halifax Regional Municipality,
duly authorized in that behalf, in the
presence of:

=====

**HALIFAX REGIONAL
MUNICIPALITY**

Per: _____
Mayor

Per: _____
Clerk



SITE PLAN

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

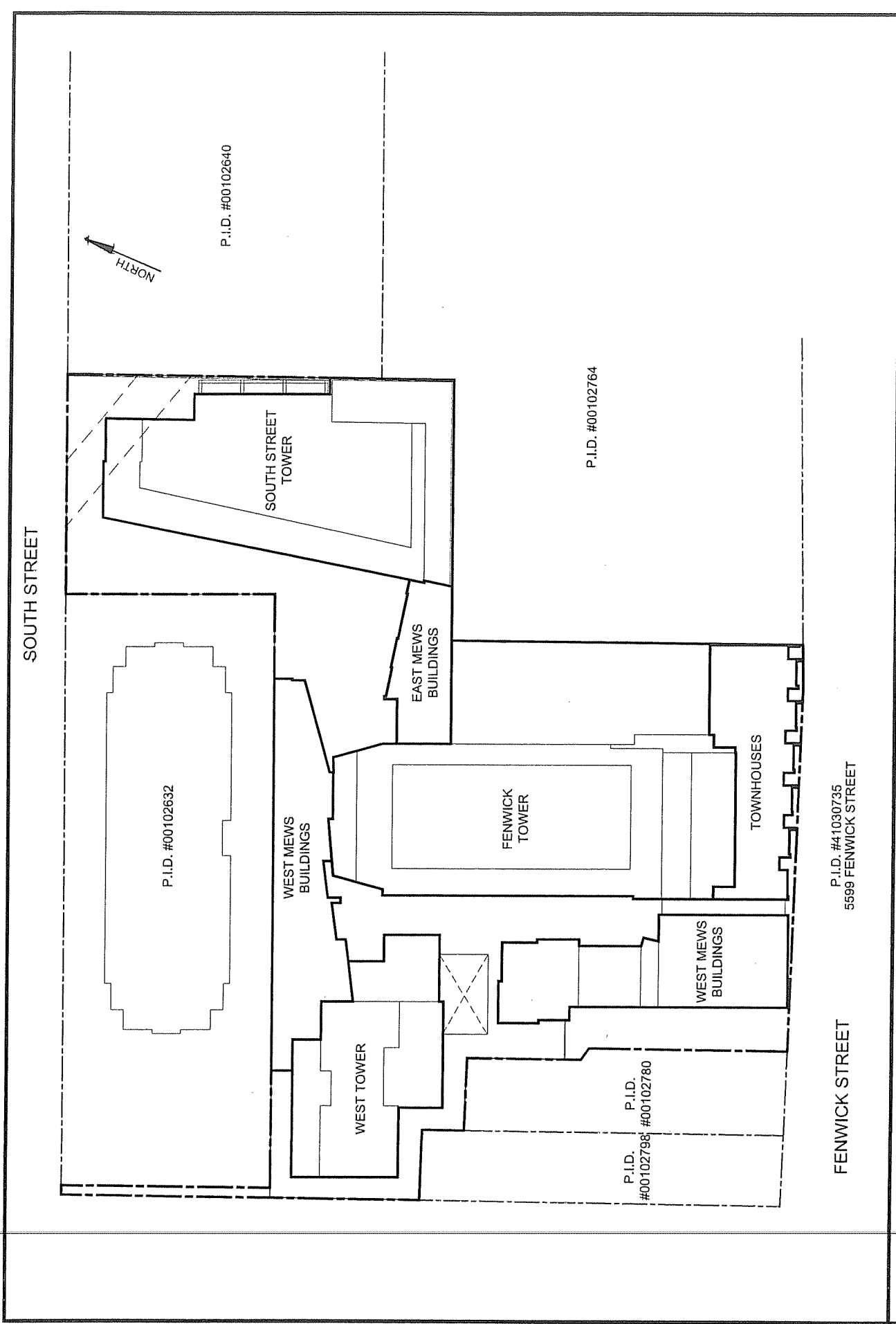


REVISIONS		DATE
NO.	DESCRIPTION	
1	ISSUED FOR DEVELOPMENT AGREEMENT	11/11/01
2	ISSUED FOR DEVELOPMENT AGREEMENT	12/04/01
3	REVISED TO D.L. APPLICATION	11/04/02
4	REVISED TO D.L. APPLICATION	11/04/02

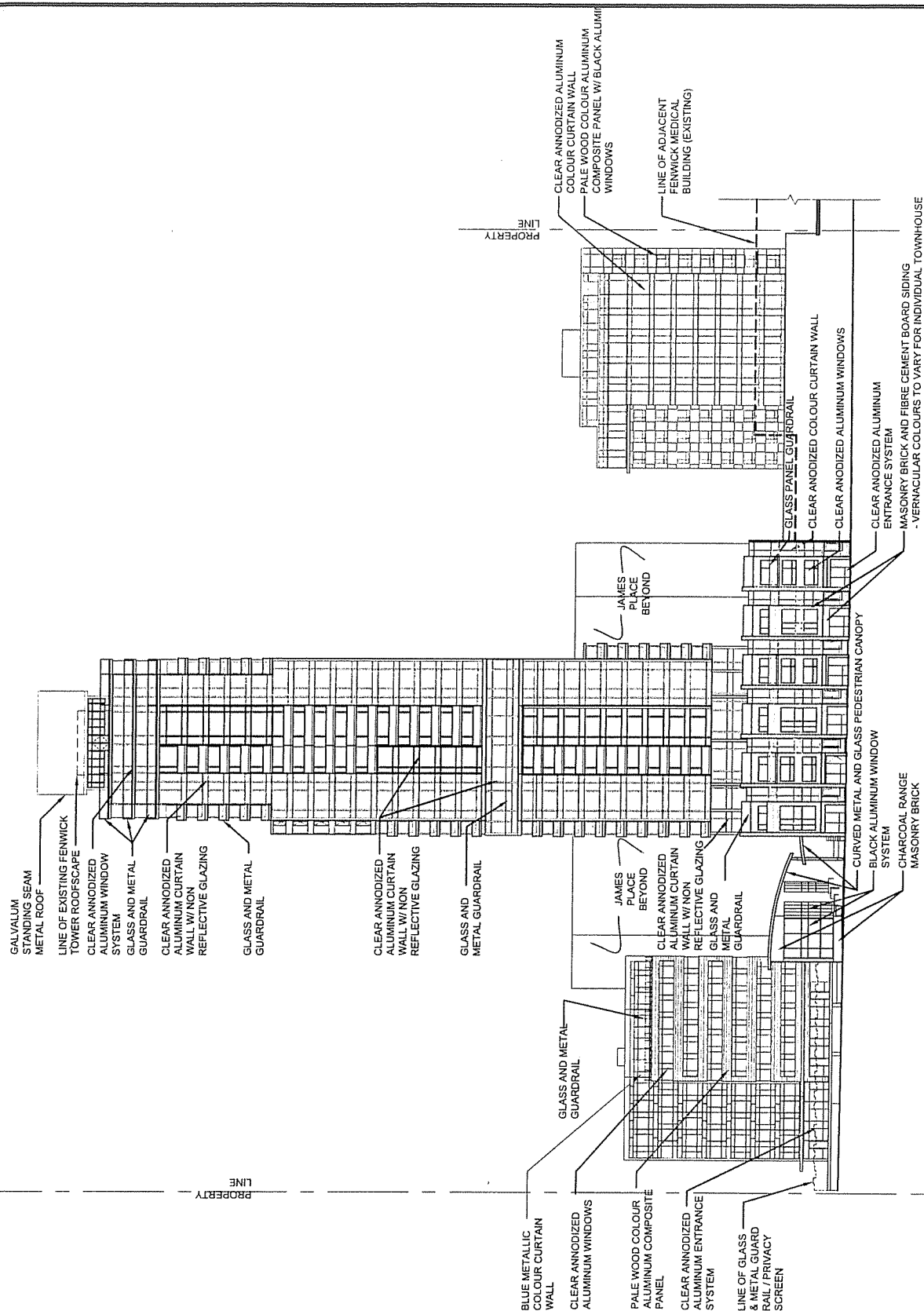
DRAWING		DATE
SITE PLAN		DEC 09

SCALE
0 10 25 50
FEET

DRAWING NO.
A-1



BUILDING ELEMENTS		P.I.D. #41030735 5599 FENWICK STREET		P.I.D. #00102632 FENWICK SITE REDEVELOPMENT PID # 41030735 PID # 00102632 HALIFAX, NOVA SCOTIA		P.I.D. #00102764		P.I.D. #00102640	
		FENWICK STREET		5599 FENWICK STREET		SOUTH STREET		FENWICK STREET	
REVISIONS		DRAWING		DATE		BUILDING ELEMENTS		DRAWING NO.	
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ELEVATIONS

FENWICK SITE REDEVELOPMENT

PID # 41030735

PID # 00102632

HALIFAX, NOVA SCOTIA

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REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT AGREEMENT	17/11/20
2.	REVISIT TO D.A. APPLICATION	11/04/12
3.	REVISIT TO D.A. APPLICATION	25/04/12
4.	REVISIT TO D.A. APPLICATION	11/04/12

DRAWINGS

SOUTH ELEVATION

SCALE

0

10

25

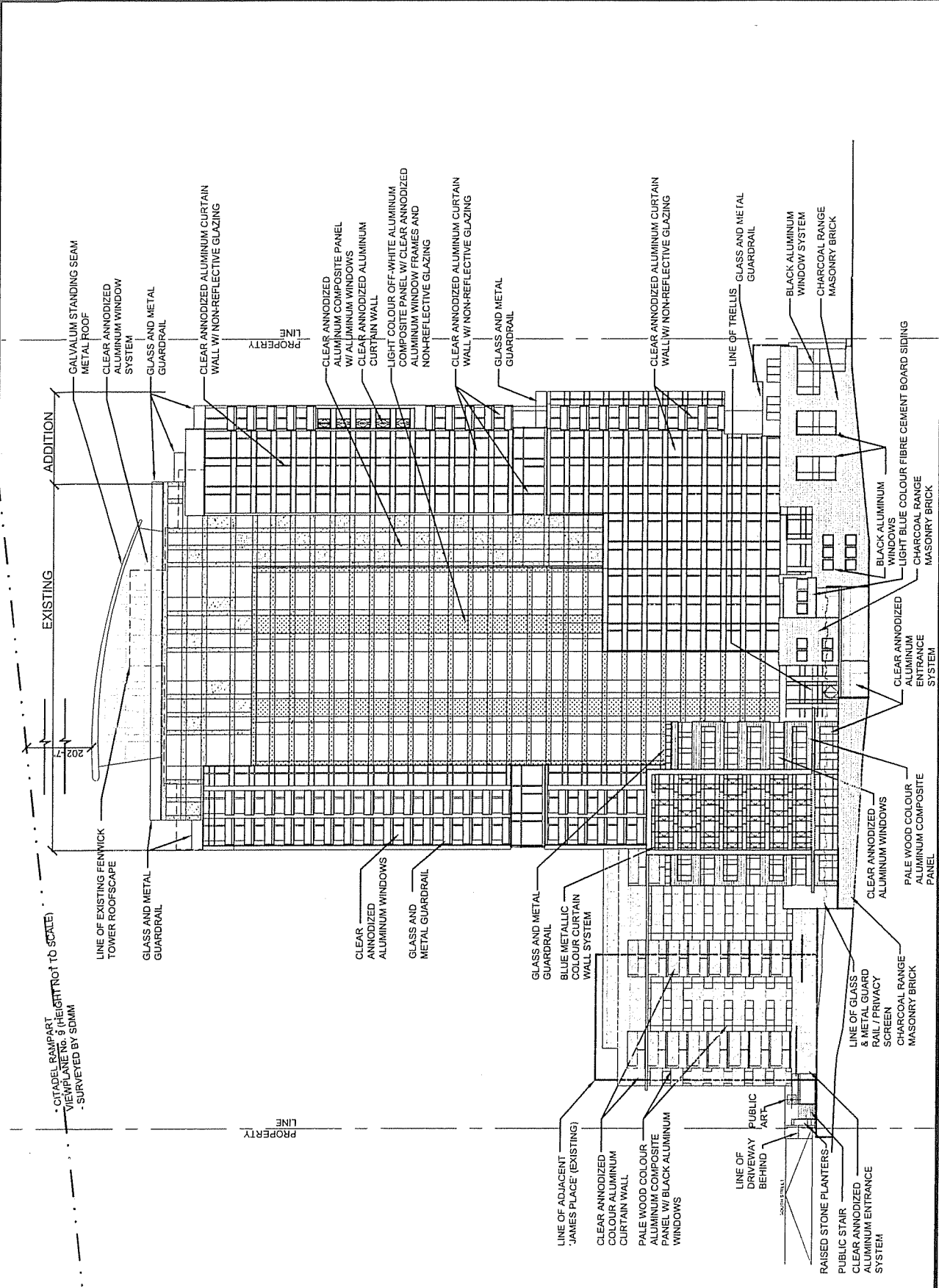
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DATE

DEC 09

DRAWING NO.

A-3



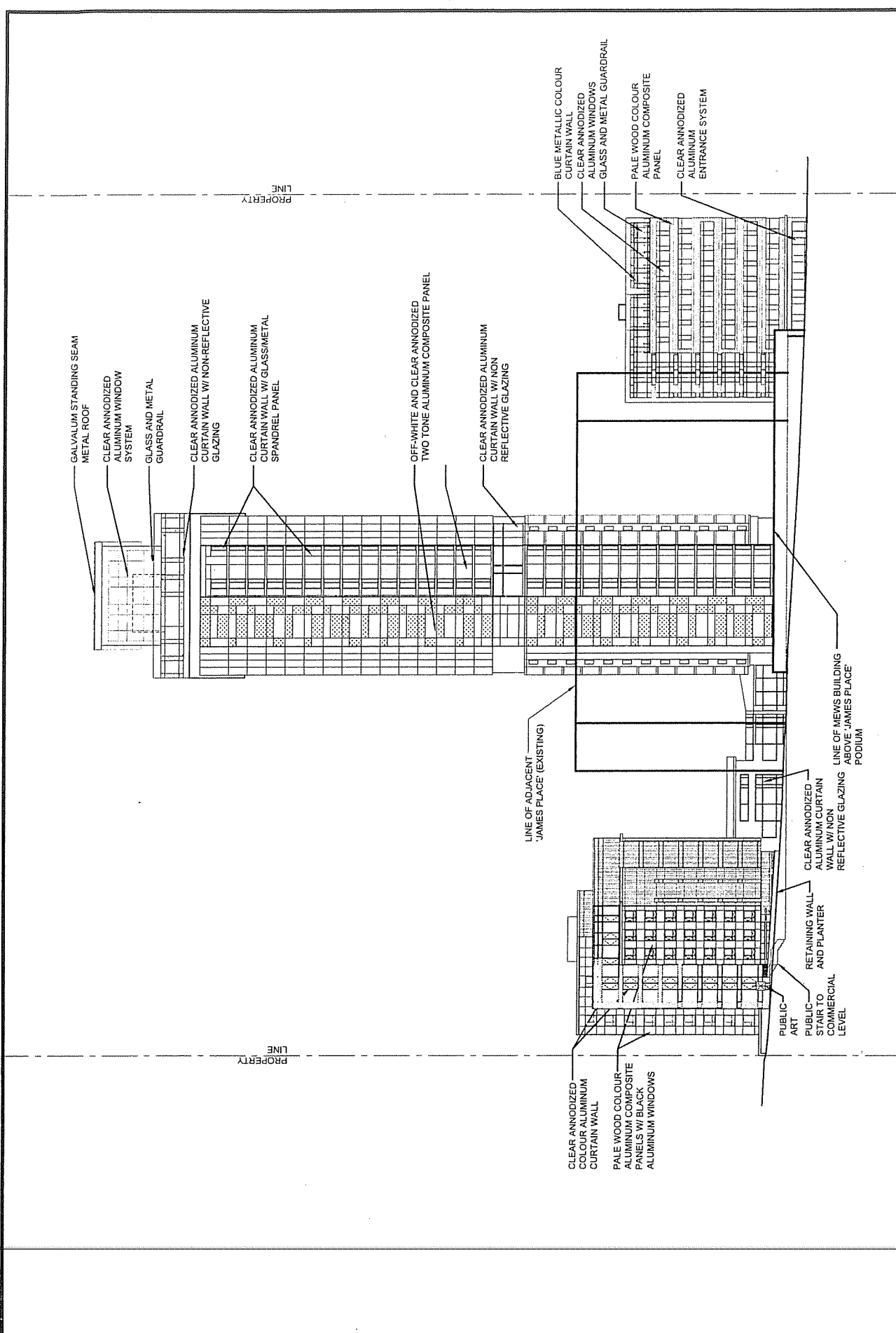
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NO.	REVISION	BY	CHKD.	DATE	SCALE	
1	ISSUED FOR CONSTRUCTION	MM	MM	MM	0 10 25 50	DEC 09
2	REVISION TO A-4	MM	MM	MM		
3	REVISION TO A-4	MM	MM	MM		
4	REVISION TO A-4	MM	MM	MM		

ELEVATIONS

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

WEST ELEVATION

DRAWING NO. A-4



ELEVATIONS

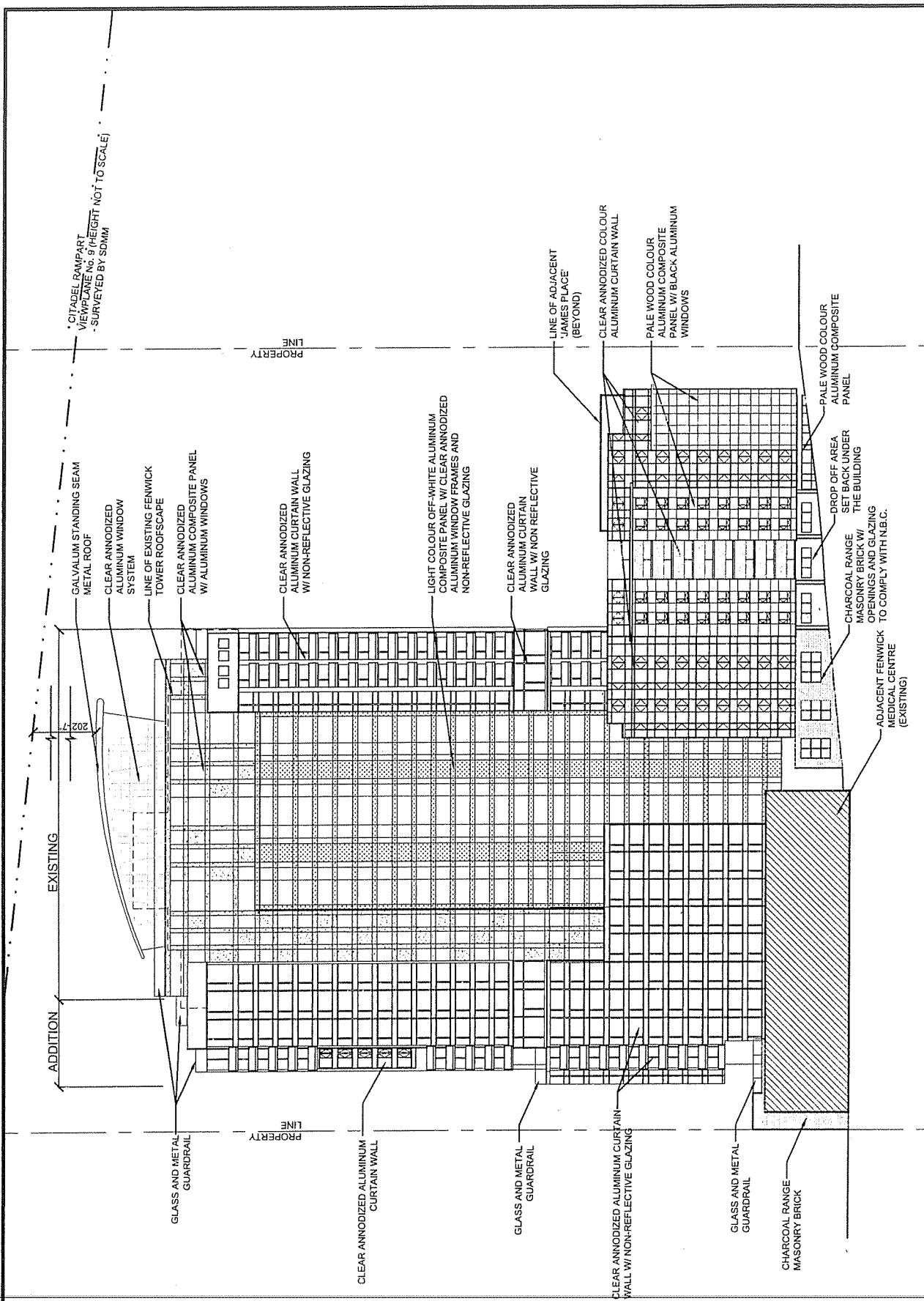
REVISIONS		DRAWING	DATE
NO.	REVISION NAME	DRAWN	DATE
1.	ISSUED FOR DEVELOPMENT AGREEMENT	17.2.09	DEC 09
2.	REVISION TO D.A. APPLICATION	16.04.10	
3.	REVISION TO D.A. APPLICATION	24.04.10	
4.	REVISION TO D.A. APPLICATION	16.06.10	
5.	REVISION TO D.A. APPLICATION	24.08.10	
6.	REVISION TO D.A. APPLICATION	26.09.10	
7.	REVISION TO D.A. APPLICATION	14.10.10	

NORTH ELEVATION

SCALE 0 10 25 50

DRAWING NO. A-5

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA



REVISIONS		DRAWING		DATE
NO.	REVISION MADE	SWY		
1.	ISSUED FOR DEVELOPMENT APPLICATION	11/03/12		
2.	REVISION TO D.A. APPLICATION	16/06/12		
3.	REVISION TO D.A. APPLICATION	16/06/12		
4.	REVISION TO D.A. APPLICATION	11/07/12		

EAST ELEVATION

DATE

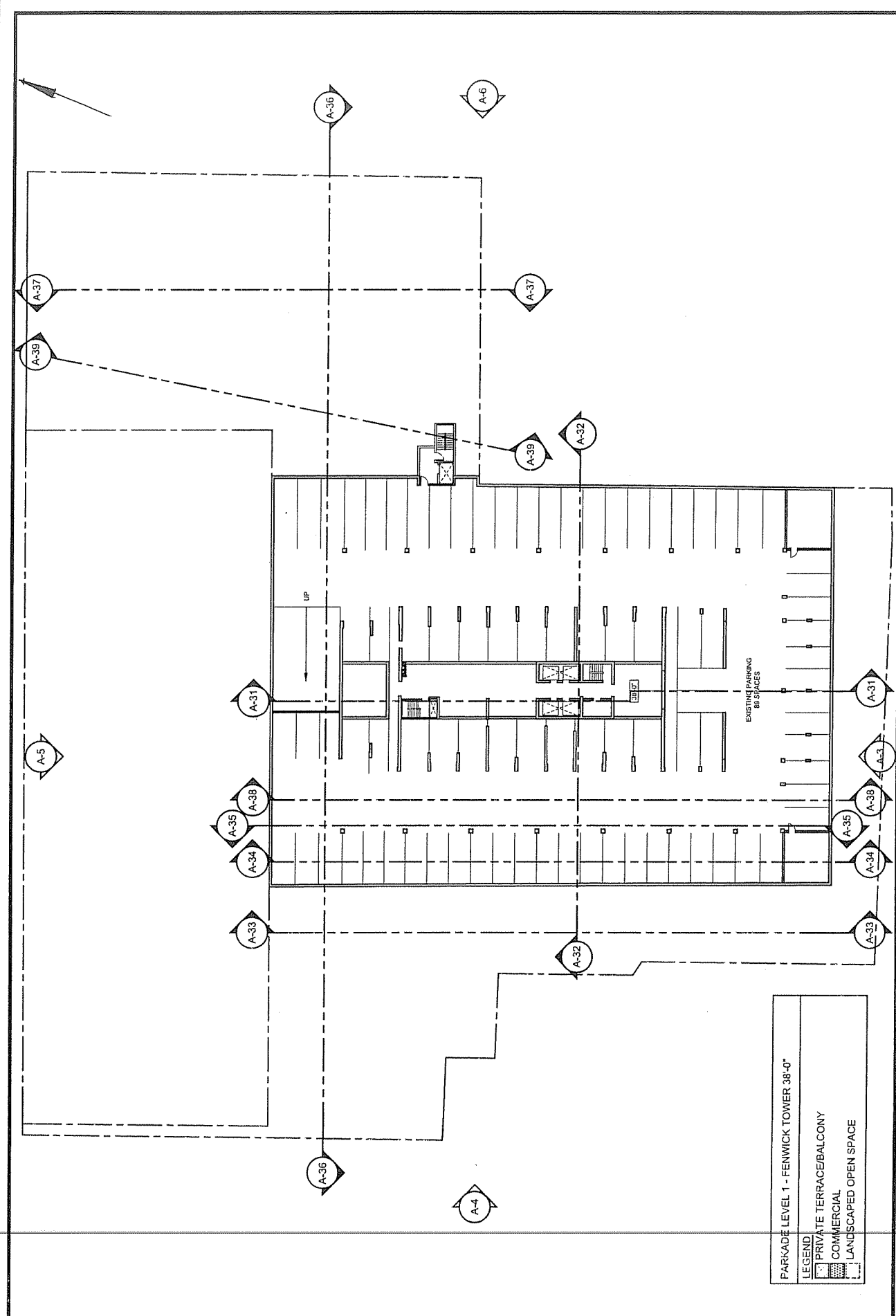
DEC 09

DRAWING NO

A-6



A-6



PARKADE LEVEL 1 - FENWICK TOWER 38'-0"

LEGEND	
[Symbol]	PRIVATE TERRACE/BALCONY
[Symbol]	COMMERCIAL
[Symbol]	LANDSCAPED OPEN SPACE

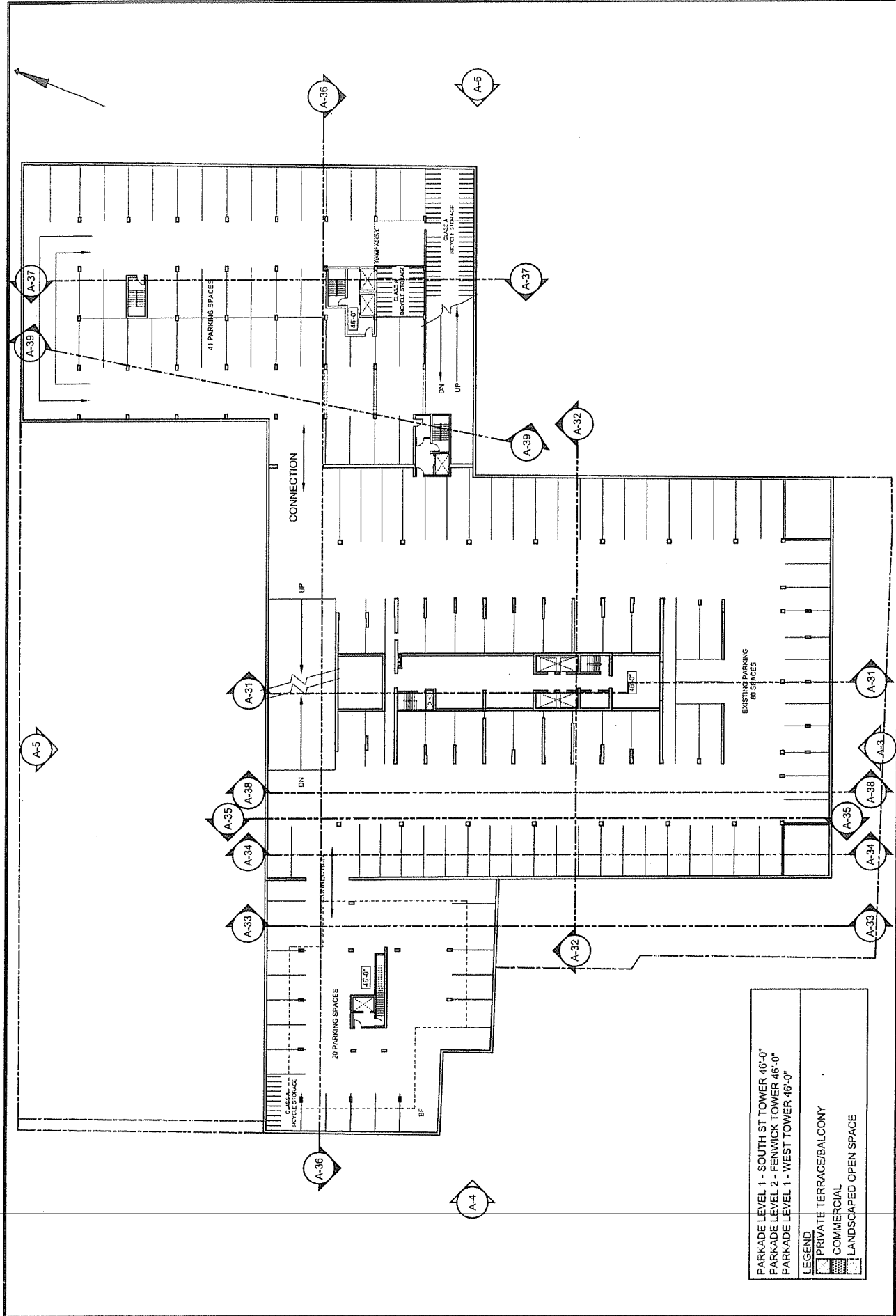
PARKADE LEVEL 1 - FENWICK TOWER

REVISIONS		DRAWING		DATE	
NO.	REVISION NAME	DATE	BY	PLAN	DATE
1.	ISSUED FOR DEVELOPMENT AGREEMENT	11/19/12	INITIALS	PLAN	DEC 09
2.	REVISION TO D.A. APPLICATION	11/19/12	INITIALS		
3.	REVISION TO D.A. APPLICATION	11/19/12	INITIALS		
4.	REVISION TO D.A. APPLICATION	11/19/12	INITIALS		
5.	REVISION TO D.A. APPLICATION	11/19/12	INITIALS		

SCALE		0 10 25 50 FEET
SCALE		

DRAWING NO.	
A-7	

FENWICK SITE REDEVELOPMENT	
PID # 41030735	
PID # 00102632	
HALIFAX, NOVA SCOTIA	



REVISIONS		DRAWING		DATE	
NO.	REVISION	DATE	PLAN	DATE	DRAWING NO.
1.	ISSUED FOR DEVELOPMENT AGREEMENT	11/11/09	PLAN	DEC 09	A-8
2.	REVISION TO D.A. APPLICATION	10/04/10			
3.	REVISION TO D.A. APPLICATION	10/04/10			
4.	REVISION TO D.A. APPLICATION	10/04/10			
5.	REVISION TO D.A. APPLICATION	11/05/10			
6.	REVISION TO D.A. APPLICATION	07/07/10			

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

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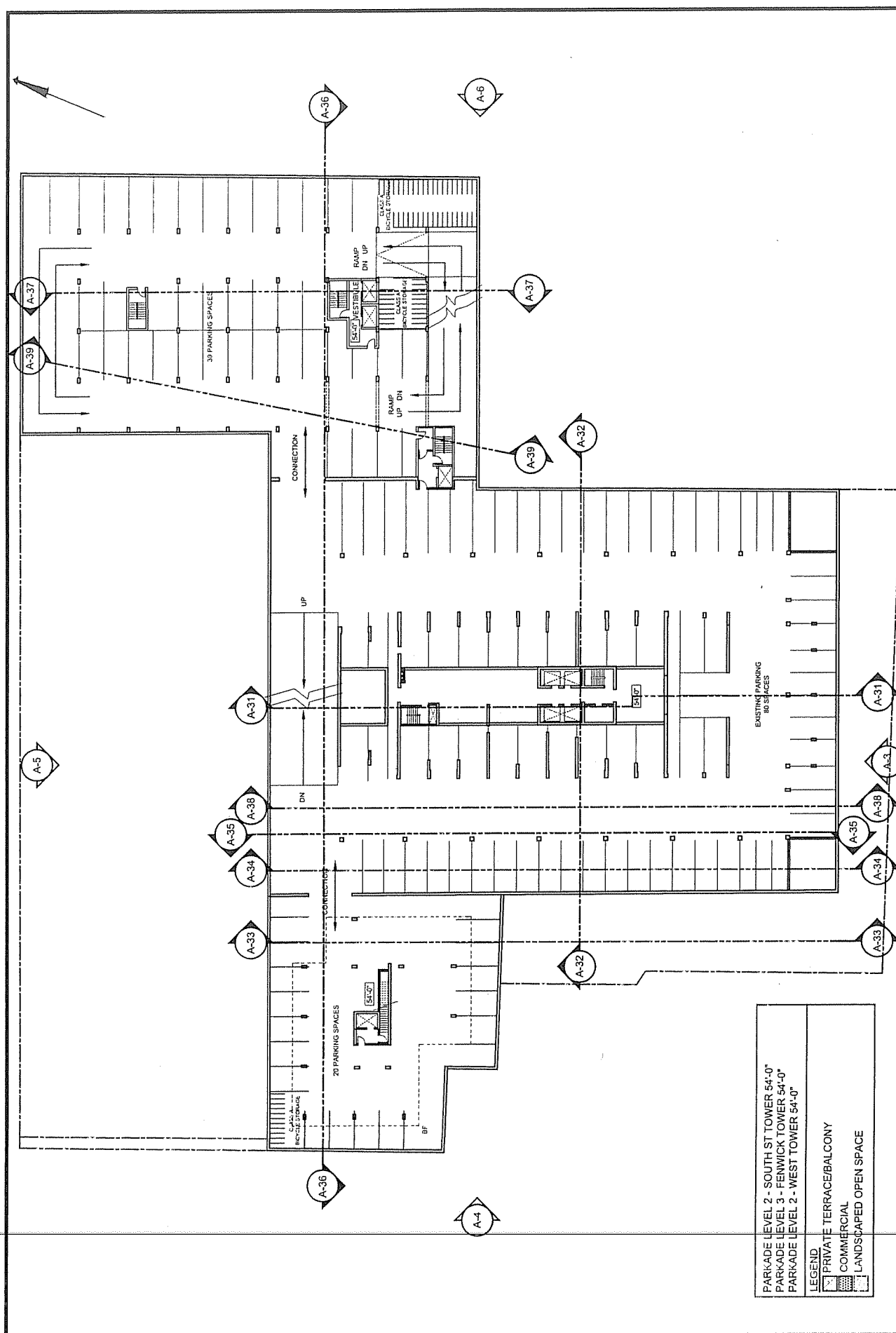
PARKADE LEVEL 1 - SOUTH ST TOWER 46'-0"
PARKADE LEVEL 2 - FENWICK TOWER 46'-0"
PARKADE LEVEL 1 - WEST TOWER 46'-0"

LEGEND

- PRIVATE TERRACE/BALCONY
- COMMERCIAL
- LANDSCAPED OPEN SPACE

PARKADE LEVEL 2 - FENWICK TOWER
PARKADE LEVEL 1 - SOUTH ST TOWER/WEST TOWER

(45)



PARKADE LEVEL 2 - SOUTH ST TOWER 54'-0"
PARKADE LEVEL 3 - FENWICK TOWER 54'-0"
PARKADE LEVEL 2 - WEST TOWER 54'-0"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

PARKADE LEVEL 3 - FENWICK TOWER
PARKADE LEVEL 2 - SOUTH ST TOWER/WEST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

MZA

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT AGREEMENT	11/15/09
2.	REVISION TO D.A. APPLICATION	12/01/09
3.	REVISION TO D.A. APPLICATION	12/01/09
4.	REVISION TO D.A. APPLICATION	12/01/09
5.	REVISION TO D.A. APPLICATION	12/01/09
6.	REVISION TO D.A. APPLICATION	12/01/09

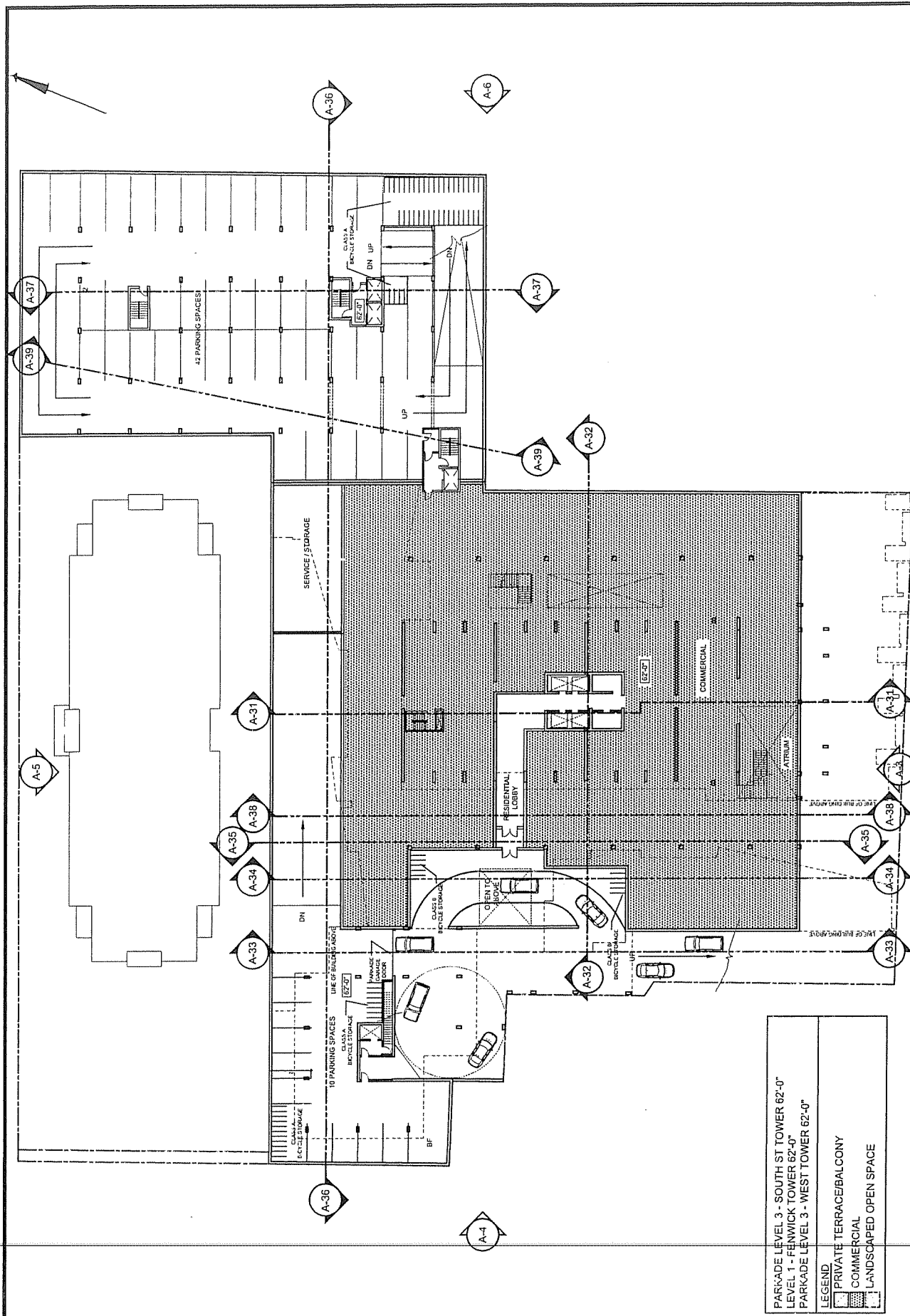
PLAN

DATE DEC 09

DRAWING NO. A-9

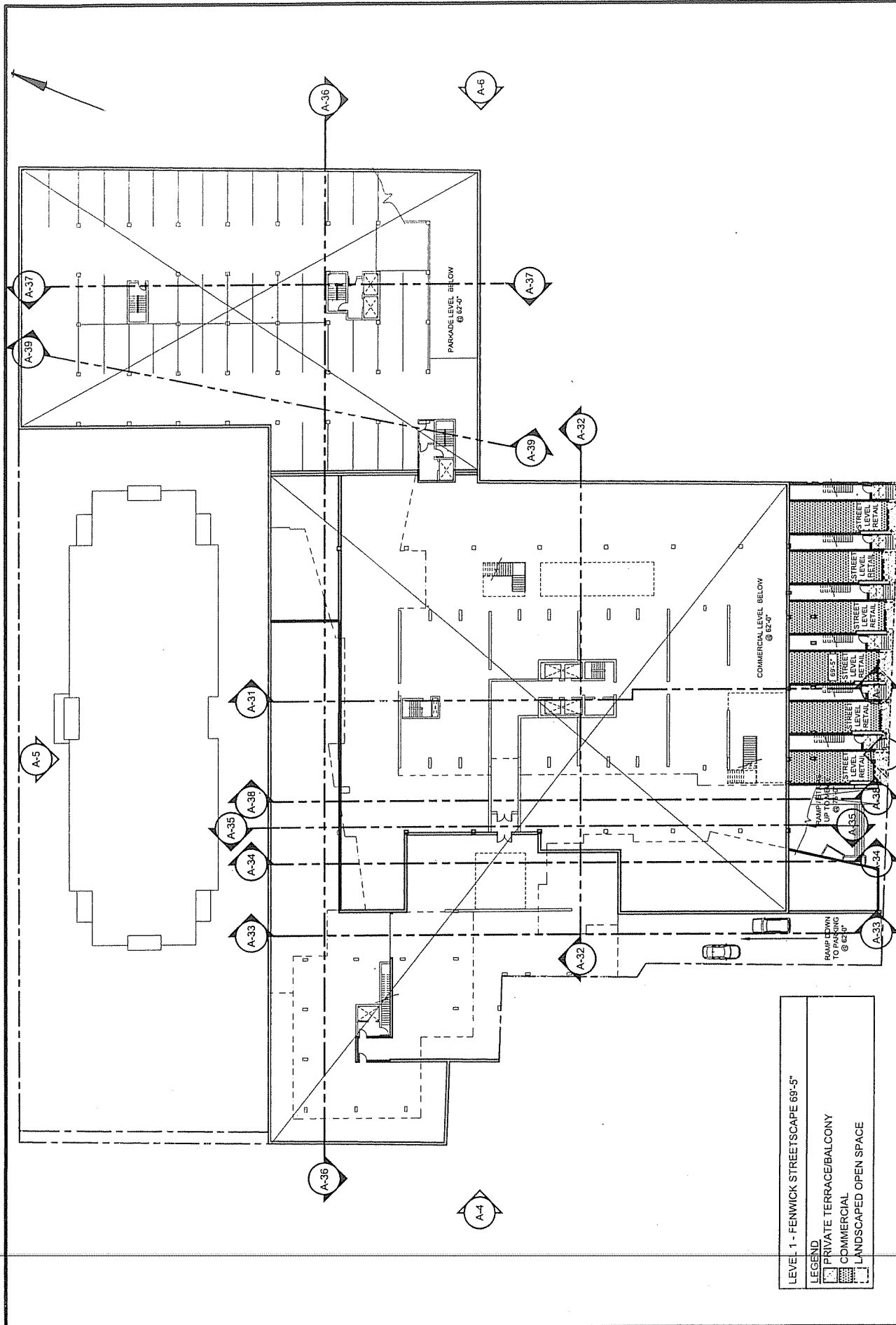
SCALE 0 10 25 50 FEET

(46)



PARKADE LEVEL 3 - SOUTH ST TOWER 62'-0"	
LEVEL 1 - FENWICK TOWER 62'-0"	
PARKADE LEVEL 3 - WEST TOWER 62'-0"	
LEGEND	
[Symbol]	PRIVATE TERRACE/BALCONY
[Symbol]	COMMERCIAL
[Symbol]	LANDSCAPED OPEN SPACE

LEVEL 1 - FENWICK TOWER		DATE	
PARKADE LEVEL 3 - SOUTH ST TOWER/WEST TOWER		DEC 09	
FENWICK SITE REDEVELOPMENT		PLAN	
PID # 41030735		DRAWING NO.	
PID # 00102632		A-10	
HALIFAX, NOVA SCOTIA		SCALE	
		0 10 25 50	
		FEET	
		REVISIONS	
NO	REVISION NAME	DATE	
1	ISSUED FOR DEVELOPMENT AGREEMENT	11/12/09	
2	REVISION TO D.A. APPLICATION	11/18/10	
3	REVISION TO D.A. APPLICATION	11/18/10	
4	REVISION TO D.A. APPLICATION	11/18/10	
5	REVISION TO D.A. APPLICATION	11/18/10	
6	REVISION TO D.A. APPLICATION	11/18/10	
7	REVISION TO D.A. APPLICATION	11/18/10	



LEVEL 1 - FENWICK STREETSCAPE 69'-5"

LEGEND

- PRIVATE TERRACE/BALCONY
- COMMERCIAL
- LANDSCAPED OPEN SPACE

LEVEL 1 - FENWICK TOWNHOUSES

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

ΣZA

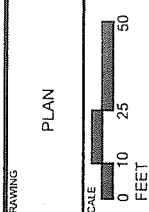
REVISIONS		DRAWING	PLAN	DATE
NO.	REVISION NAME	DATE		
1.	ISSUED FOR DEVELOPMENT AGREEMENT	19/12/09		DEC 09
2.	REVISION TO D.A. APPLICATION	16/01/10		
3.	REVISION TO D.A. APPLICATION	27/04/10		
4.	REVISION TO D.A. APPLICATION	27/05/10		
5.	REVISION TO D.A. APPLICATION	11/06/10		
6.	REVISION TO D.A. APPLICATION	03/07/10		

SCALE


0 10 25 50

FEET

DRAWING NO. A-11



NO	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	17/12/13
2.	REVISION TO D.A. APPLICATION	16/01/14
3.	REVISION TO D.A. APPLICATION	26/04/14
4.	REVISION TO D.A. APPLICATION	10/05/14
5.	REVISION TO D.A. APPLICATION	11/06/14
6.	REVISION TO D.A. APPLICATION	02/07/13
7.	REVISION TO D.A. APPLICATION	16/07/13
8.	REVISION TO D.A. APPLICATION	10/09/12
9.	REVISION TO D.A. APPLICATION	10/06/11

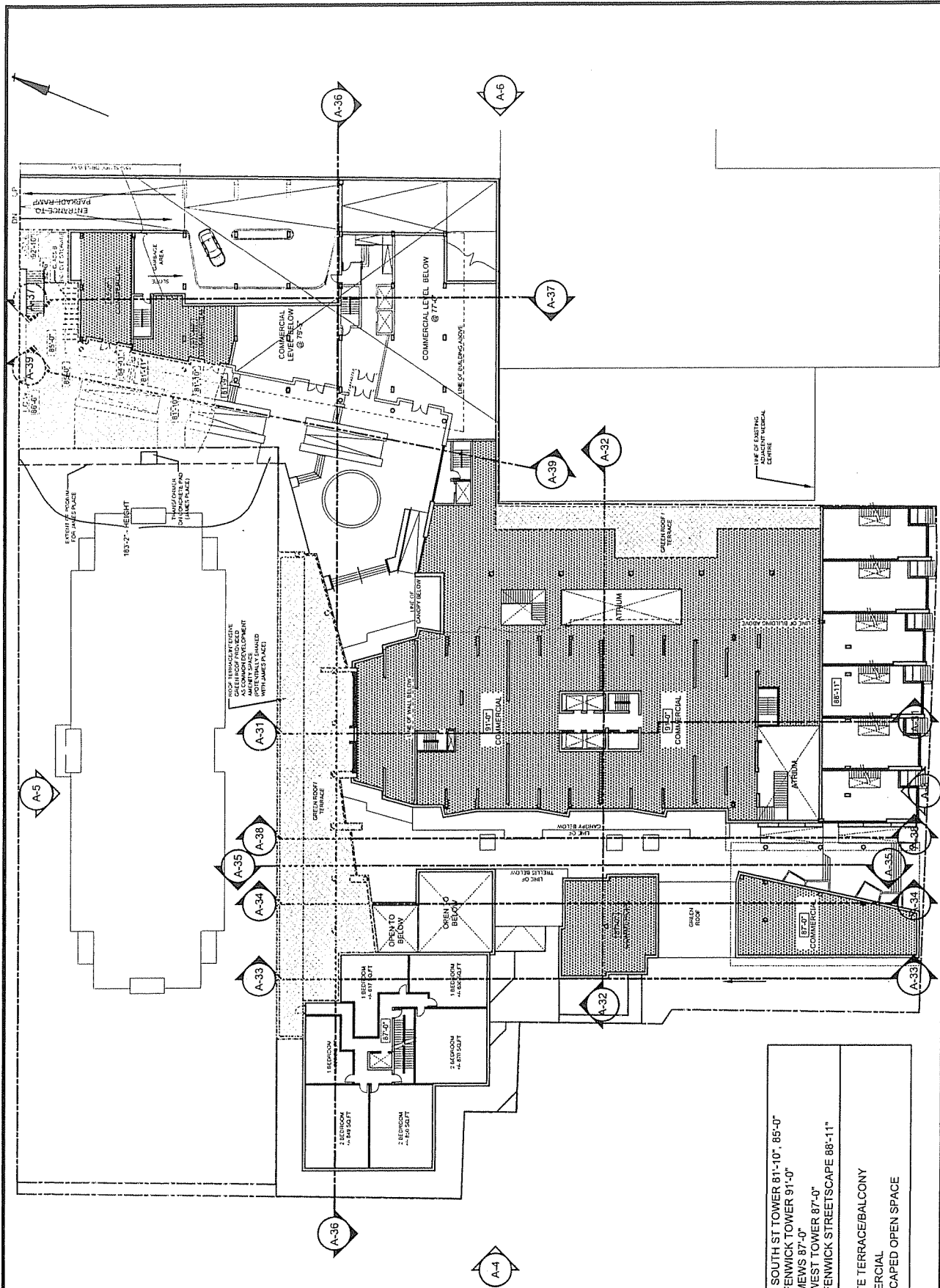


The logo for Sigma Zeta, featuring the Greek letters Σ, Ζ, and Δ in a stylized, bold font.

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

- | | |
|--|--|
| LEVEL 1A - SOUTH ST TOWER 77'-0", 79'-5" | |
| LEVEL 2 - FENWICK TOWER 75'-0" | |
| LEVEL 1 - MEWS 74'-0", 75'-0" | |
| LEVEL 1 - WEST TOWER 75'-0" | |
| LEVEL 2 - FENWICK STREETScape 79'-11" | |
| LEGEND | PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE |

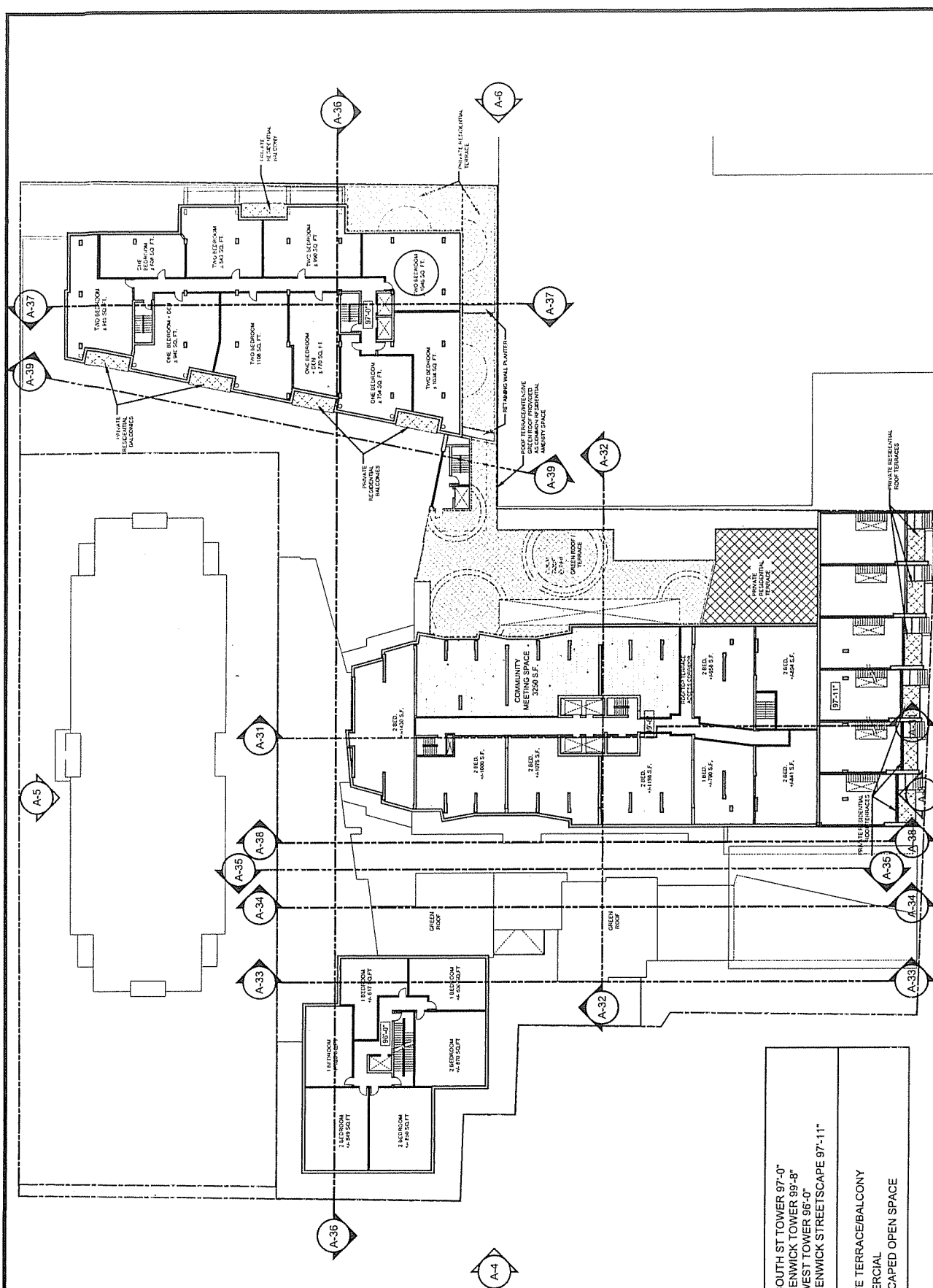
LEVEL 2 - FENWICK TOWER
LEVEL 1 - WEST TOWER / MEWS
LEVEL 1A - SOUTH ST TOWER
LEVEL 2 - FENWICK STREETSCAPE



LEVEL 1B - SOUTH ST TOWER 81'-10", 85'-0"
LEVEL 3 - FENWICK TOWER 91'-0"
LEVEL 2 - MEWS 87'-0"
LEVEL 2 - WEST TOWER 87'-0"
LEVEL 3 - FENWICK STREETSCAPE 88'-11"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

DATE	DEC 09	
DRAWING NO.	A-13	
PLAN		
SCALE	0 10 25 50 FEET	
REVISIONS		
NO.	DESCRIPTION	DATE
1	ISSUED FOR DEVELOPMENT APPLICATION	12/1/09
2	REVISION TO D.A. APPLICATION	12/1/09
3	REVISION TO D.A. APPLICATION	12/1/09
4	REVISION TO D.A. APPLICATION	12/1/09
5	REVISION TO D.A. APPLICATION	12/1/09
6	REVISION TO D.A. APPLICATION	12/1/09
7	REVISION TO D.A. APPLICATION	12/1/09
8	REVISION TO D.A. APPLICATION	12/1/09



LEVEL 2 - SOUTH ST TOWER 97'-0"
LEVEL 4 - FENWICK TOWER 99'-8"
LEVEL 3 - WEST TOWER 96'-0"
LEVEL 4 - FENWICK STREETSCAPE 97'-11"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

DATE
DEC 09

PLAN

DRAWING NO.
A-14

REVISIONS

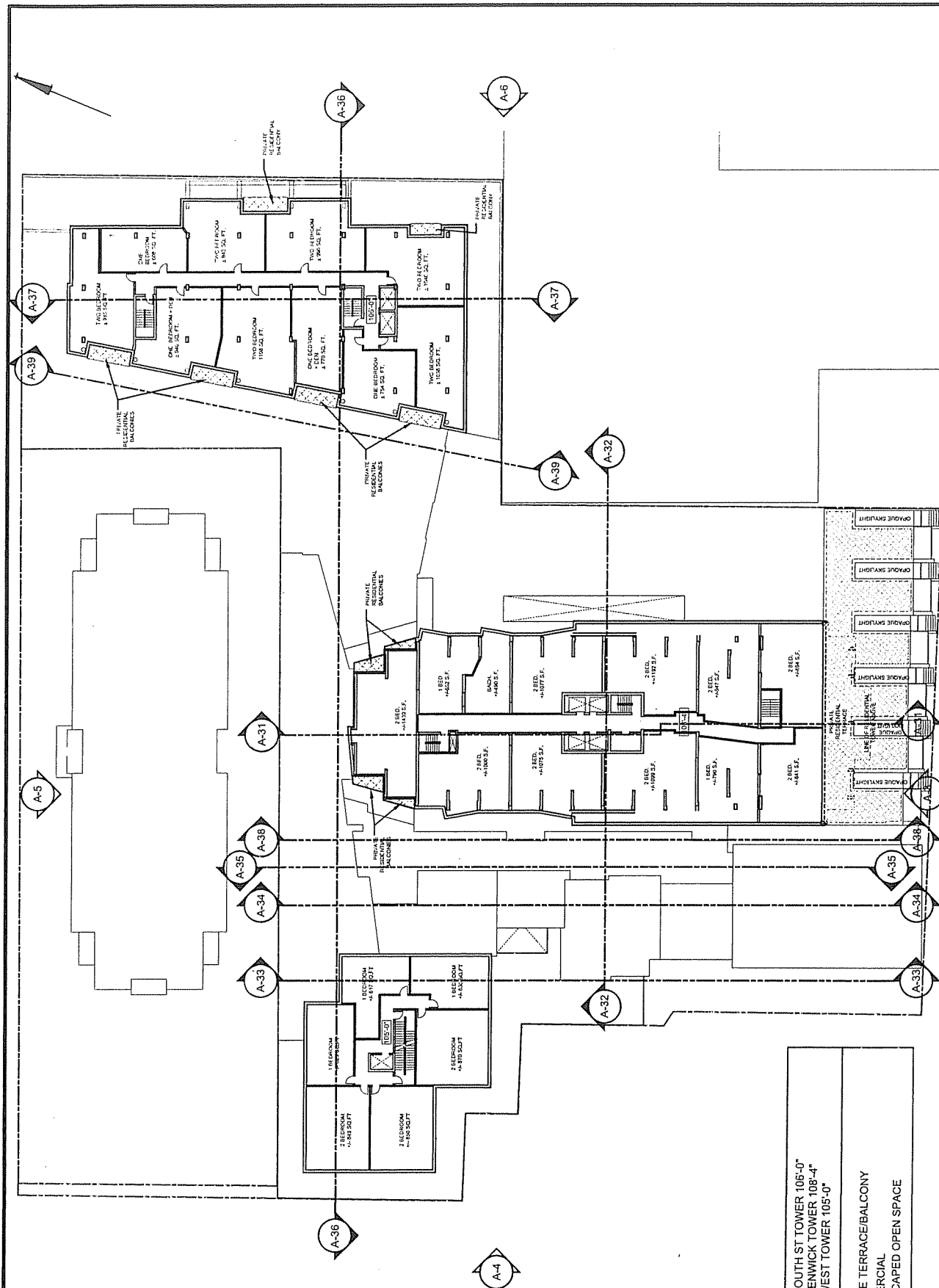
NO.	REVISION NAME	DATE
1	ISSUED FOR DEVELOPMENT APPLICATION	12/09/09
2	REVISION TO DEVELOPMENT APPLICATION	12/09/09
3	REVISION TO DEVELOPMENT APPLICATION	12/09/09
4	REVISION TO DEVELOPMENT APPLICATION	12/09/09
5	REVISION TO DEVELOPMENT APPLICATION	12/09/09
6	REVISION TO DEVELOPMENT APPLICATION	12/09/09
7	REVISION TO DEVELOPMENT APPLICATION	12/09/09
8	REVISION TO DEVELOPMENT APPLICATION	12/09/09
9	REVISION TO DEVELOPMENT APPLICATION	12/09/09

SCALE
0 10 25 50
FEET

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FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA



LEVEL 3 - SOUTH ST TOWER 105'-0"
LEVEL 5 - FENWICK TOWER 108'-4"
LEVEL 4 - WEST TOWER 105'-0"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

LEVEL 5 - FENWICK TOWER
LEVEL 4 - WEST TOWER
LEVEL 3 - SOUTH ST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

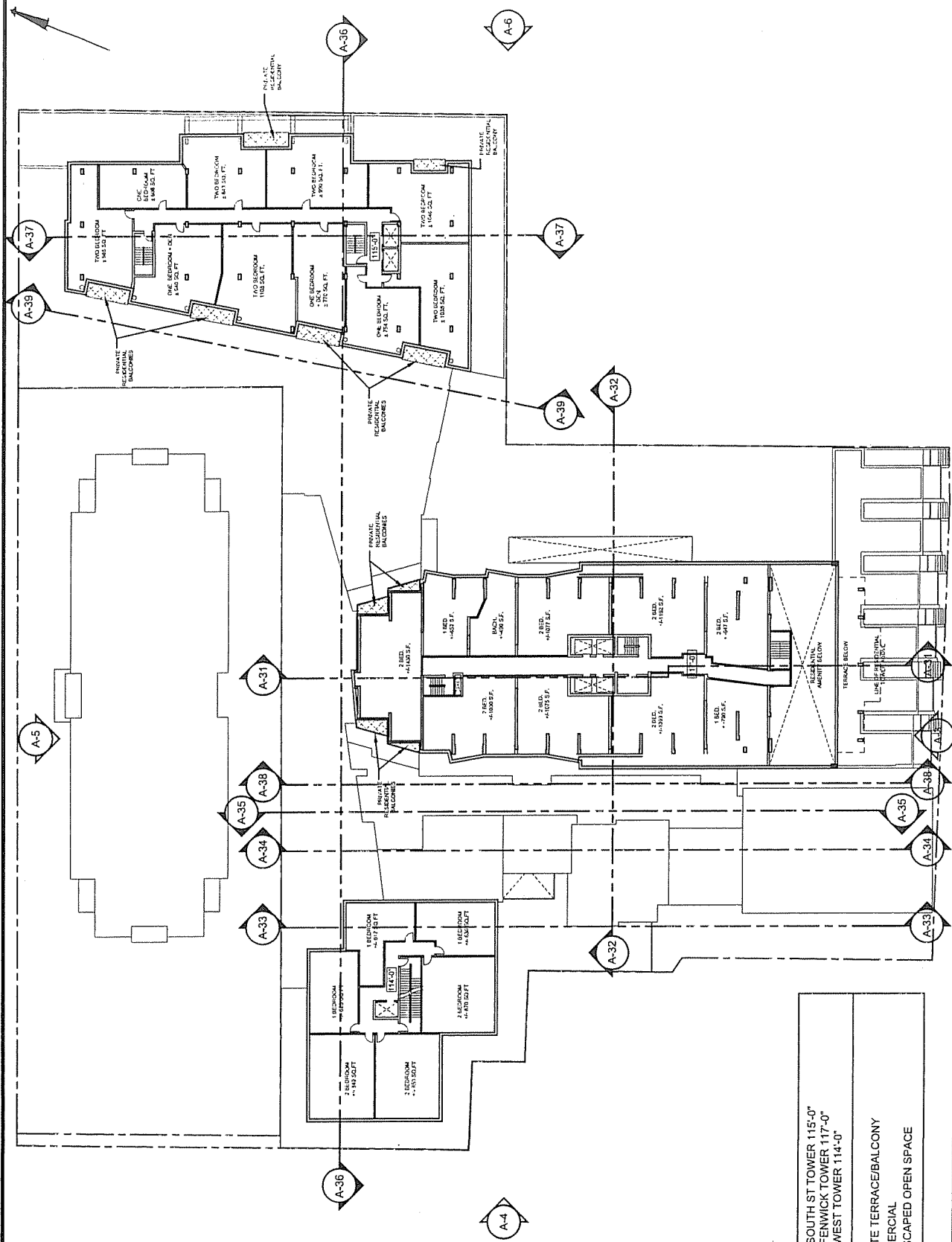
DATE: DEC 09
DRAWING NO.: A-15

PLAN

SCALE: 0 10 25 50 FEET

REVISIONS

NO.	REVISION	DATE
1	REVISION TO EXISTING APPLICATION	11/20/11
2	REVISION TO EXISTING APPLICATION	11/20/11
3	REVISION TO EXISTING APPLICATION	11/20/11
4	REVISION TO EXISTING APPLICATION	11/20/11
5	REVISION TO EXISTING APPLICATION	11/20/11
6	REVISION TO EXISTING APPLICATION	11/20/11



LEVEL 4 - SOUTH ST TOWER 115'-0"
LEVEL 5 - WEST TOWER 117'-0"
LEVEL 6 - FENWICK TOWER 114'-0"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	10/1/2017
2.	REVISION TO D.A. APPLICATION	10/24/17
3.	REVISION TO D.A. APPLICATION	10/24/17
4.	REVISION TO D.A. APPLICATION	10/24/17
5.	REVISION TO D.A. APPLICATION	10/24/17

DRAWING

PLAN

DATE DEC 09

DRAWING NO. A-16

SCALE

0 10 25 50 FEET

FENWICK SITE REDEVELOPMENT

PID # 41030735

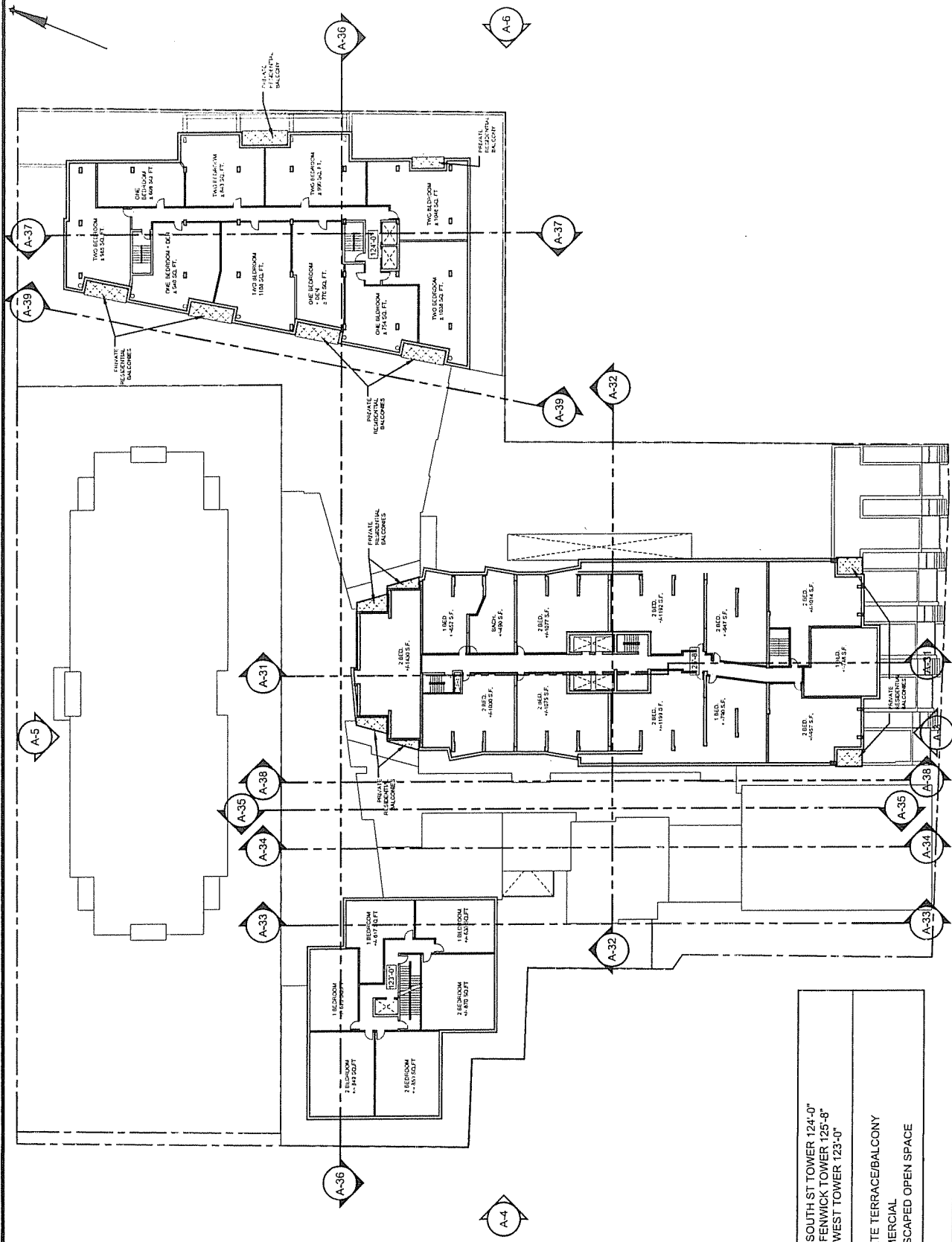
PID # 00102632

HALIFAX, NOVA SCOTIA

LEVEL 6 - FENWICK TOWER

LEVEL 5 - WEST TOWER

LEVEL 4 - SOUTH ST TOWER



LEVEL 5 - SOUTH ST TOWER 124'-0"
LEVEL 6 - WEST TOWER 123'-0"
LEVEL 7 - WEST TOWER 125'-3"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

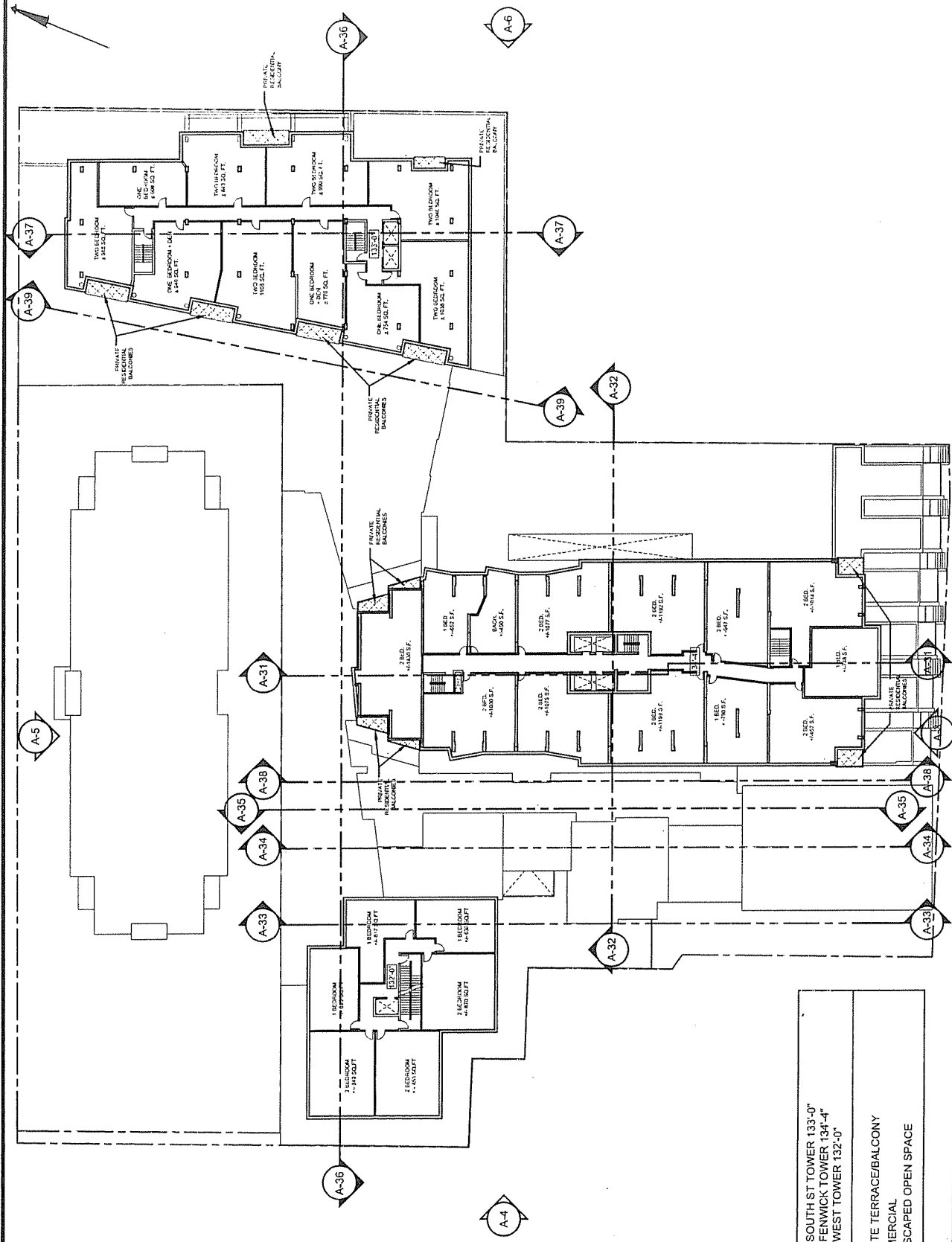
LEVEL 7 - FENWICK TOWER
LEVEL 6 - WEST TOWER
LEVEL 5 - SOUTH ST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA



REVISIONS		DRAWING		PLAN		DATE	
NO.	REVISION NAME	DATE	BY	SCALE	FEET	DATE	BY
1.	DESIGNED FOR DEVELOPMENT APPLICATION	17/11/13	17/11/13	0 10 25 50		DEC 09	
2.	REVISION TO D.A. APPLICATION	16/04/13	16/04/13				
3.	REVISION TO D.A. APPLICATION	25/07/13	25/07/13				
4.	REVISION TO D.A. APPLICATION	22/07/13	22/07/13				
5.	REVISION TO D.A. APPLICATION	11/01/15	11/01/15				

DRAWING NO. A-17



LEVEL 6 - SOUTH ST TOWER 133'-0"
LEVEL 7 - WEST TOWER 134'-4"
LEVEL 8 - WEST TOWER 132'-0"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

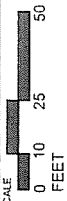
LEVEL 8 - FENWICK TOWER
LEVEL 7 - WEST TOWER
LEVEL 6 - SOUTH ST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA



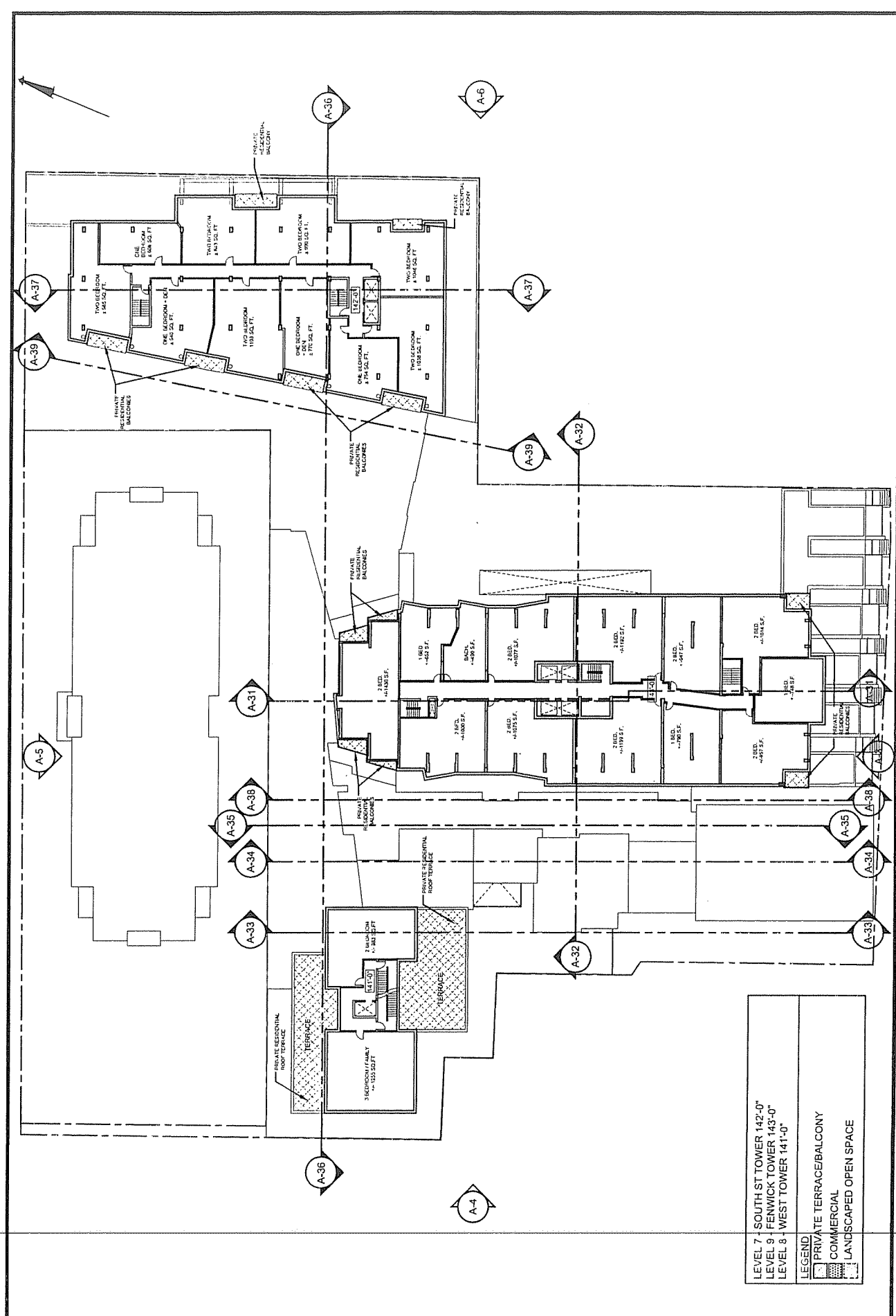
NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	11/20/10
2.	REVISION TO D.A. APPLICATION	12/01/10
3.	REVISION TO D.A. APPLICATION	12/01/10
4.	REVISION TO D.A. APPLICATION	11/07/10
5.	REVISION TO D.A. APPLICATION	11/07/10

DRAWING
PLAN



DATE
DEC 09
DRAWING NO.
A-18

(55)



LEVEL 7 - SOUTH ST TOWER 142'-0"
LEVEL 9 - FENWICK TOWER 143'-0"
LEVEL 8 - WEST TOWER 141'-0"

LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

LEVEL 9 - FENWICK TOWER
LEVEL 8 - WEST TOWER
LEVEL 7 - SOUTH ST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

REVISIONS

NO.	REVISION NAME	DATE
1	BASED ON PRELIMINARY APPLICATION	07/02/10
2	REVISION TO A.A. APPLICATION	08/04/10
3	REVISION TO A.A. APPLICATION	08/04/10
4	REVISION TO A.A. APPLICATION	08/04/10
5	REVISION TO A.A. APPLICATION	10/01/10

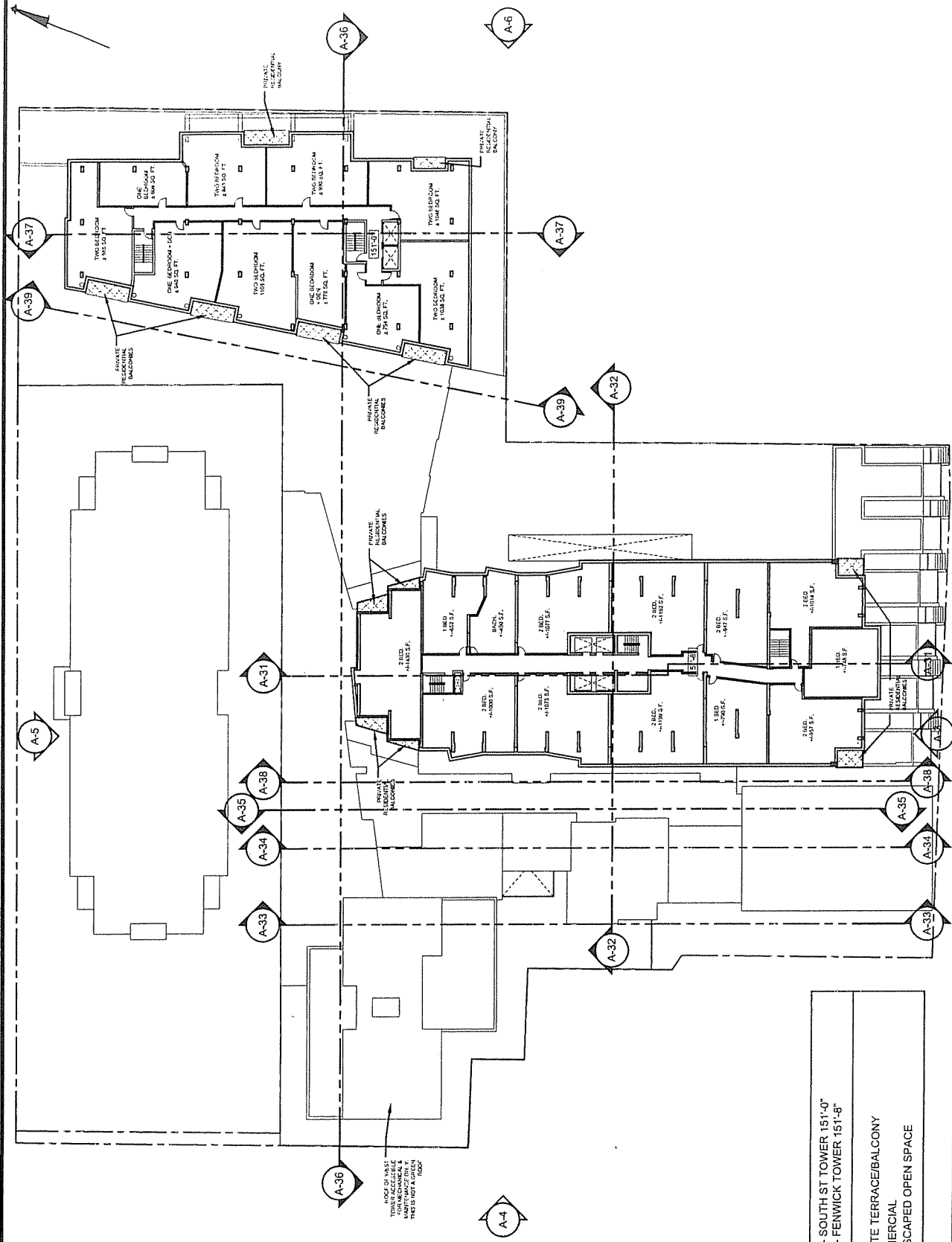
DRAWING

PLAN

DATE DEC 09

DRAWING NO A-19

SCALE 0 10 25 50 FEET



LEVEL 8 - SOUTH ST TOWER 151-0"
LEVEL 10 - FENWICK TOWER 151-8"
LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

LEVEL 10 - FENWICK TOWER
LEVEL 8 - SOUTH ST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

DATE
DEC 09

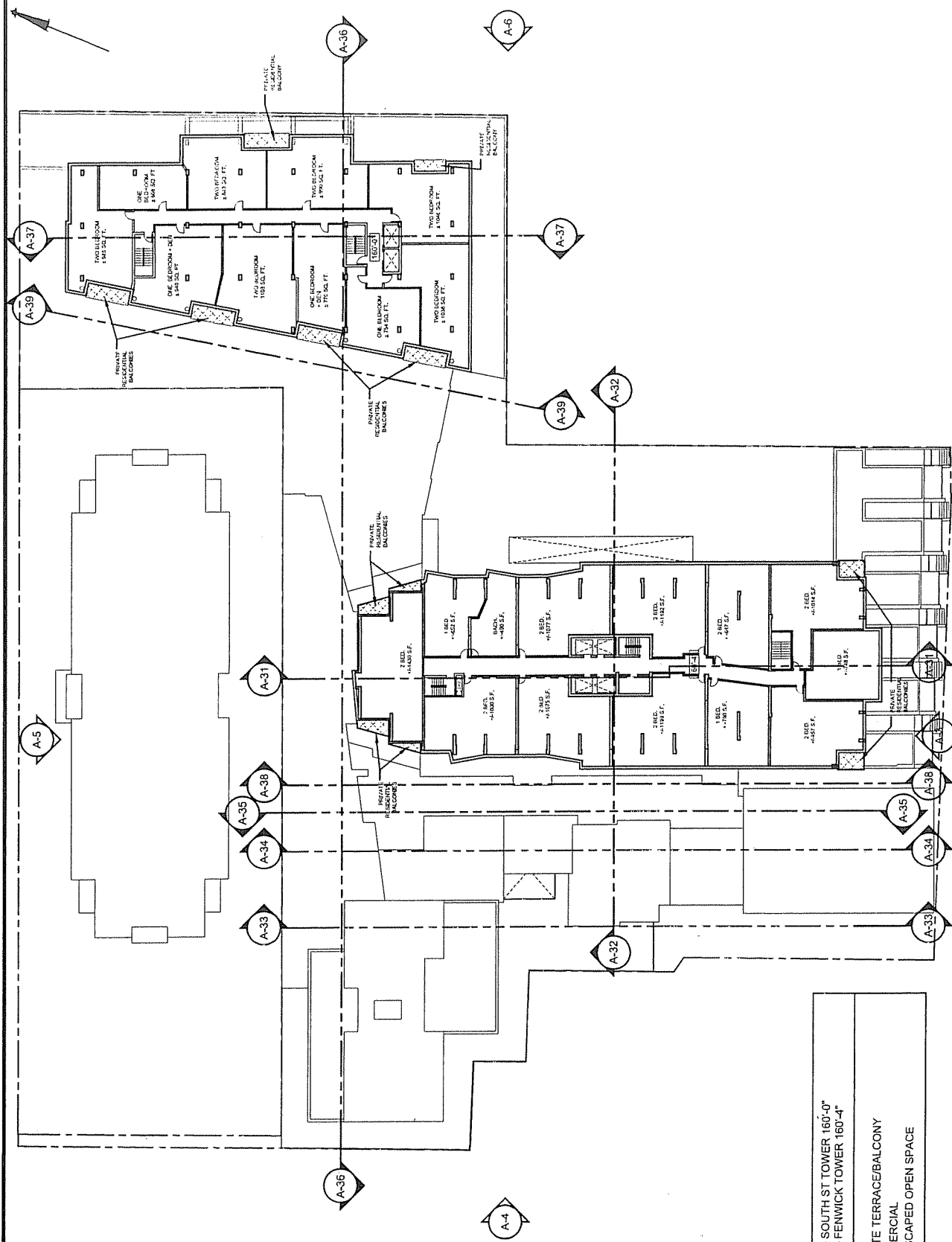
PLAN

DRAWING NO.
A-20

REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT AT FALCON	11/11/09
2.	REVISION TO D.A. APPLICATION	11/11/09
3.	REVISION TO D.A. APPLICATION	11/11/09
4.	REVISION TO D.A. APPLICATION	11/11/09
5.	REVISION TO D.A. APPLICATION	11/11/09

SCALE
0 10 25 50
FEET



LEVEL 9 - SOUTH ST TOWER 160'-0"
LEVEL 11 - FENWICK TOWER 160'-4"

LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

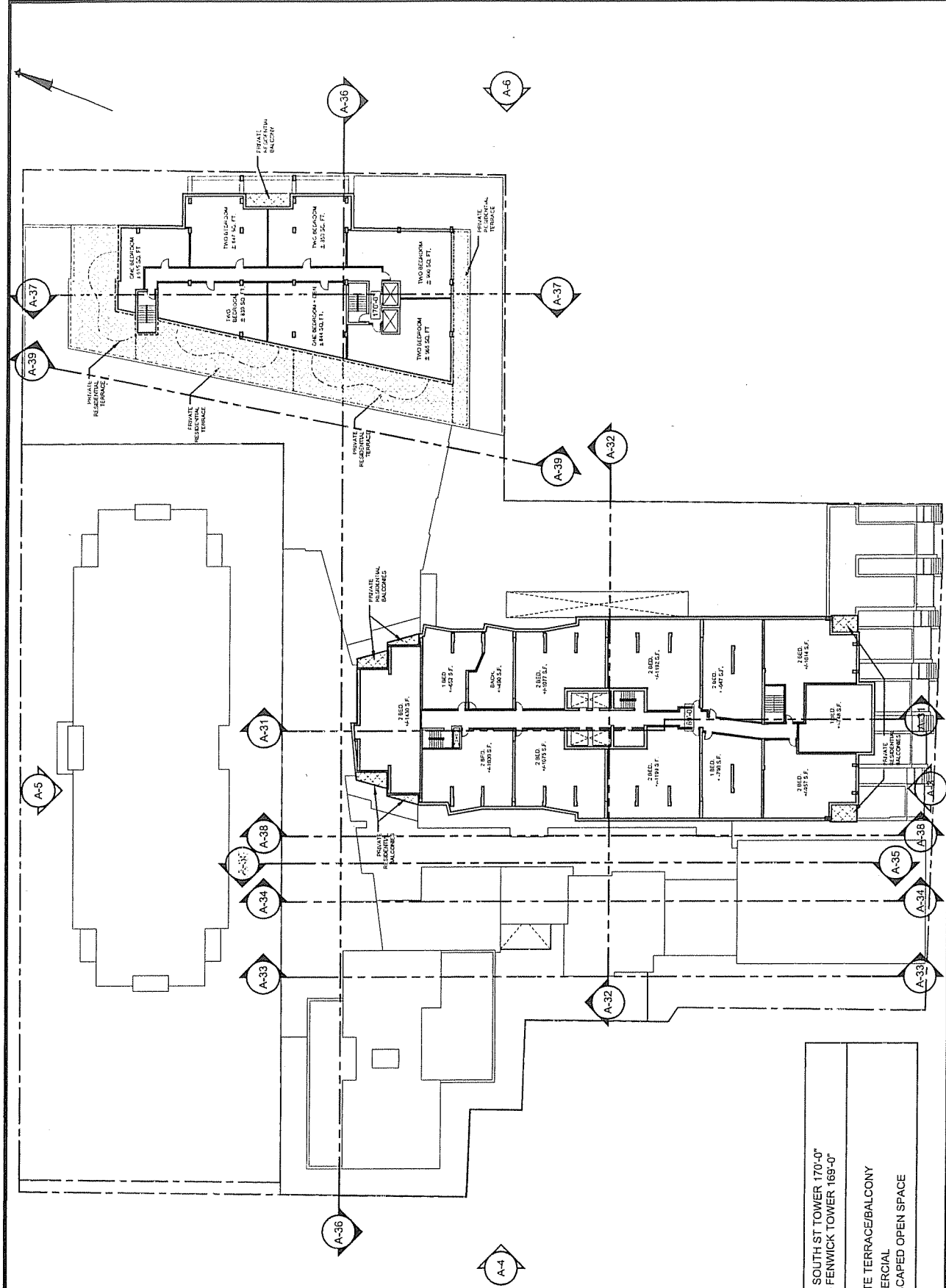
REVISIONS		DRAWING		DATE
NO.	REVISION NAME	DATE	PLAN	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	11/1/00		DEC 09
2.	REVISION TO D.A. APPLICATION	11/1/00		
3.	REVISION TO D.A. APPLICATION	11/1/00		
4.	REVISION TO D.A. APPLICATION	11/1/00		
5.	REVISION TO D.A. APPLICATION	11/1/00		

SCALE

0 10 25 50
FEET

DRAWING NO. A-21

LEVEL 11 - FENWICK TOWER
LEVEL 9 - SOUTH ST TOWER



LEVEL 10 - SOUTH ST TOWER 170'-0"
LEVEL 12 - FENWICK TOWER 169'-0"

LEGEND
[Symbol] PRIVATE TERRACE/BALCONY
[Symbol] COMMERCIAL
[Symbol] LANDSCAPED OPEN SPACE

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

DATE
DEC 09

DRAWING NO
A-22

PLAN

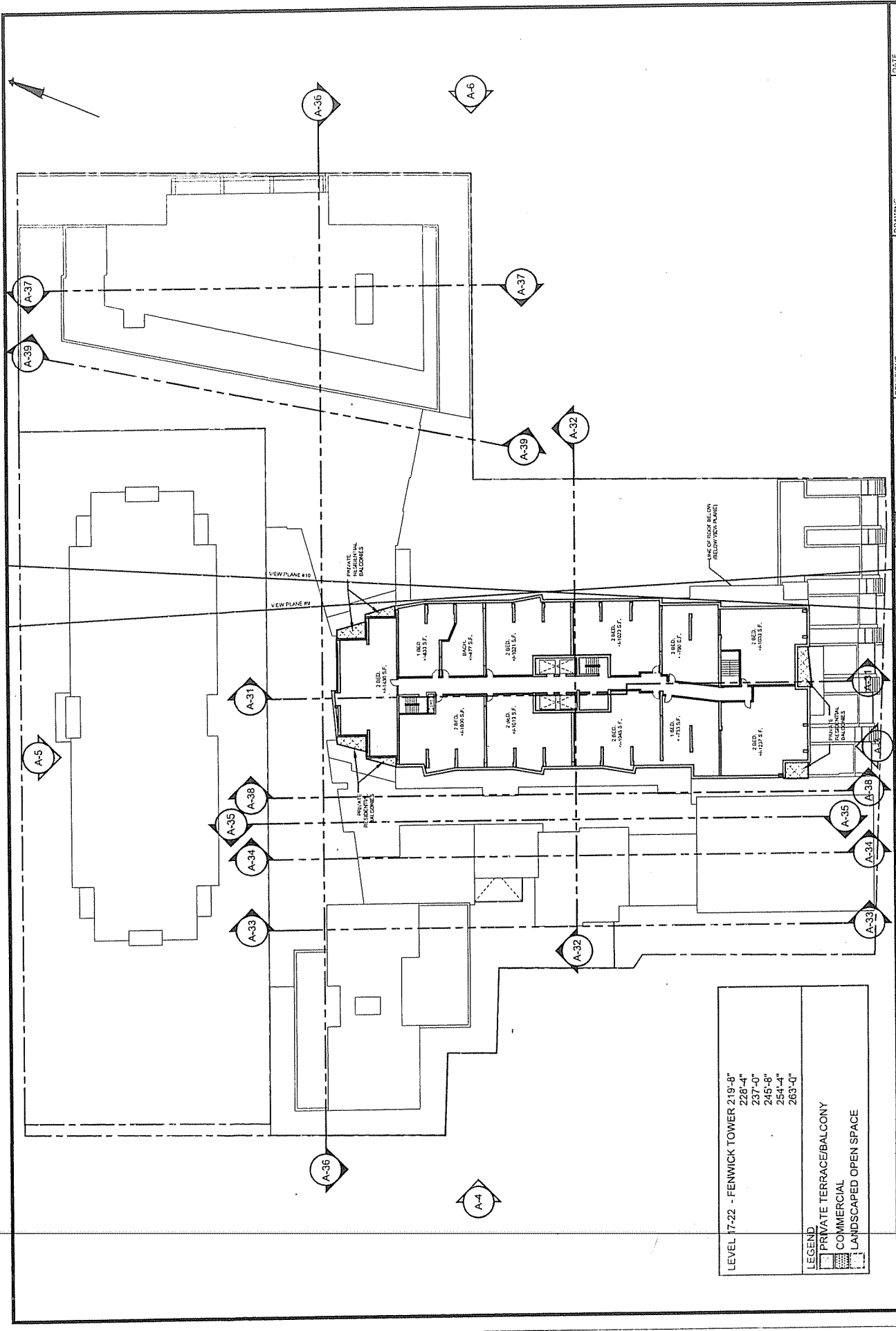
SCALE
0 10 25 50
FEET

REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	17/12/09
2.	REVISION TO D.A. APPLICATION	15/04/10
3.	REVISION TO D.A. APPLICATION	15/04/10
4.	REVISION TO D.A. APPLICATION	15/04/10
5.	REVISION TO D.A. APPLICATION	11/02/10

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LEVEL 12 - FENWICK TOWER
LEVEL 10 - SOUTH ST TOWER



LEVEL 17-22 - FENWICK TOWER 219-8"
228-4"
237-0"
245-8"
254-4"
263-0"

LEGEND
PRIVATE TERRACE/BALCONY
COMMERCIAL
LANDSCAPED OPEN SPACE

LEVEL 17-22 - FENWICK TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

DATE
DEC 09

DRAWING
PLAN

SCALE
0 10 25 50
FEET

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	12/01/09
2.	REVISION TO D.A. APPLICATION	12/01/09
3.	REVISION TO D.A. APPLICATION	12/01/09
4.	REVISION TO D.A. APPLICATION	12/01/09
5.	REVISION TO D.A. APPLICATION	12/01/09

DATE
DEC 09

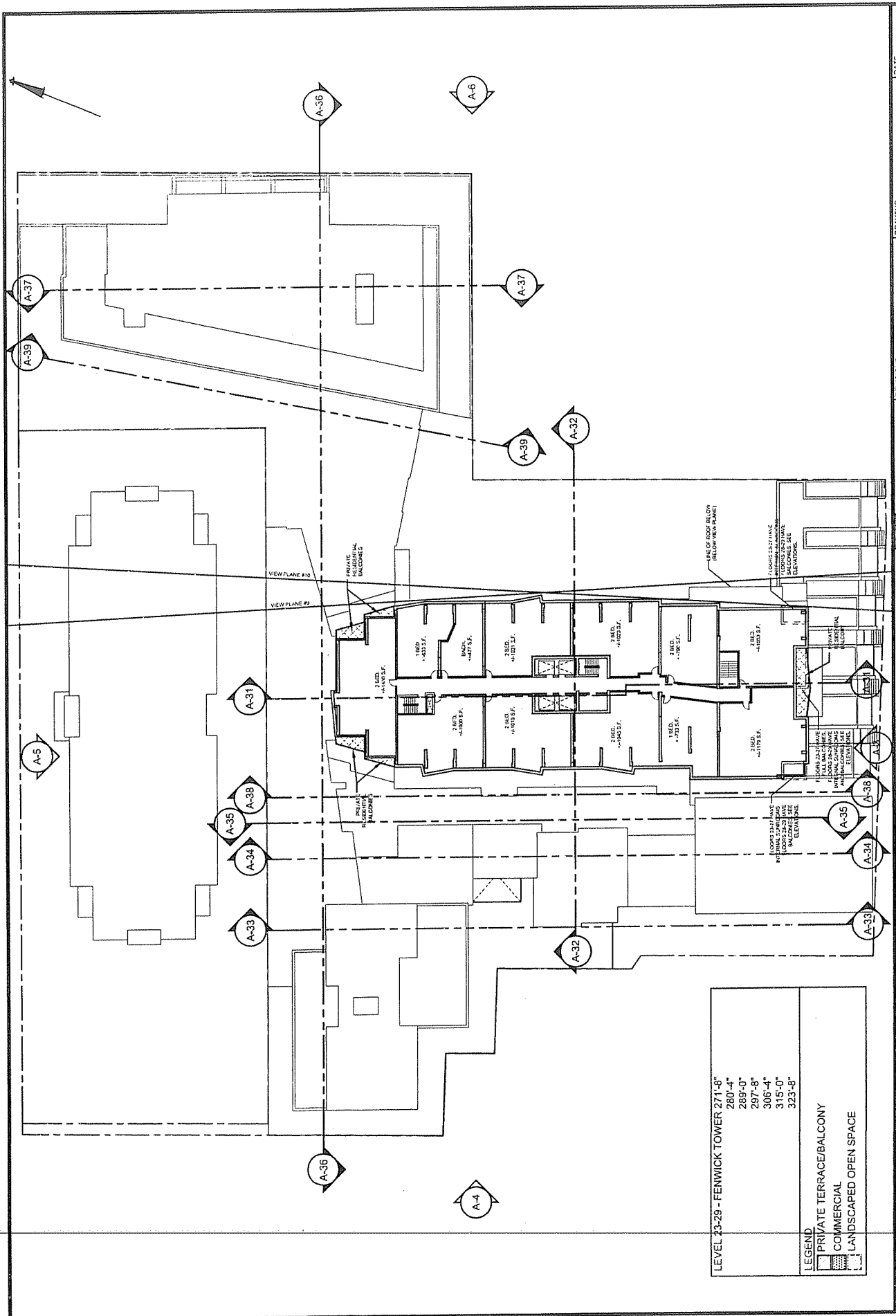
DRAWING
PLAN

SCALE
0 10 25 50
FEET

DATE
DEC 09

DRAWING
PLAN

SCALE
0 10 25 50
FEET



LEVEL 23-29 - FENWICK TOWER 271'-8"	
280'-4"	
289'-0"	
297'-8"	
306'-4"	
315'-0"	
323'-8"	

LEGEND	
[Symbol]	PRIVATE TERRACE/BALCONY
[Symbol]	COMMERCIAL
[Symbol]	LANDSCAPED OPEN SPACE

DATE
DEC 09

DRAWING
PLAN

SCALE
0 10 25 50
FEET

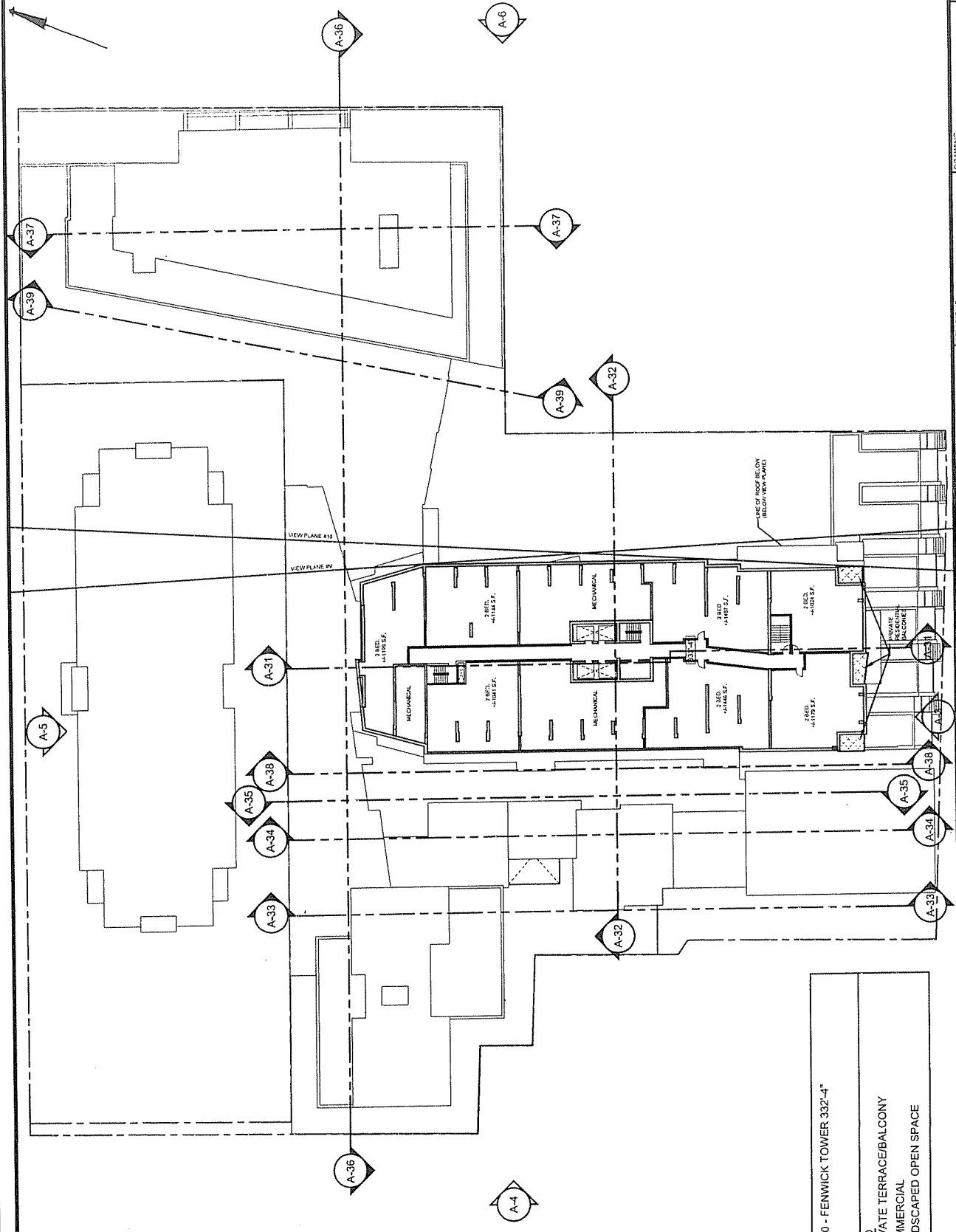
REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION 11/10/12	11/04/12
2.	REVISION TO D.A. APPLICATION	11/04/12
3.	REVISION TO D.A. APPLICATION	11/04/12
4.	REVISION TO D.A. APPLICATION	11/04/12
5.	REVISION TO D.A. APPLICATION	11/04/12

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

LEVEL 23-29 - FENWICK TOWER

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LEVEL 30 - FENWICK TOWER 332'-4"

LEGEND

- PRIVATE TERRACE/BALCONY
- COMMERCIAL
- LANDSCAPED OPEN SPACE

LEVEL 30 - FENWICK TOWER

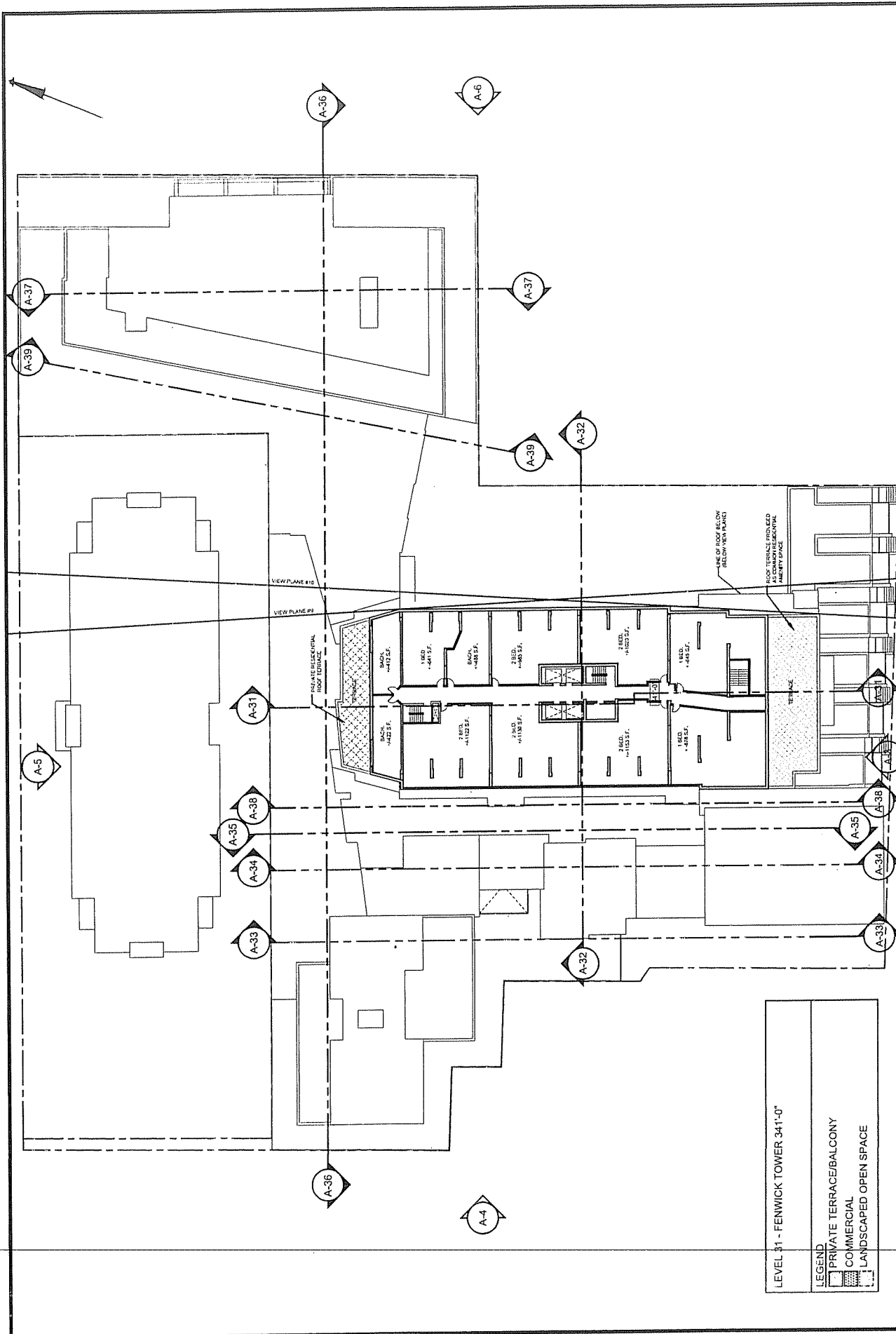
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FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

REVISIONS		DRAWING		DATE	
NO.	REVISION NAME	DATE	BY	PLAN	DEC 09
1.	ISSUED FOR DEVELOPMENT APPLICATION (TYC/20)				
2.	REVISION TO D.A. APPLICATION (TYC/10)				
3.	REVISION TO D.A. APPLICATION (TYC/10)				
4.	REVISION TO D.A. APPLICATION (TYC/10)				
5.	REVISION TO D.A. APPLICATION (TYC/10)				

SCALE: 0 10 25 50 FEET

DRAWING NO. A-27



LEVEL 31 - FENWICK TOWER

LEGEND

- PRIVATE TERRACE/BALCONY
- COMMERCIAL
- LANDSCAPED OPEN SPACE

LEVEL 31 - FENWICK TOWER 34'1"0"

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

DATE: DEC 09

DRAWING NO: A-28

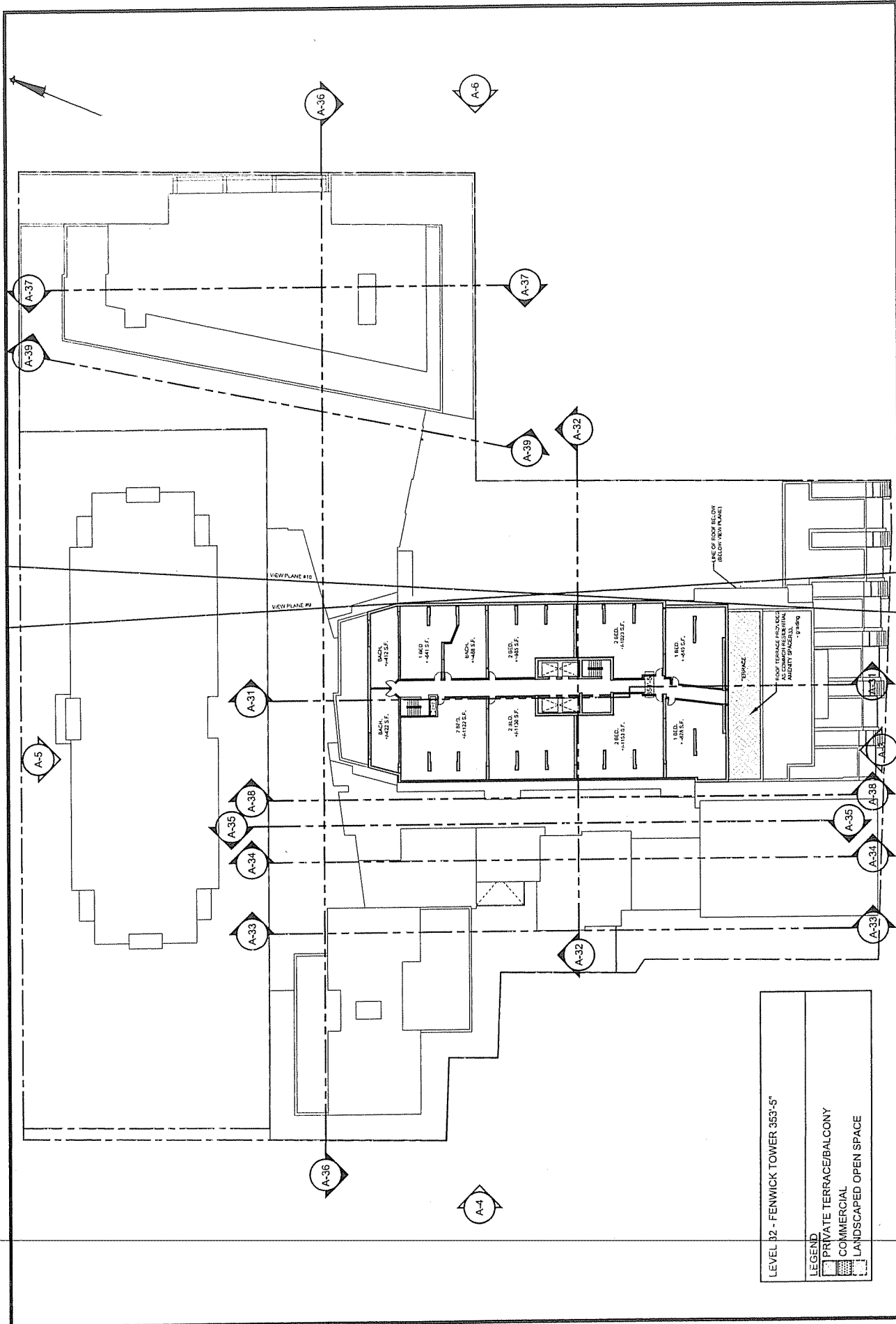
PLAN

SCALE: 0 10 25 50 FEET

REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION (11/03/09)	
2.	REVISION TO D.A. APPLICATION	
3.	REVISION TO D.A. APPLICATION	
4.	REVISION TO D.A. APPLICATION	
5.	REVISION TO D.A. APPLICATION	

(69)



LEVEL 32 - FENWICK TOWER 353'-5"

LEGEND

- PRIVATE TERRACE/BALCONY
- COMMERCIAL
- LANDSCAPED OPEN SPACE

LEVEL 32 - FENWICK TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

REVISIONS		DRAWING		DATE
NO.	REVISION NAME	DATE	BY	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	11/13/13	106413	DEC 09
2.	REVISION TO D.A. APPLICATION	10/04/13	106413	
3.	REVISION TO D.A. APPLICATION	10/04/13	106413	
4.	REVISION TO D.A. APPLICATION	11/07/13	110612	
5.	REVISION TO D.A. APPLICATION	11/07/13	110612	

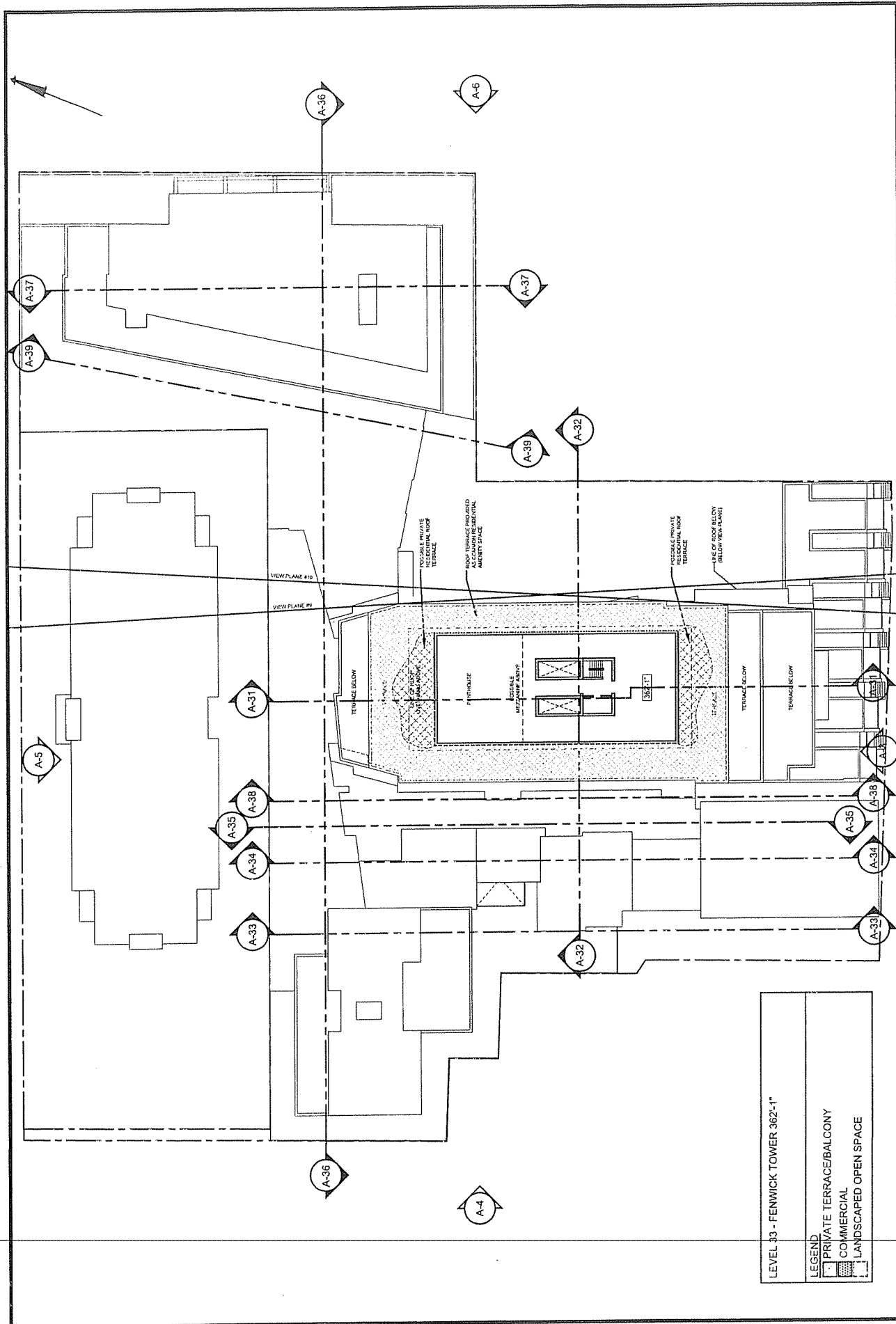
PLAN

SCALE
0 10 25 50
FEET

DEC 09

A-29

(66)



LEVEL 33 - FENWICK TOWER 362'-1"

LEGEND

- PRIVATE TERRACE/BALCONY
- COMMERCIAL
- LANDSCAPED OPEN SPACE

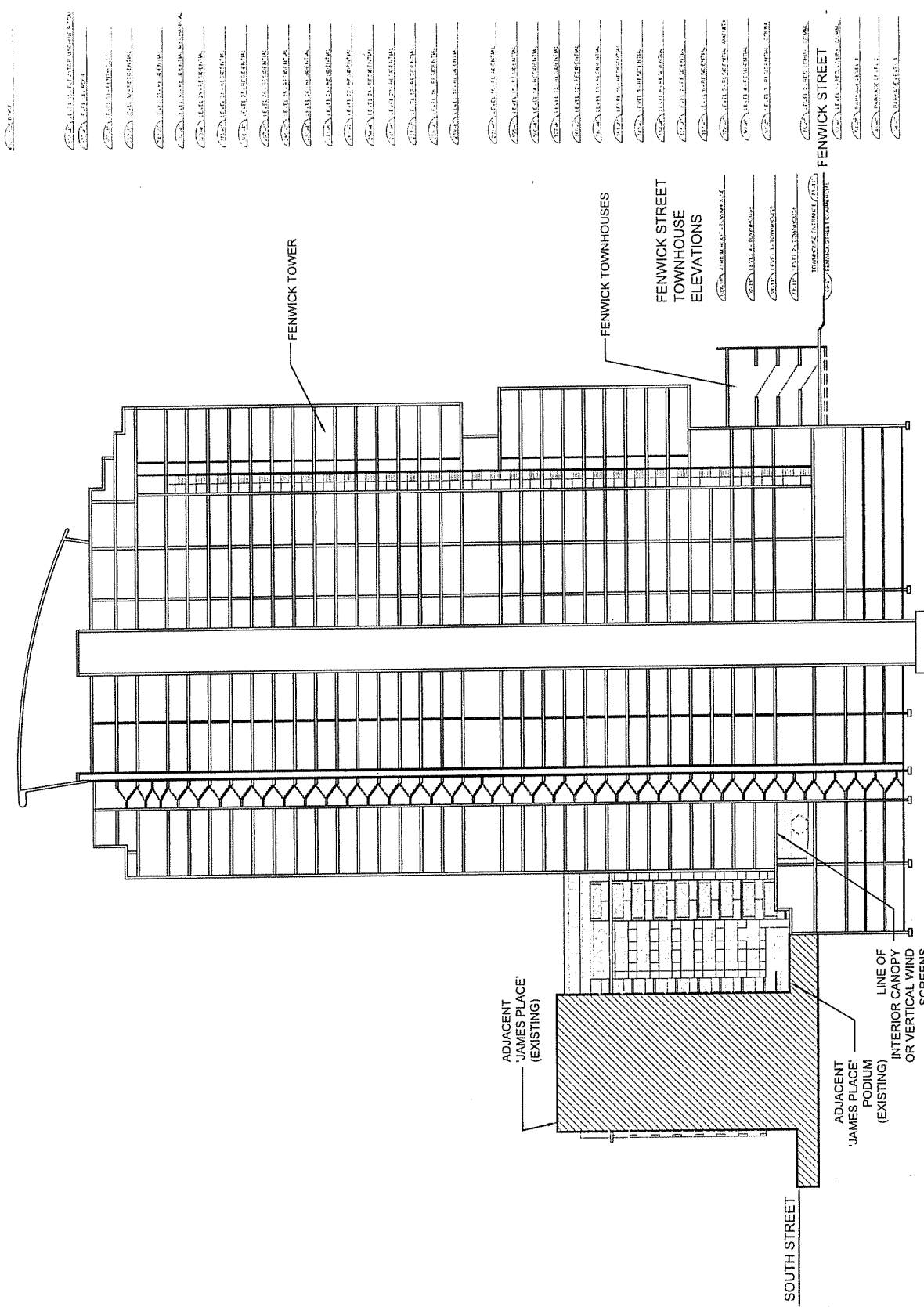
DATE		DEC 09	
DRAWING		PLAN	
NO.		REVISION NAME	
1.		ISSUED FOR DEVELOPMENT ATTENTION	
2.		REVISION TO D.A. APPLICATION	
3.		REVISION TO D.A. APPLICATION	
4.		REVISION TO D.A. APPLICATION	
5.		REVISION TO D.A. APPLICATION	
SCALE		0 10 25 50 FEET	

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

LEVEL 33- FENWICK TOWER

(67)

FENWICK ELEVATIONS



REVISIONS

NO.	REVISION NAME	DATE
1.	ISSUED FOR DEVELOPMENT APPLICATION	12.07.09
2.	REVISION TO D.A. APPLICATION	16.04.10
3.	REVISION TO D.A. APPLICATION	27.01.10
4.	REVISION TO D.A. APPLICATION	11.04.10
5.	REVISION TO D.A. APPLICATION	03.07.10
6.	REVISION TO D.A. APPLICATION	24.03.10

DRAWING

SECTION

DATE

DEC 09

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FENWICK SITE REDEVELOPMENT

PID # 41030735

PID # 00102632

HALIFAX, NOVA SCOTIA

BUILDING ELEVATIONS - HEIGHTS

FENWICK TOWNHOUSES

FENWICK TOWER

DRAWING NO.

A-31

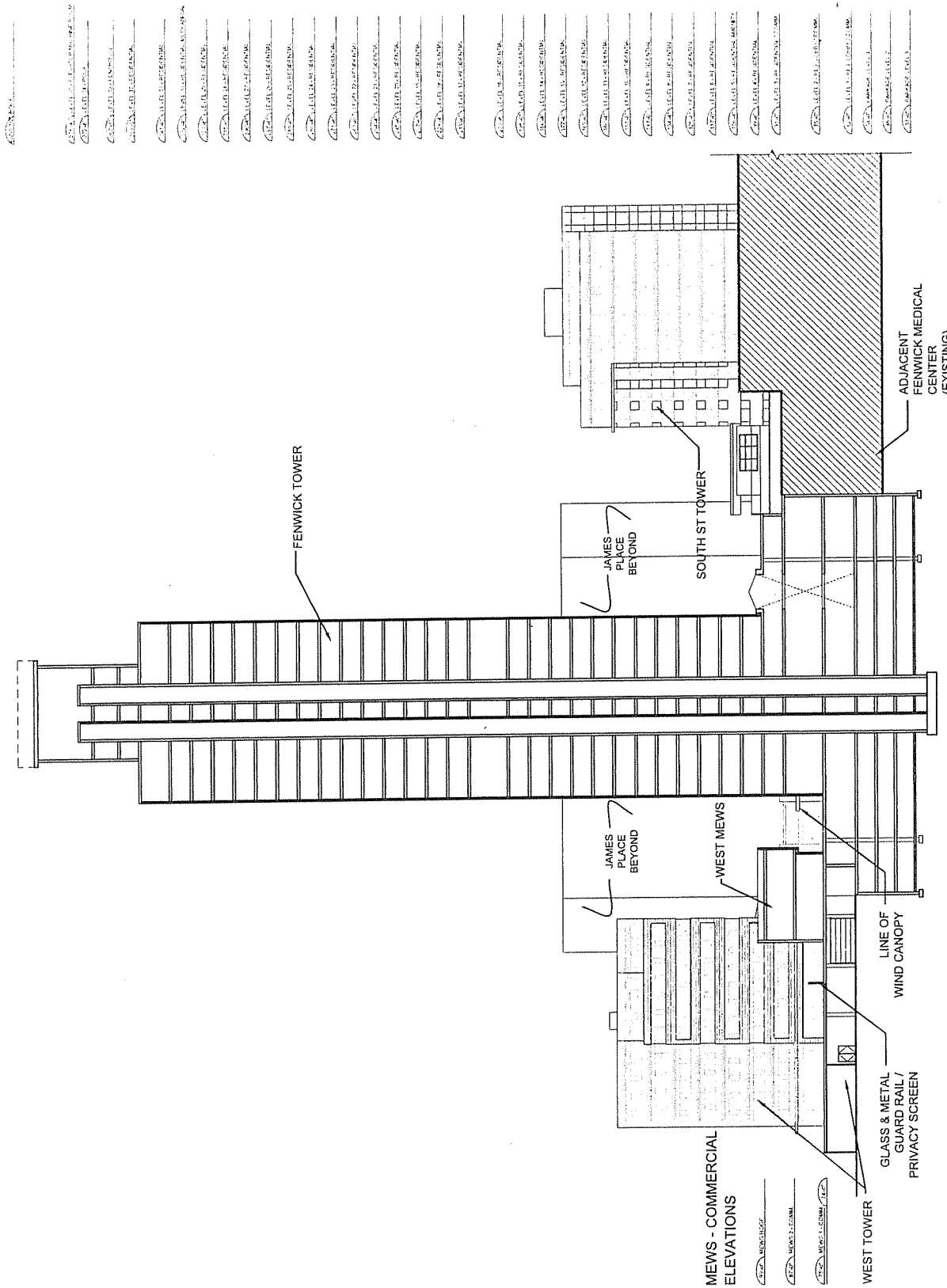
SCALE

0 10 25 50

FEET

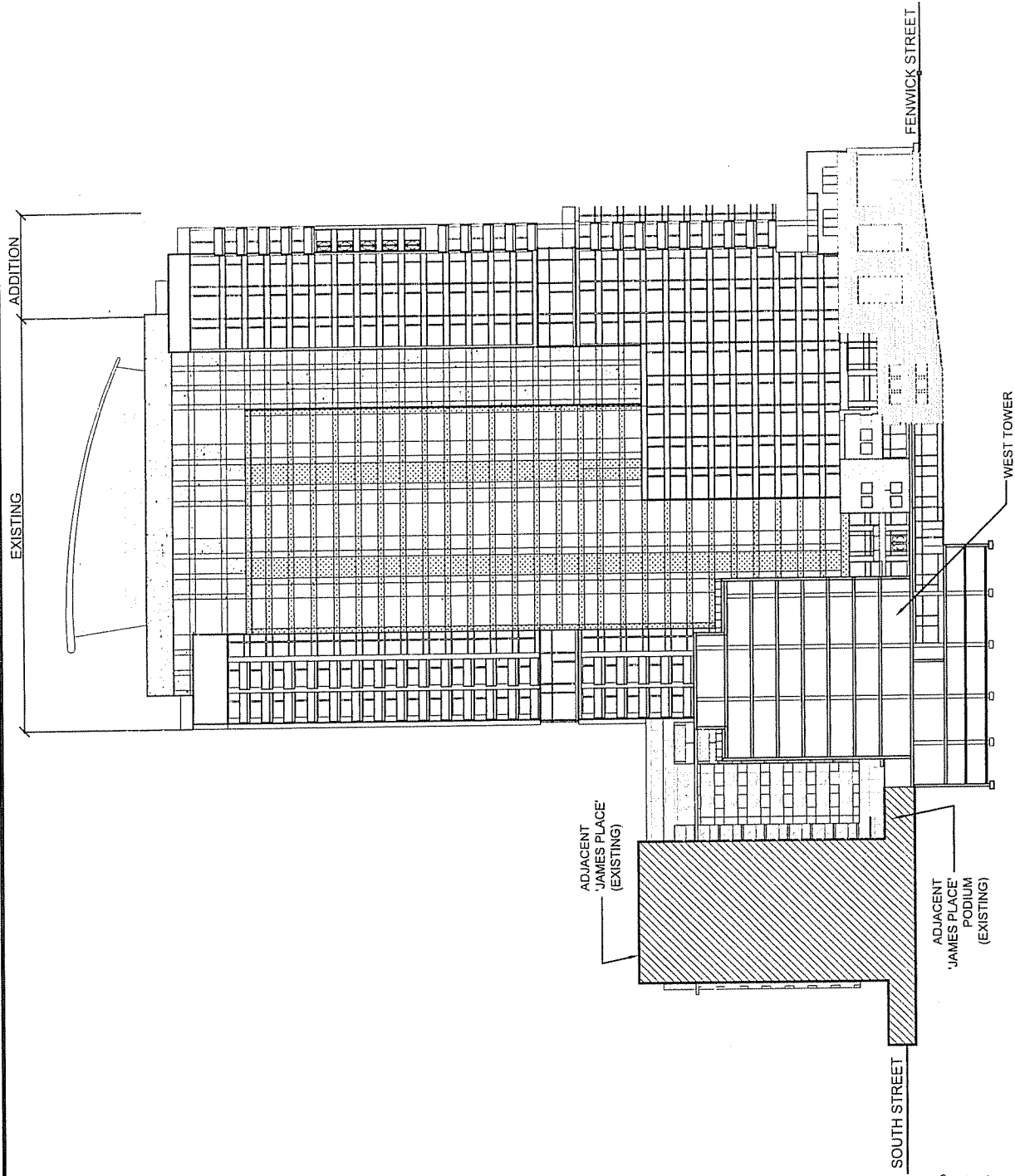
(68)

FENWICK ELEVATIONS



BUILDING ELEVATIONS - HEIGHTS		FENWICK SITE REDEVELOPMENT PID # 41030735 HALIFAX, NOVA SCOTIA		DRAWING		DATE
WEST TOWER	WEST MEWS	SECTION		NO. 0 DAY		DEC 09
FENWICK TOWER	SOUTH ST TOWER			1. ISSUED FOR DEVELOPMENT AGREEMENT 1714.00		
		SCALE		2. REVISION TO DA APPLICATION 1614.00		
				3. REVISION TO DA APPLICATION 2811.00		
				4. REVISION TO DA APPLICATION 11124.00		
				5. REVISION TO DA APPLICATION 12171.00		
				6. REVISION TO DA APPLICATION 12191.00		
				7. REVISION TO DA APPLICATION 14191.00		
		DRAWING NO.		A-32		

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WEST TOWER
ELEVATIONS

- LEVEL 1 - LOBBY / RECEPTION / CORRIDOR
- LEVEL 2 - OFFICE / RECEPTION / CORRIDOR
- LEVEL 3 - OFFICE / RECEPTION / CORRIDOR
- LEVEL 4 - OFFICE / RECEPTION / CORRIDOR
- LEVEL 5 - OFFICE / RECEPTION / CORRIDOR
- LEVEL 6 - OFFICE / RECEPTION / CORRIDOR
- LEVEL 7 - OFFICE / RECEPTION / CORRIDOR
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- LEVEL 10 - OFFICE / RECEPTION / CORRIDOR
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- LEVEL 50 - OFFICE / RECEPTION / CORRIDOR

BUILDING ELEVATIONS - HEIGHTS

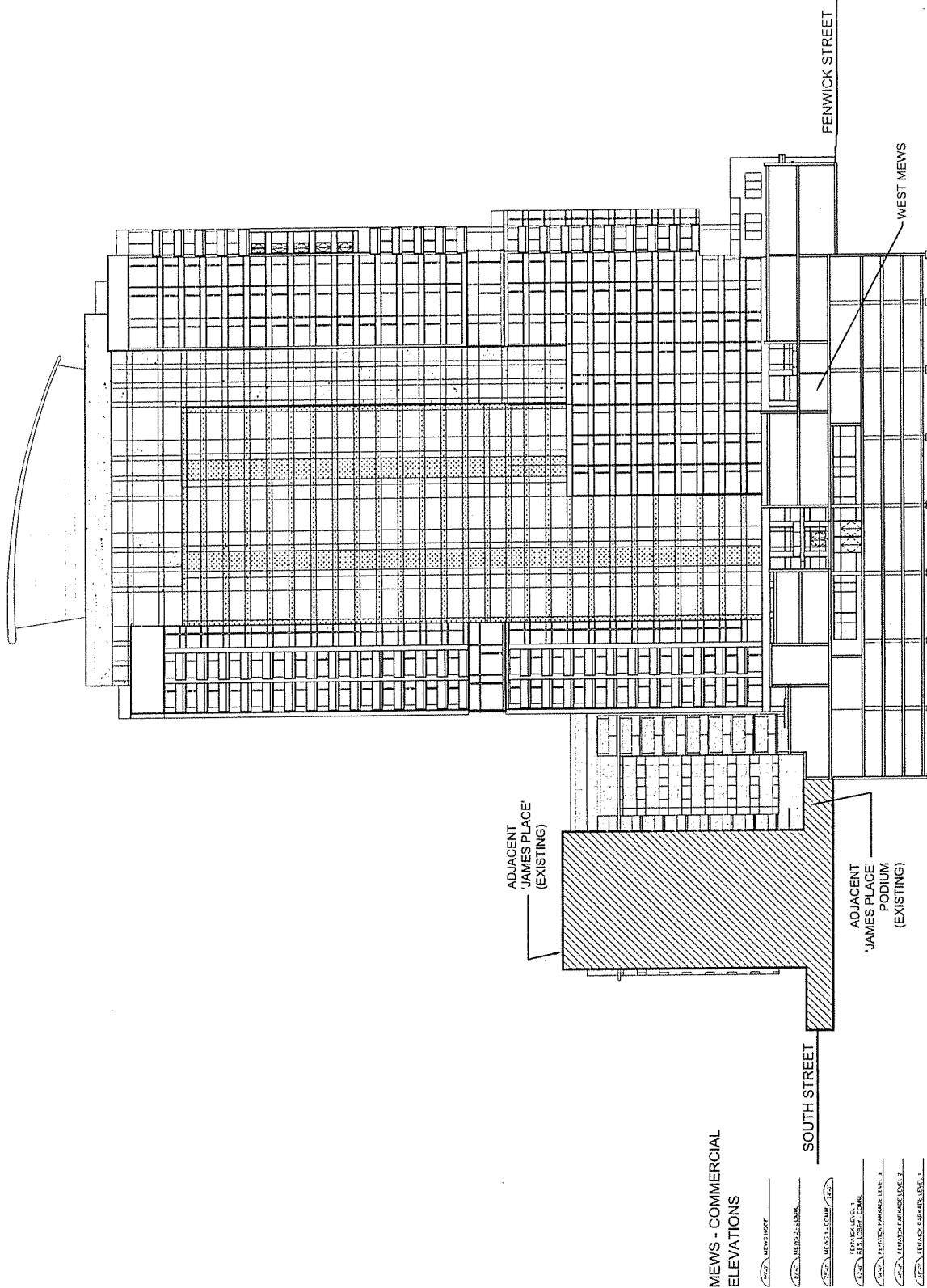
WEST TOWER

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

ΣZA

REVISIONS		DRAWING		SECTION		DATE	
NO.	REVISION NAME	DATE	BY	SCALE	FEET	DATE	BY
1	ISSUED FOR DEVELOPMENT AGREEMENT	17/02/10	17/02/10	0 10 25 50		DEC 09	
2	REVISION TO DEVELOPMENT AGREEMENT	16/04/10	16/04/10				
3	REVISION TO DEVELOPMENT AGREEMENT	26/09/10	26/09/10				
4	REVISION TO DEVELOPMENT AGREEMENT	11/06/11	11/06/11				
5	REVISION TO DEVELOPMENT AGREEMENT	22/03/12	22/03/12				

DRAWING NO.
A-33



BUILDING ELEVATIONS - HEIGHTS

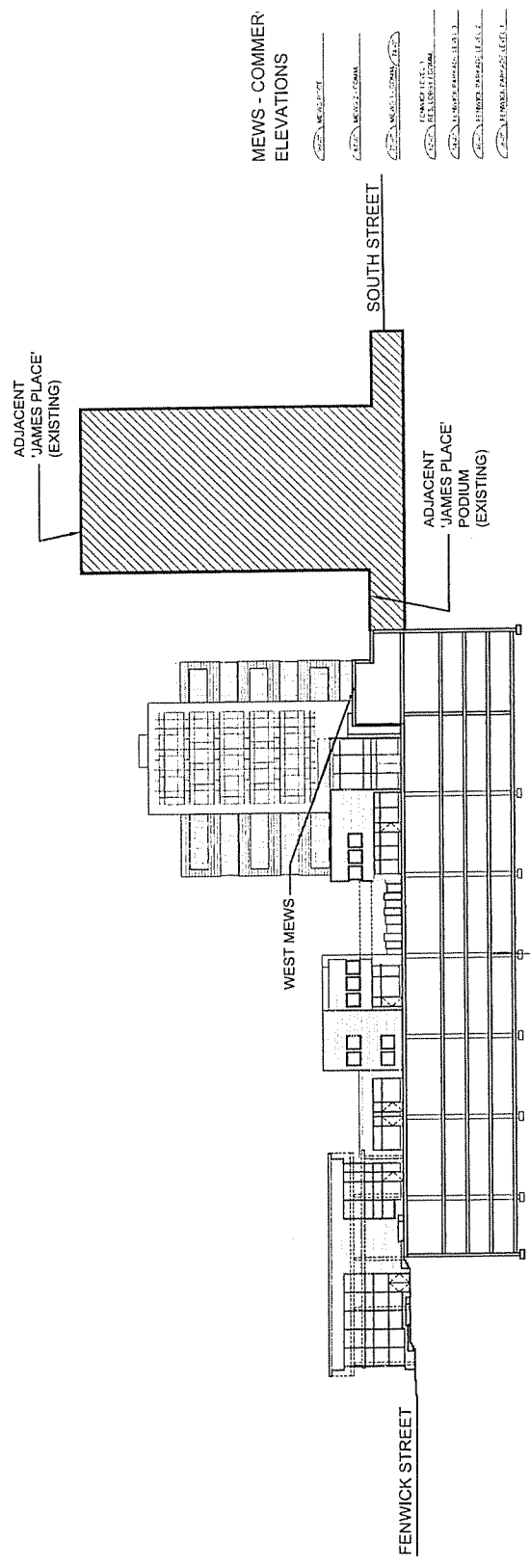
WEST MEWS - WEST ELEVATION



SECTION

DATE
DEC 09

DRAWING NO.
A-34



MEWS - COMMERCIAL ELEVATIONS

- 1. MEWS ELEVATION
- 2. MEWS ELEVATION
- 3. MEWS ELEVATION
- 4. MEWS ELEVATION
- 5. MEWS ELEVATION
- 6. MEWS ELEVATION
- 7. MEWS ELEVATION
- 8. MEWS ELEVATION
- 9. MEWS ELEVATION
- 10. MEWS ELEVATION

BUILDING ELEVATIONS - HEIGHTS
WEST MEWS - EAST ELEVATION

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

ΣZA

REVISIONS		DRAWING		DATE
NO.	REVISION NAME	DAY	DATE	
1.	ISSUED FOR DEVELOPMENT AGREEMENT	17/10/19		DEC 09
2.	REVISION TO D.A. APPLICATION	16/10/19		
3.	REVISION TO D.A. APPLICATION	26/10/19		
4.	REVISION TO D.A. APPLICATION	11/06/20		
5.	REVISION TO D.A. APPLICATION	24/02/20		

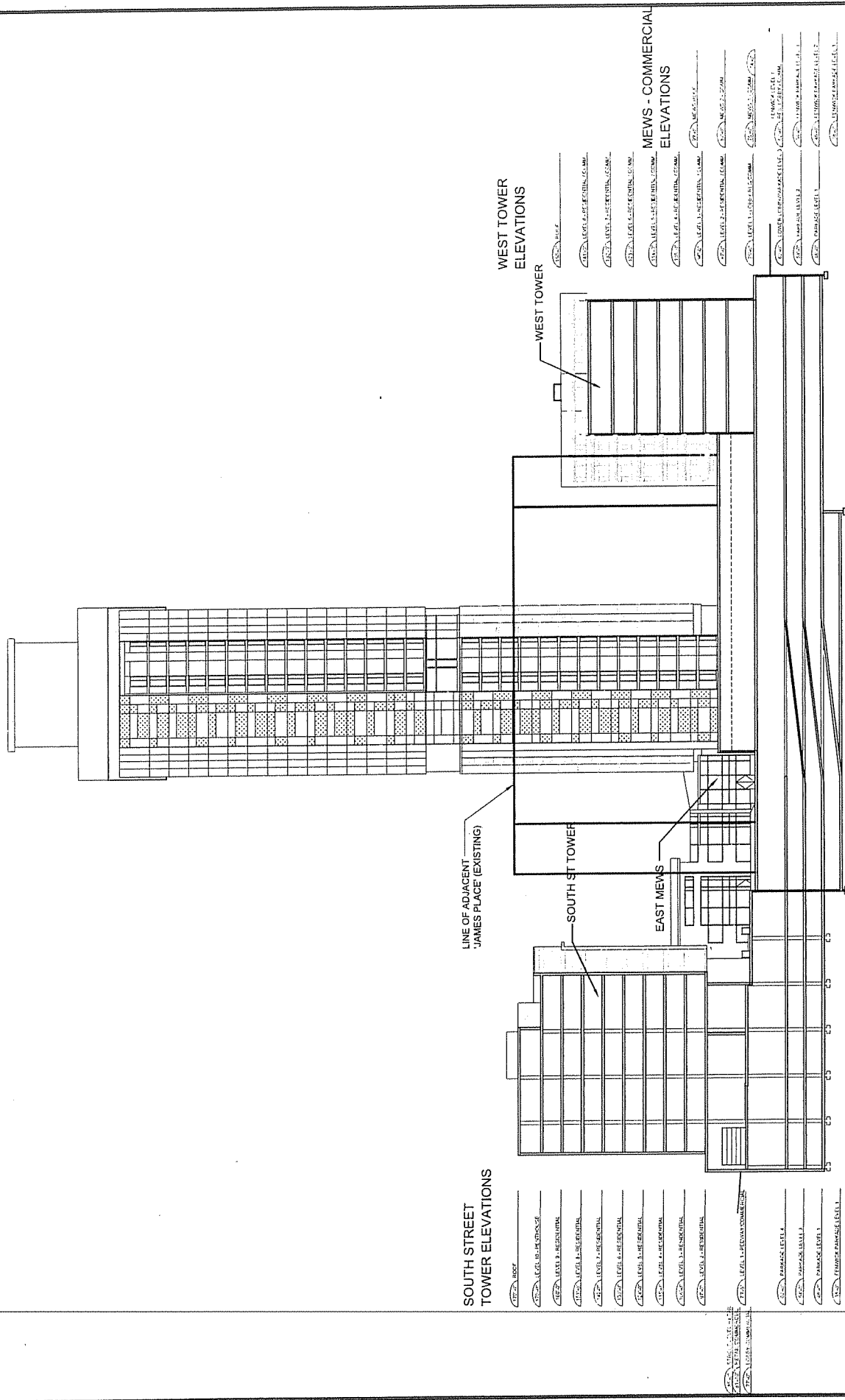
SECTION

SCALE
0 10 25 50
FEET

DRAWING NO.

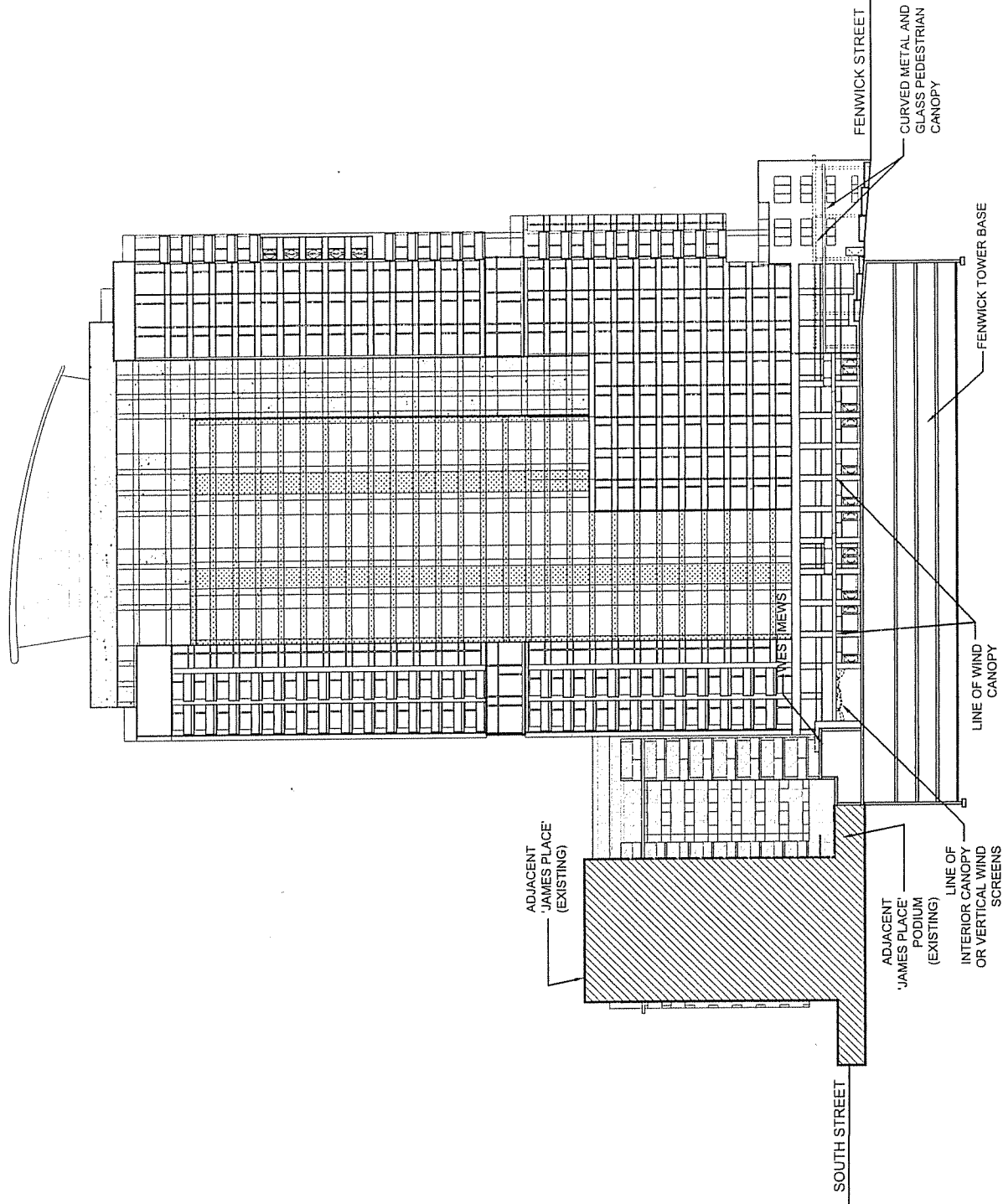
A-35

(72)



BUILDING ELEVATIONS - HEIGHTS		FENWICK SITE REDEVELOPMENT PID # 41030735 HALIFAX, NOVA SCOTIA		DATE DEC 09		DRAWING NO. A-36	
SOUTH ST TOWER		WEST TOWER		SECTION		SCALE	
EAST MEWS				0 10 25 50		FEET	
REVISIONS				DRAWING			
NO	REVISION NAME	DATE	BY	NO	REVISION NAME	DATE	BY
1	ISSUED FOR DEVELOPMENT AGREEMENT	11/01/09	MM	1	ISSUED FOR DEVELOPMENT AGREEMENT	11/01/09	MM
2	REVISION TO D.A. APPLICATION	11/01/09	MM	2	REVISION TO D.A. APPLICATION	11/01/09	MM
3	REVISION TO D.A. APPLICATION	11/01/09	MM	3	REVISION TO D.A. APPLICATION	11/01/09	MM
4	REVISION TO D.A. APPLICATION	11/01/09	MM	4	REVISION TO D.A. APPLICATION	11/01/09	MM
5	REVISION TO D.A. APPLICATION	11/01/09	MM	5	REVISION TO D.A. APPLICATION	11/01/09	MM
6	REVISION TO D.A. APPLICATION	11/01/09	MM	6	REVISION TO D.A. APPLICATION	11/01/09	MM

(74)



MEWS - COMMERCIAL ELEVATIONS

- MEWS LEVEL 1
- MEWS LEVEL 2
- MEWS LEVEL 3
- MEWS LEVEL 4
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- MEWS LEVEL 49
- MEWS LEVEL 50

BUILDING ELEVATIONS - HEIGHTS

WEST MEWS
FENWICK TOWER BASE



FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

REVISIONS	NO.	REVISION NAME	DATE
1	1	ISSUED FOR DEVELOPMENT AGREEMENT	17-SEP-09
2	2	REVISION TO D.A. APPLICATION	16-SEP-09
3	3	REVISION TO D.A. APPLICATION	17-SEP-09
4	4	REVISION TO D.A. APPLICATION	17-SEP-09
5	5	REVISION TO D.A. APPLICATION	17-SEP-09

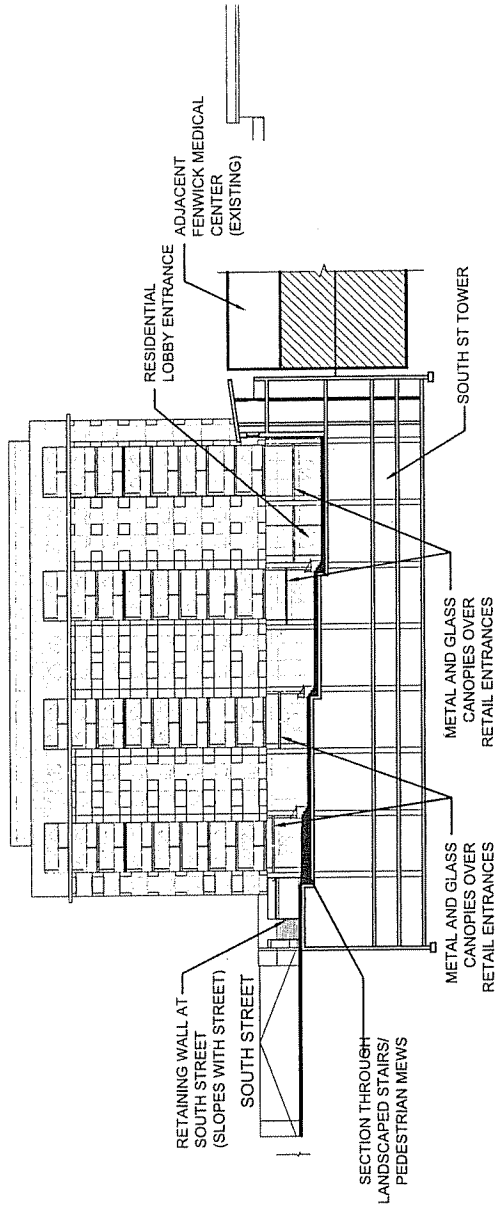
SECTION	DATE
SECTION	DEC 09

SCALE	FEET
0 10 25 50	FEET

DRAWING NO.	DATE
A-38	DEC 09

SOUTH STREET
TOWER ELEVATIONS

- ADPZ-A REVZ
- ADPZ-A LEVEL 15 - RETAIL/ST
- ADPZ-A LEVEL 14 - RETAIL/ST
- ADPZ-A LEVEL 13 - RETAIL/ST
- ADPZ-A LEVEL 12 - RETAIL/ST
- ADPZ-A LEVEL 11 - RETAIL/ST
- ADPZ-A LEVEL 10 - RETAIL/ST
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- ADPZ-A LEVEL 5 - RETAIL/ST
- ADPZ-A LEVEL 4 - RETAIL/ST
- ADPZ-A LEVEL 3 - RETAIL/ST
- ADPZ-A LEVEL 2 - RETAIL/ST
- ADPZ-A LEVEL 1 - RETAIL/ST
- ADPZ-A LEVEL 0 - RETAIL/ST
- ADPZ-A LEVEL -1 - RETAIL/ST
- ADPZ-A LEVEL -2 - RETAIL/ST
- ADPZ-A LEVEL -3 - RETAIL/ST
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BUILDING ELEVATIONS - HEIGHTS

SOUTH ST TOWER (WEST ELEVATION)

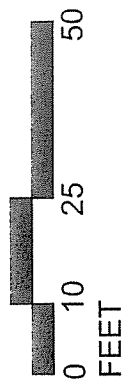
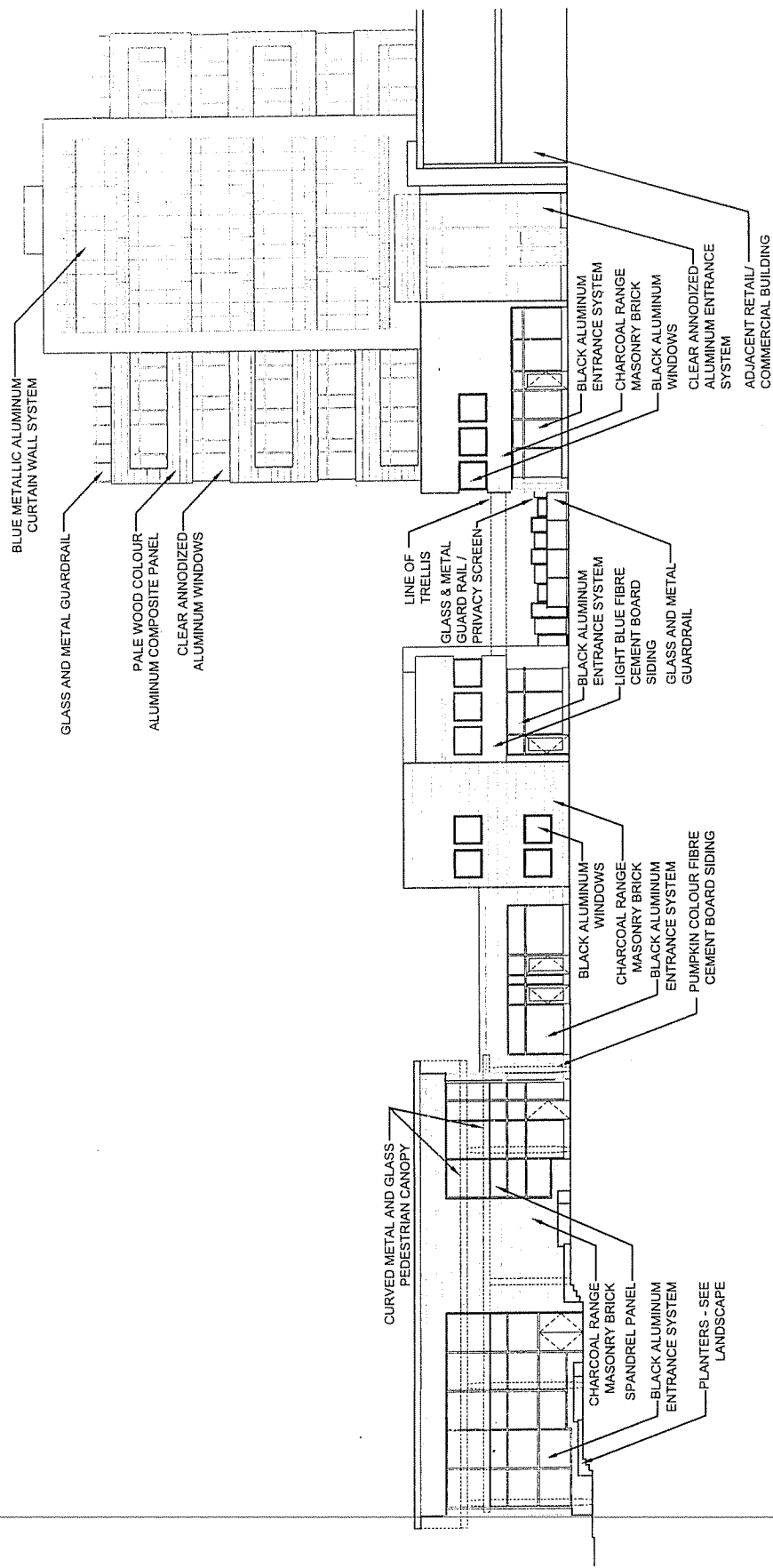
FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA



DRAWING		SECTION	DATE
A-39		SECTION	DEC 09
DRAWING NO.		SCALE	0 10 25 50 FEET
REVISIONS		NO	REVISION
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49		NO	REVISION
50		NO	REVISION

(76)



**DETAILED PEDESTRIAN LEVEL
ELEVATIONS - MATERIALS**

WEST MEWS (EAST ELEVATION)

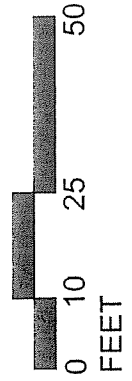
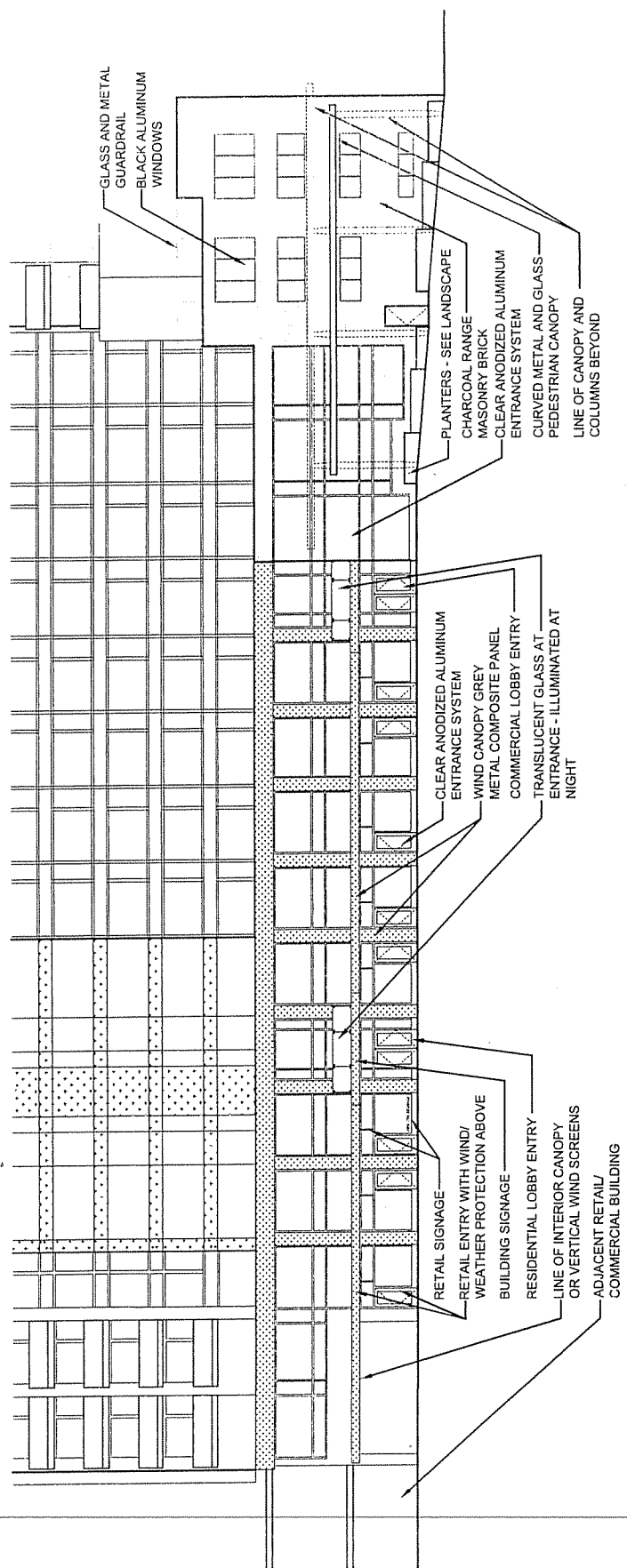
FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA

MZA

REVISIONS		DRAWING		DATE	
NO.	DESCRIPTION	DATE	BY	DATE	BY
1	REVISION TO D.A. APPLICATION	11/28/17		DEC 09	
2	REVISION TO D.A. APPLICATION	11/28/17			
SCALE				SEE BAR SCALE ABOVE	
				DRAWING NO.	
				A-40	

(77)



**DETAILED PEDESTRIAN LEVEL
ELEVATIONS - MATERIALS**

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

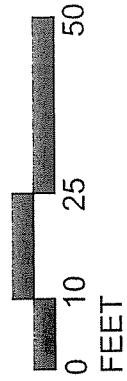
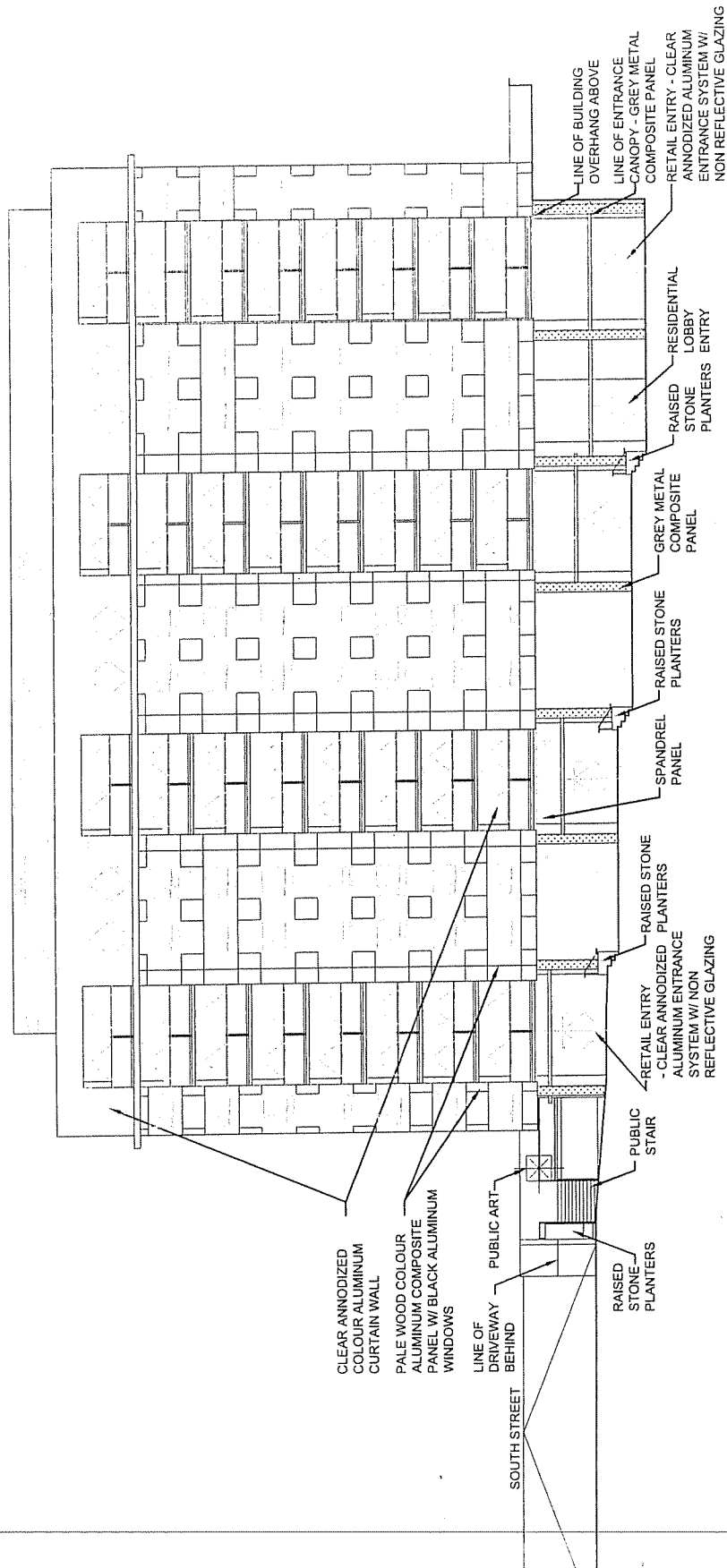


REVISIONS		DRAWING	DATE
NO.	REVISION NAME	DATE	
1.	RETURN TO D.A. APPLICATION	10/2/10	
2.	RETURN TO D.A. APPLICATION	10/2/10	
3.	RETURN TO D.A. APPLICATION	10/2/10	
SCALE		SEE BAR SCALE ABOVE	
DRAWING NO.		A-41	

PARTIAL ELEVATION -
FENWICK TOWER
TYP. MATERIAL PALETTE

DEC 09

(78)



DETAILED PEDESTRIAN LEVEL ELEVATIONS - MATERIALS

SOUTH TOWER - WEST ELEVATION

FENWICK SITE REDEVELOPMENT
PID # 41030735

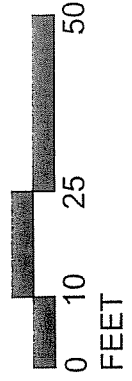
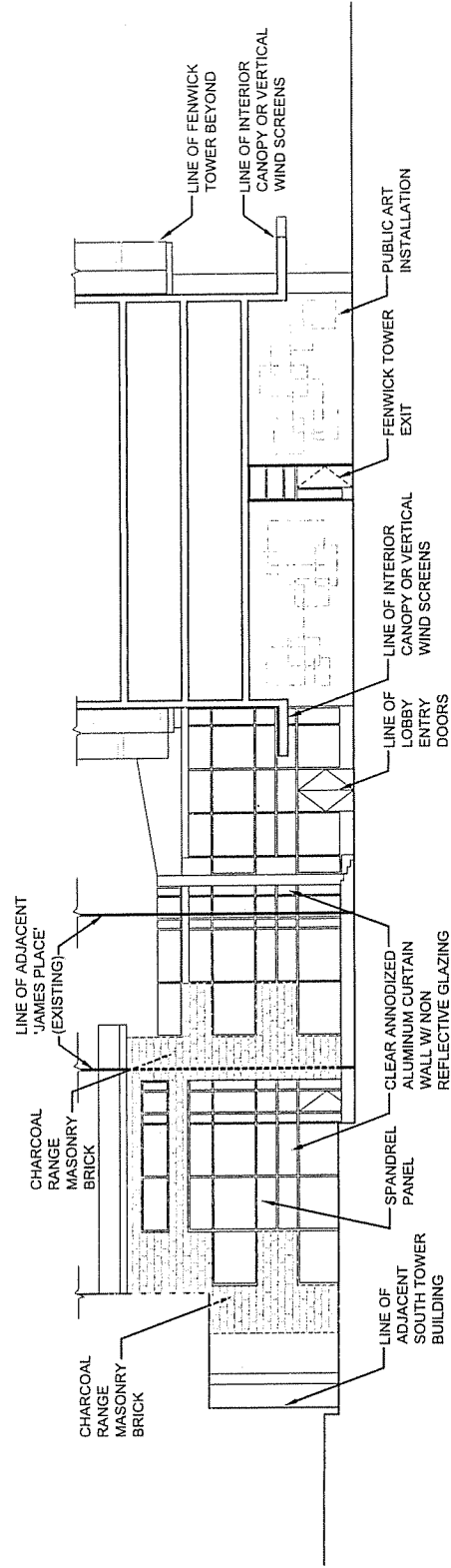
HALIFAX, NOVA SCOTIA

MZA

REVISIONS		DATE
NO.	DESCRIPTION	
1.	REVISION FOR A. W. P. 11/22/17	DEC 09
SCALE		SEE BAR SCALE ABOVE
DRAWING NO.		A-42

DETAILED PEDESTRIAN LVL
ELEVATION - MATERIALS
SOUTH ST. TOWER

(79)



DETAILED PEDESTRIAN LEVEL ELEVATIONS - MATERIALS

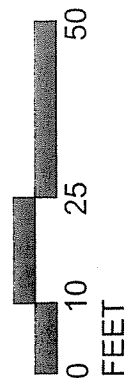
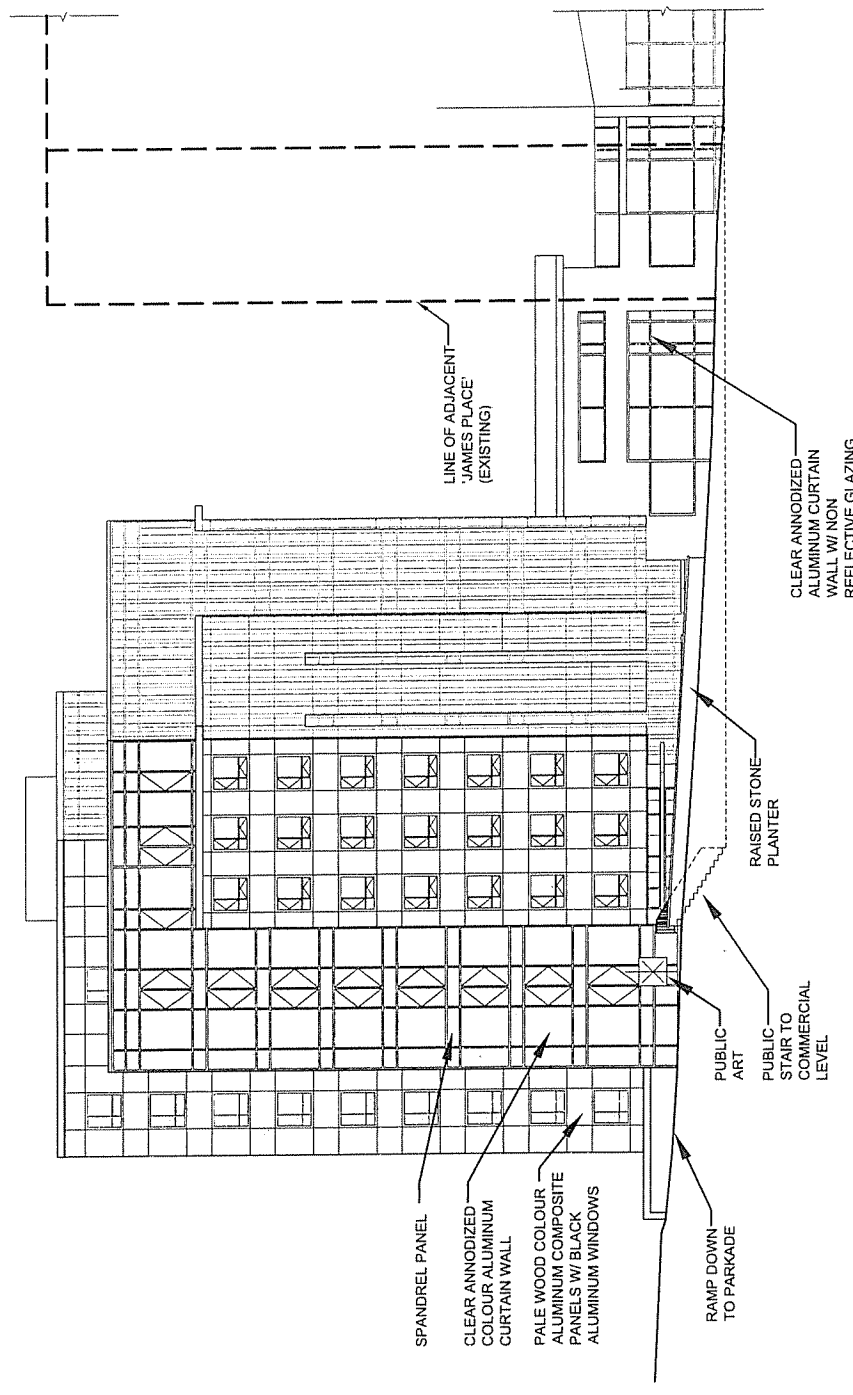
EAST MEWS - NORTH ELEVATION

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

NZA

REVISIONS		DRAWING		DATE
NO.	REVISION NAME	DATE	LEVEL ELEVATION - MATERIALS EAST MEWS	DRAWING NO.
1.	REVISION TO D.A. APPLICATION	11/15/13		DEC 09
2.	REVISION TO D.A. APPLICATION	4/10/15		
SCALE				
SEE BAR SCALE ABOVE				A-43

(80)



**DETAILED PEDESTRIAN LEVEL
ELEVATIONS - MATERIALS**

SOUTH TOWER - NORTH ELEVATION

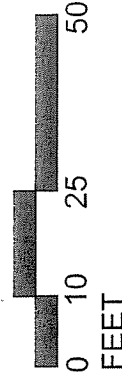
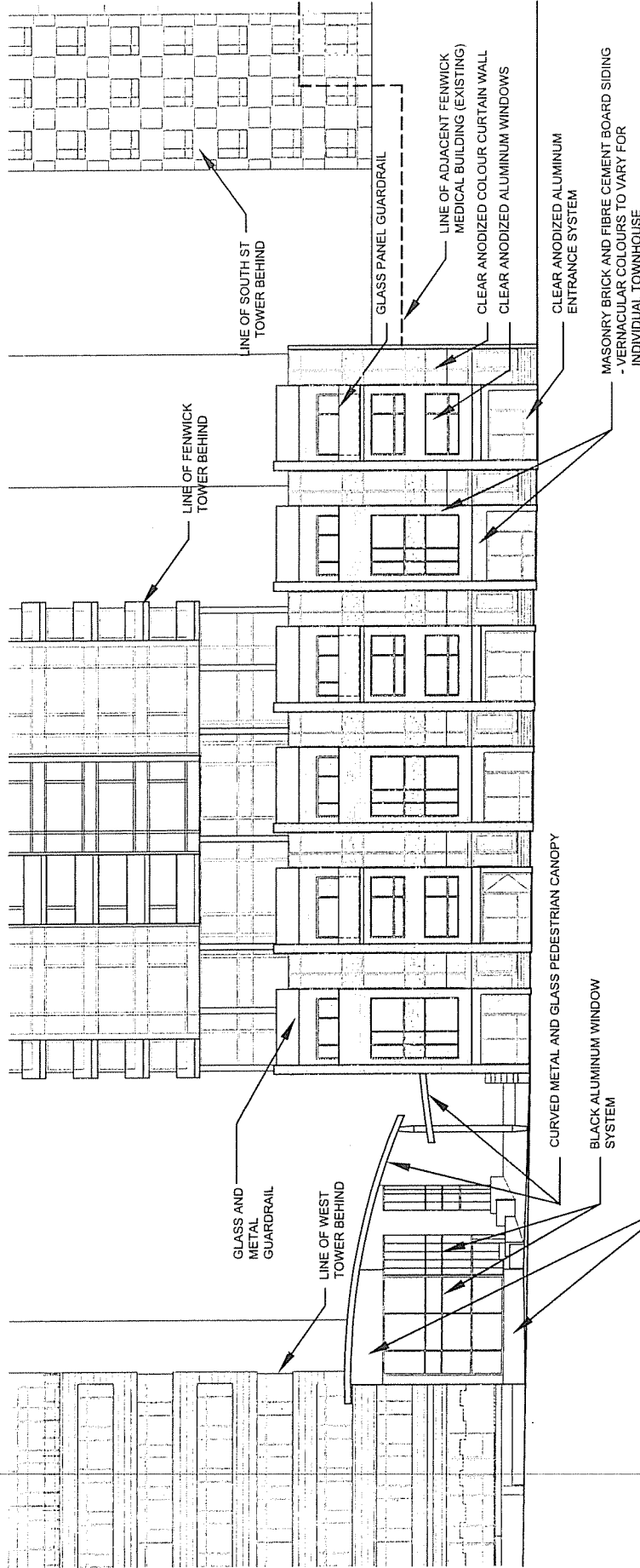
FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA



REVISIONS		DRAWING	DATE
NO.	REVISION NAME	DAY	DATE
1.	REVISION TO P.A. APPLICATION	22/01/13	DEC 09
2.	REVISION TO P.A. APPLICATION	14/02/13	
SCALE		SEE BAR SCALE ABOVE	
DRAWING NO.		A-44	

DETAILED PEDESTRIAN LVL
ELEVATION - MATERIALS
SOUTH ST. TOWER



DETAILED PEDESTRIAN LEVEL ELEVATIONS - MATERIALS

FENWICK STREET TOWNHOUSES

FENWICK SITE REDEVELOPMENT
PID # 41030735
PID # 00102632
HALIFAX, NOVA SCOTIA

MZA

REVISIONS		DATE
NO.	REVISION NAME	
1.	ISSUED TO D.A. APPLICATION	16/1/15
		</

DATE
DEC 09
DRAWING NO
A-45

EXTERIOR PROJECT LIGHTING:

1. LOW LEVEL THEATRE STYLE LIGHTS AT PEDESTRIAN RAMPS AND STAIRS
2. FENWICK STREET TOWNHOUSE RETAIL TO HAVE ILLUMINATED AND STORE FRONT WINDOW SIGNAGE.
3. ILLUMINATED FENWICK TOWER PENTHOUSE 'LANTERN' AS MAJOR NIGHT PROJECT ICON - NON-COLOURED
4. MINIMAL SPOT LIGHTING TO BE USED WITH NO EMPHASIS ON UPLIGHT WALL WASH EFFECTS.
5. 'DARK SKY' LIGHT FIXTURES TO BE INCORPORATED.
6. FENWICK RESIDENTIAL AND COMMERCIAL ENTRANCE LOBBIES TO HAVE ILLUMINATED CANOPIES.
7. MEWS LEVEL RETAIL TO HAVE ILLUMINATED AND STORE FRONT WINDOW SIGNAGE.
8. MEWS LEVEL RETAIL TO HAVE DOWNLIGHTING FROM CANOPIES.
9. PEDESTRIAN MEWS TO INCORPORATE VARIOUS LIGHTS SOURCES INCLUDING SPOT LIGHTING ON PUBLIC ART, ILLUMINATED BOLLARDS, LAMP POSTS, INTEGRATED LANDSCAPE LIGHTING PROVIDING LIGHTING VALUES TO BOTH ENHANCE PEDESTRIAN EXPERIENCE AND SAFETY.
10. TOWNHOUSES TO HAVE WALL MOUNTED LIGHTS AT RESIDENTIAL ENTRIES AND INTEGRATED LANDSCAPE LIGHTING.

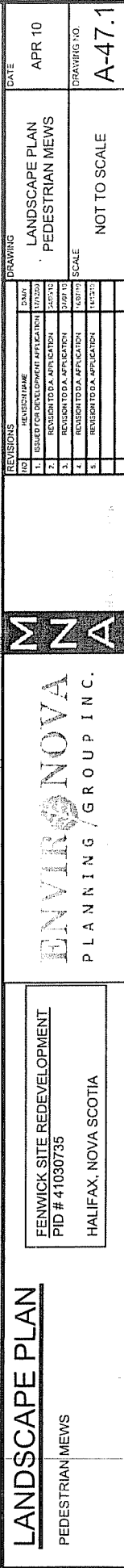
PROJECT LIGHTING DESCRIPTION

FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA

MZA

REVISIONS			DRAWING	DATE
NO	DESCRIPTION	DATE		
1	USED FOR DEVELOPMENT AGREEMENT	2005	PROJECT LIGHTING	DEC 09
2	REVISION TO L.A. APPLICATION	2006		
			SCALE	DRAWING NO.
			N/A	A-46



PEDESTRIAN MEWS

FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA

ΣΖΚ
ENVIRONOVA
PLANNING GROUP INC.

LANDSCAPE PLAN
PEDESTRIAN MEWS

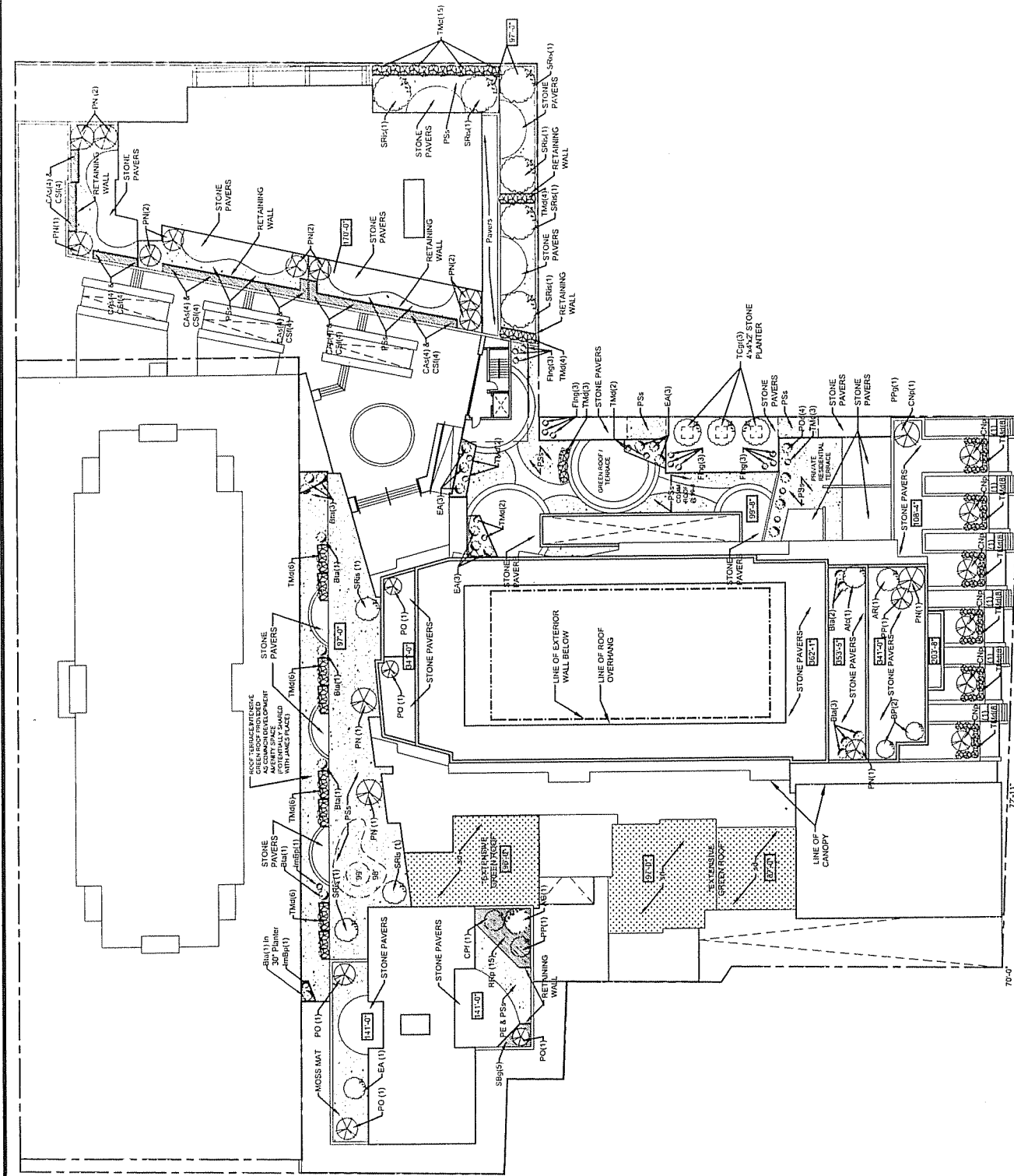
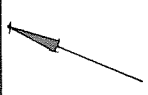
NOT TO SCALE

DRAWING

ATE

APR 10

DRAWING NO.



LANDSCAPE PLAN
ROOF TOP TERRACES

DATE
APR 10

LANDSCAPE PLAN
ROOF TOP TERRACES

SCALE
NOT TO SCALE

LANDSCAPE PLAN
ROOF TOP TERRACES

DRAWING NO.
A-47.2

ENVIRONOVA
PLANNING / GROUP INC.

FENWICK SITE REDEVELOPMENT
PID # 41030735

HALIFAX, NOVA SCOTIA

Code	No.	Scientific name	common name	Size	Type	comments
Deciduous Trees						
AR	1	Acer rubrum 'Sun Valley	Sun Valley Red Maple	60 mm	WB	Fall colour for roof top tree
Afab	1	Acer x freemani Jeffersred	Autum Blaze Maple	100 mm	WB	Major tree/ Scarlet fall colour
Afc	4	Acer x freemani Jeffersred C	Autum Blaze Maple clump	350 cm	WB	Focal Point / clumps with scarlet fall colour
AG	30	Acer ginnala Flame	Amur Maple	45 mm	WB	Multi-stem reddish purple fall colour
ApC	1	Acer platanoides 'Columnari	Columnar Norway Maple	80 mm	WB	Columnar vertical habit for portable planters
BP	4	Betula papyrifera	Paper Birch clump 3 stem	70 mm	WB	White bark contrast
MSg	1	Magnolia soulangeana 'Galaxy	Galaxy Saucer Magnolia	250 cm	WB	Purple Rose spring colour
Mrj	1	Malus 'Red Jade	Weeping Red Jade flowering crab	50 mm	WB	weeping form
Map	2	Morus alba "Pendula	Weeping Mulberry	50 mm	WB	accent plants for stairs
ORf	2	Quercus robur fastigiata	Columnar English Oak	80 mm	WB	Upright form, wind tolerant
Srls	10	Syringa reticulata 'Ivory Silk	Ivory silk Japanese tree lilac	60 mm	WB	Spring colour, adaption to shade
TCg	1	Tilia cordata 'Glenleven	Glenleven Linden	100 mm	WB	
TCgr	3	Tilia cordata Greenspire	Greenspire Linden	80 mm	WB	Pyramidal habit, hardy
Mbc	3	Malus Baccata Columnaris	Siberian Columnar Crab Apple Tree	60 mm	WB	Hardy, wind resistant, white flowers
Conifer Trees						
CNp	8	Chamaecypress nootkatensis pendula	Weeping Nootka Cypress	200 cm	WB	Weeping and striking landscape form
CPF	1	Chamaecypress pisifera filifera	Threadleaf False cypress	124 cm	WB	feathery form
PAP	1	Picea abies Pendula	Weeping Norway Spruce	200 cm	WB	Unusal weeping form
PP	3	Picea Pungens	Colorado Green Spruce	200 cm	WB	wind tolerance, hardy maintains good form if pruned
PPg	1	Picea Pungens glauca	Colorado Blue Spruce	200 cm	WB	wind tolerance, does well in planters
PN	1	Pinus nigra	Austrian Pine	250 c m	WB	hardy, wind tolerant
	14	Pinus nigra	Austrian Pine	175 cm	WB	hardy, wind tolerant
PO	5	Picea omorika	Serbian Spruce	150 cm	WB	Striking weeping vertical habit
TC	2	Tsuga canadensis	Canada Hemlock	175 cm	WB	
Evergreen Shrubs						
JScC	68	Juniperus sabina 'Calgary Carpet	Calgary Carpet Juniper	50 cm	container	Low Ground cover juniper, wide spreading habit
PMp	2	Pinus Mugo pumilo	Dwarf Mugo Pine	50 cm	container	dwarf habit & wind & salt tolerant
TMD	129	Taxus media densiformis	Dense Japanese Yew	50 cm	container	Shade and sun performer and wind tolerance
Broadleaf Evergreens						
BSgg	15	Buxus sempervirens 'Green Gem	Green Gem Boxwood	40 cm	container	low green form, shade tolerant
Efc	6	Euonymus fortunei coloratus	Coloratus Euonymus	40 cm	container	cascading form
ImBp	2	Ilex merserveae 'Blue Prince	Blue Prince Holly	50 cm	container	shade tolerance
Imbp	7	Ilex merserveae 'Blue Princess	Blue Princess Holly	50 cm	container	
Rr	3	Rhododendron ramapo	Dwarf Rhododendron	40 cm	container	Shade tolerance, early spring colour, Dwarf

*All quantities to be confirmed.

LANDSCAPE PLAN PLANTING KEY

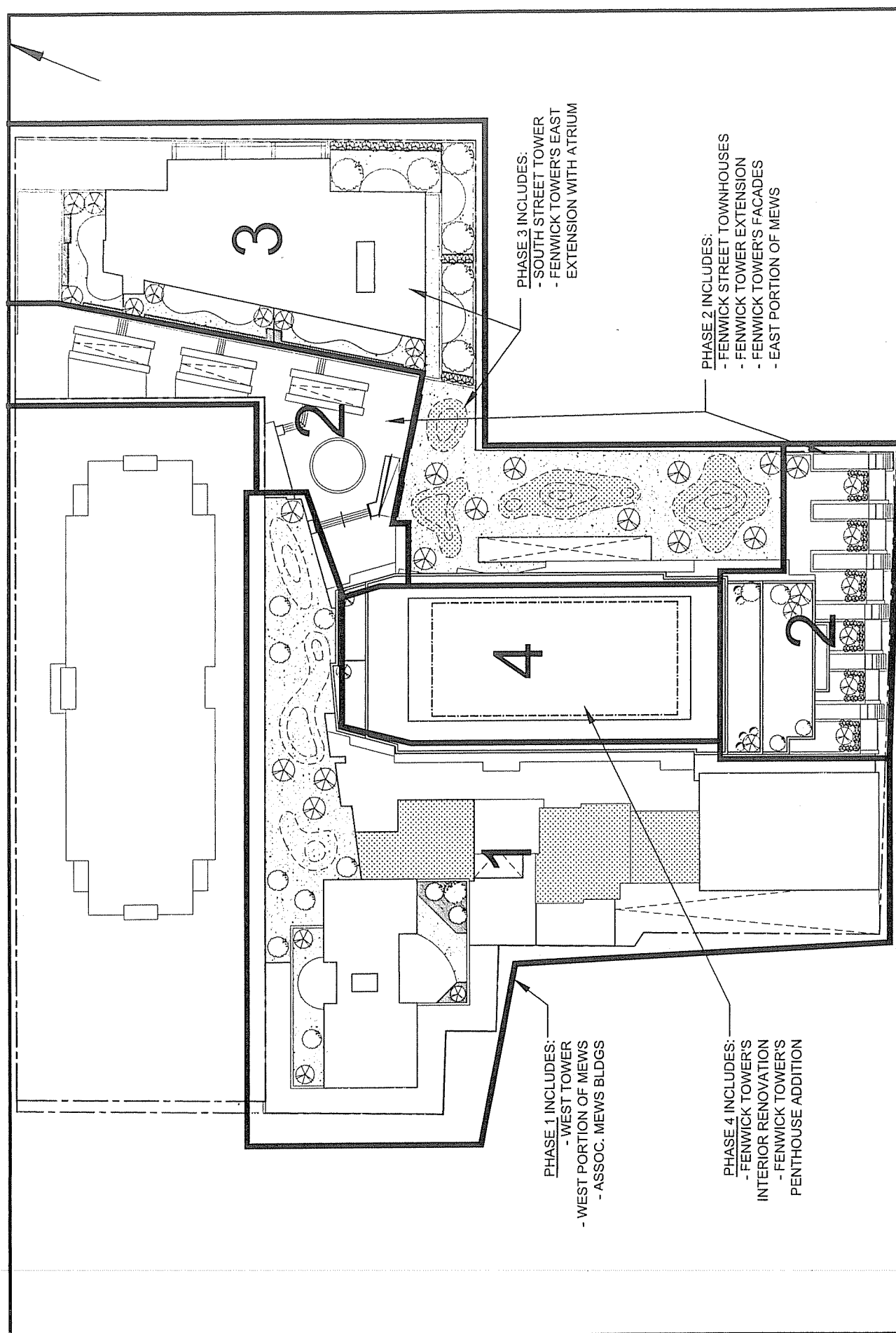
A-48.1

Code	No.	Scientific name	common name	Size	Type	comments
Flowering shrubs						
Bta	5	Berberis thunbergii atropurpurea 'Rose Glow	Rose Glow Barberry	40 cm	container	Red seasonal colour
Bts	2	Berberis thunbergii 'Sunsation	Sunsation Barberry	40cm	container	Yellow seasonal colour
Flowering shrubs						
Bta	13	Berberis thunbergii atropurpurea 'Rose Glow	Rose Glow Barberry	40 cm	container	Red seasonal colour
Bts	2	Berberis thunbergii 'Sunsation	Sunsation Barberry	40cm	container	Yellow seasonal colour
Cas	24	Cornus alba sibirica	Siberian Dogwood	60 cm	container	winter colour
CSf	24	Cornus sericea 'Flaverramea	Yellowtwig Dogwood	60 cm	container	winter colour
EA	1	Elaeagnus angustifolia	Russian Olive	150 cm	WB	Silver leaf, wind tolerant
RRp	15	Rosa rugosa 'Purple Pavement	Purple Pavement Rose	50 cm	container	low habit
RRj	2	Rosa Rugosa 'John Cabot	John Cabot Rose	50 cm	container	climbing habit for fence
SBg	5	Spirea bumalda 'Goldflame	Goldflame Spirea	40 cm	container	seasonal gold & fall reddish colour, ground cover
WFbr	2	Weigela florida 'Bristol Ruby	Bristol Ruby Weigela	60 cm	container	Red flowers
Pod	4	Physocarpus Opulifolius 'Diablo'	Diablo Ninebark	50 cm	container	Colour contrast / wine
Fing	12	Forsythia Intermedia	Northern Gold	125 cm	B & b	Gold flowers in early spring, hardy
EAC	9	Euonymus Alatos Compactus	Dwarf Burning Bush	80 cm	container	Brilliant fall colour
Vines						
PTv	35	Parthenocissus tricuspidata Veitchii	Boston Ivy	2 gal.	container	Clinging vine for fencing, brilliant red fall colour
pa	18	Polygonium aubertii	Silver Lace Vine	2 gal	container	vigorous, shade tolerant silver & silver-white flowers
Ornamental Grasses						
pap	41	Phalaris arundinacea 'Picta	Variegated Ribbon Grass	2 gal	container	green & white variegated foliage, establishes easy as a ground cover
psr	13	Pennisetum sedaceum 'Red head	Red Head Fountain Grass	2 gal.	container	Reddish plumed flowers
hma	7	Hakonechloa macra aureola	Golden Variegated Hakone Grass	2 gal.	container	cascading bright yellow leaves with green stripes, red in fall
ipok	11	Pennisetum oriental 'Karley Rose	Oriental Fountain Grass	2 gal	container	smokey purple plumes
Perennials						
hfa	5	Hosta fortunei aureomarginata	Aureomarginata Hosta	2 gal.	container	Deep green leaves with golden yellow margins, violet flowers
hhs	11	Hosta High Society	High Society Hosta	2 gal.	container	Blue margins with narrow yellow centre
hdd	12	Hemerocallis Double d'Oro	Double D'Oro Daylily	2 gal.	container	golden yellow flowers, everblooming
Green Roof						
Pe		Phyllocladus empetrifolius	Pink Mountain Heath	Veg mats	Xero flor	
Sd		Sedum divergens	Alpine Sedum	Veg mats	Xero flor	
Pss		Poa secunda spp. secunda	Pine Blue Grass	Veg mats	Xero flor	

*All quantities to be confirmed.

LANDSCAPE PLAN PLANTING KEY (cont'd)

A-48.2



PHASE 3 INCLUDES:
- SOUTH STREET TOWER
- FENWICK TOWER'S EAST
EXTENSION WITH ATRIUM

PHASE 2 INCLUDES:
- FENWICK STREET TOWNHOUSES
- FENWICK TOWER EXTENSION
- FENWICK TOWER'S FACADES
- EAST PORTION OF MEWS

PHASE 1 INCLUDES:
- WEST TOWER
- WEST PORTION OF MEWS
- ASSOC. MEWS BLDGS

PHASE 4 INCLUDES:
- FENWICK TOWER'S
INTERIOR RENOVATION
- FENWICK TOWER'S
PENTHOUSE ADDITION

PHASING PLAN

FENWICK SITE REDEVELOPMENT
PID # 41030735
HALIFAX, NOVA SCOTIA

REVISIONS		DRAWING		DATE
NO.	REVISION	DATE	BY	
1	ISSUED FOR APPLICATION	04.12.10		
2	REVISION TO DA APPLICATION	11.01.11		
3	REVISION TO DA APPLICATION	11.05.11		
4	REVISION TO DA APPLICATION	07.02.11		
		SCALE		NOT TO SCALE
		DRAWING NO.		A-49

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Email: solutions@rwdi.com

Rowan Williams Davies & Irwin Inc.
650 Woodlawn Road West
Guelph, Ontario, Canada N1K 1B8



October 5, 2010

Richard Harvey, MCIP, LPP
Senior Planner
Halifax Regional Municipality
PO Box 1749
Halifax, Nova Scotia, Canada
B3J 3A5
902-490-5637
harveyri@halifax.ca

Re: **Pedestrian Wind Studies – Methodology and Criteria**
RWDI Reference Number: 1011319

Dear Richard,

Information below outlines our Pedestrian Wind Comfort testing methodology and our pedestrian wind criteria, as well as a list of references.

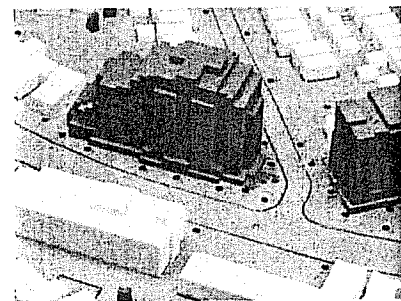
WIND TUNNEL METHODOLOGY

The purpose of the pedestrian wind tunnel study is to assess the wind environment around a proposed development with respect to pedestrian comfort and safety. This objective is typically achieved through wind tunnel testing of a model of the proposed development for two or three building configurations:

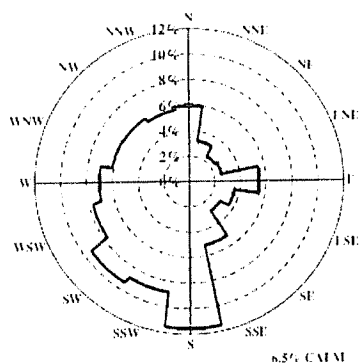
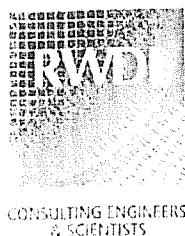
Configuration A - Existing: existing surroundings without the proposed development;
Configuration B - Proposed: with the proposed development; and,
Configuration C – Future: with the proposed development and future surrounding buildings (optional).

A test model can be constructed using the design information and drawings provided by our clients. The placement of wind measurement locations is based on our experience and understanding of the pedestrian usage for this site.

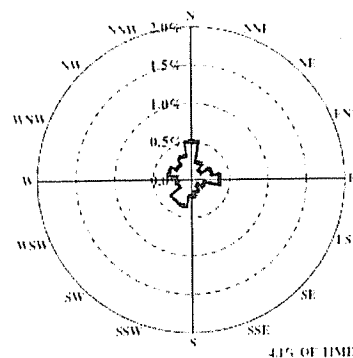
The wind tunnel model includes the proposed development and all relevant surrounding buildings and topography within a 460 m radius of the study site for a 1:400 model. The mean speed profile and turbulence of the natural wind approaching the modelled area were also simulated in RWDI's boundary layer wind tunnel. The model at a suitable scale (e.g. 1:300 or 1:400) is instrumented with many wind speed sensors to measure mean and gust wind speeds at a full-scale height of approximately 1.5 m. These measurements are recorded for 36 equally incremented wind directions.



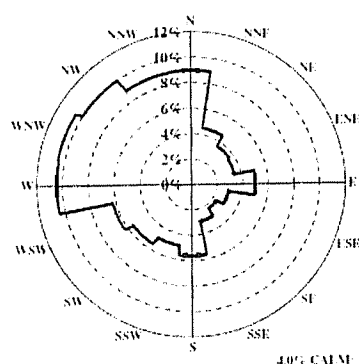
Wind statistics recorded at the Shearwater Airport in Halifax, Nova Scotia, between 1953 and 2006 were analysed for the Summer (May through October) and Winter (November through April) seasons. Diagrams below graphically depict the distribution of wind frequency and directionality for the two seasons. When all wind records are considered, winds from the southwest quadrant are predominant in the summer, as indicated by the upper-left wind rose. The lower-left wind rose shows the winter data, indicating the predominance of winds from the northwest quadrant during this season. Calm winds recorded at the airport occur for 6.5% of the time in the summer and 4.0% of the time in winter.



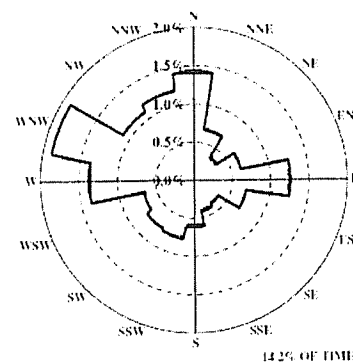
ALL SUMMER WINDS



SUMMER WINDS EXCEEDING 30 km/h



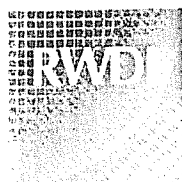
ALL WINTER WINDS



WINTER WINDS EXCEEDING 30 km/h

Strong winds of a mean speed greater than 30 km/h measured at 10 m above grade at the airport occur for 4.1% and 14.2% of the time during the summer and winter seasons, respectively. Winds from the north, east and southwest are prevalent in the summer, while winds from the westnorthwest, north, west and east are dominant in the winter season. This is illustrated by the two right-hand wind roses. Winds from these directions potentially could be the source of uncomfortable or even severe wind conditions, depending upon the site exposure and development design.

The wind statistics from the Shearwater Airport will be combined with the wind tunnel data in order to predict the frequency of occurrence of full-scale wind speeds. The full-scale wind predictions can then be compared with the RWDI criteria for pedestrian comfort and safety. These criteria, developed by RWDI through research and consulting practice since 1974, have been published in numerous academic journals and conference proceedings. They have also been widely accepted by municipal authorities as well as by the building design and city planning community. RWDI's criteria have been used in thousands pedestrian wind projects and adopted as part of environmental planning guidelines by several major cities around the world.



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October 8, 2010

Mr. Andrew Metlege
Templeton Properties
290 Main Avenue
Suite 103
Halifax, NS B3M 3V3

E-mail: anmet@eastlink.ca

Re: Pedestrian Wind Assessment – Letter of Clarification
5599 Fenwick Street
Halifax, Ontario
RWDI Reference Number: 1011319

Dear Mr. Metlege,

Further to our recent discussions, it is our experience that when we conduct a detailed Pedestrian Wind Study in our tunnel facility, we are able to work with the Project Architect to come up with a product that will achieve suitable wind conditions on and around the site. We typically divide a year into two seasons, i.e., Summer from May to October and Winter from November to April. In order to establish a design that produces suitable wind conditions for each season, we would recommend that the RWDI pedestrian wind criteria be adopted for your project. That criteria is summarized as follows:

Sitting: Wind speeds up to 10 km/h – Low wind speeds during which one can read the newspaper without having it blown away. Suitable for outdoor cafes and other sitting areas. This condition would apply to the following areas associated with this project:

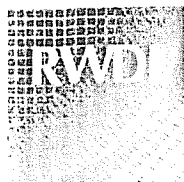
- Outdoor seating areas where they are installed upon the pedestrian passageway, linking South Street and Fenwick Street, and other landscaped open spaces during the Summer.

Standing: Wind speeds up to 14 km/h – Slightly higher wind speeds that are strong enough to rustle leaves. These wind speeds are appropriate at major building entrances, bus stops or other areas where people may want to linger, but not necessarily sit for extended periods of time. This condition would apply to the following areas associated with this project:

- Public entrances to each of the Building Elements off Fenwick Street, South Street, and the Pedestrian Passageway during the Summer.

Walking: Wind speeds up to 19 km/h – Winds that would lift leaves, move litter, hair and loose clothing. Appropriate for sidewalks, plazas, parks or playing fields where people are more likely to be active and receptive to some wind activity. This condition would apply to the following areas associated with this project:

- Pedestrian route linking South Street to Fenwick Street;
- South Street and Fenwick Street; and,
- Public entrances to each of the Building Elements off Fenwick Street, South Street, and the Pedestrian Passageway during the Winter.



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Uncomfortable: Wind speeds greater than 19 km/h – The effects of wind speeds at this level range from small trees swaying and wind force being felt on the body, to whole trees being in motion and inconvenience being felt when walking. An uncomfortable designation means that the criterion for walking is not satisfied. Winds of this magnitude are considered a nuisance for most activities, but can be acceptable depending upon the season and use of an area. For example, marginally uncomfortable winds on a terrace during the winter season, or in a loading area throughout the year, may be acceptable to the user.

This condition would apply to the following areas associated with this project:

- Landscaped open spaces, other than the pedestrian passageway, during the Winter.

Safety is also considered by the criteria. Excessive gust wind speeds in the range of 88 km/h can adversely affect a pedestrian's balance and footing. Winds such as this are sufficient to affect a person's balance and can be expected to occur two or three times per season in Halifax, and are considered normal. Wind control measures are typically required at locations where winds are rated as uncomfortable or are abnormally strong.

There are to be no greater than the three following safety failures:

- Along within the pedestrian passageway;
- Upon landscaped open space areas, other than the pedestrian passageway, during the summer; and,
- Sidewalks along South Street and Fenwick Street.

We trust the above meets your current needs. If you have any questions or concerns, please feel free to contact us.

Yours very truly,

ROWAN WILLIAMS DAVIES & IRWIN Inc.

Hanqing Wu, Ph.D., Ph.Eng.
Technical Director

Bill Waechter, C.E.T.
Project Director/Senior Associate

Attachment D - Letter from MVH Urban Planning & Design

March 30th, 2010

Mr. Paul Sampson MCIP, LPP,
 Planner, Planning Applications
 Community Development, Western Region
 Halifax Regional Municipality, Box 1749
 Halifax, Nova Scotia B3J 3A5

Dear Mr. Sampson:

RE: Fenwick Tower Site Redevelopment Community Benefits

We are delighted with the positive results of the Community Meeting last week. Thank you for your efforts in coordinating the meeting with Kelly Denty, other Staff and Council. A major contributor to the success of the Community Meeting was the comprehensive neighbourhood participation process that started last September and continued until the Community Meeting on March 24th. The process not only provided valuable input into the form and character of the future redevelopment of the site but contributed valuable ideas for defining neighbourhood needs and areas of improvement.

Further to our meeting on March 25th, we have prepared:

1. **Sustainable and Smart Growth Principles** that provide a sound rationale for the development within the context of the Halifax Regional Municipality and South Halifax development areas;
2. A **Rationale for Additional Density** that advocates a more sensitive form-based and community directed approach reflective of emerging policy in Downtown Halifax;
3. A comprehensive list of **Community Benefits** that are the result of the community consultation process, and
4. A summary of the **Sustainability Features** that outlines the sustainable components of the project

The principles, rationale for additional density, community benefits, and sustainability components should inform your Staff Report regarding the application by Templeton Properties to amend the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law. They should also inform the detailed Development Agreement that will follow with this Development Application process.

A. Sustainable and Smart Growth Development Principles

- **Existing Site Redevelopment and Enhancement:** Development focuses on an existing site in Halifax that has further redevelopment and enhancement potential;
- **Efficient Infrastructure and Services Use:** Development uses existing infrastructure and services that create cost efficiencies for the City, community, and developer;
- **Pedestrian Orientation:** Development emphasizes non-motorized transportation and is located within a 5 minute walking distance of basic services;
- **Compact and Responsive to Local Needs:** Development emphasizes compact development form and provides new uses that respond to local needs;
- **Affordability:** Development creates some more affordable units based on CMHC criteria and also creates more affordability through the diversity and choice of housing units provided; and
- **Social and Cultural Improvements:** Improvements to the site include elements that improve the safety, cultural identity, and facilities for the neighbourhood.

B. Rationale for Additional Density

The rationale for additional density is based on the community consultation process, a form-based development approach, the efficient use of the site, and additional community amenities.

1. **Community Process Result:** The additional density emerged from discussions with the community that focused on form, character, and quality of design. The focus was on neighbourhood improvements and needs as part of the redevelopment of the site. The development form and associated density evolved out of these discussions.
2. **Form-Based Approach:** The HRM Downtown Plan is moving toward a richer form-based zoning approach which emphasizes form and character as well neighbourhood fit rather than density limits and land use. The award-winning Eco-Density approach by the City of Vancouver strives to also use a similar approach - emphasizing the need to use existing sites more efficiently and consider form-sensitive infill projects to intensify the City where appropriate and feasible. This is the same approach the applicant is taking with the Fenwick site redevelopment.

This sensitive infill building form-approach is reflected in:

- The 4 story Townhouses along Fenwick Street that match the form of Fenwick Street and continue the street wall along the front of the site;
- The 2 story "Mews" buildings that line the pedestrian mews through the site-reinforcing and animating the pedestrian scale along the way with inviting commercial retail uses;
- The 8 story West Tower and the 9 story South Street Tower that integrate well with the existing James Place form on South Street; and
- The main Fenwick Tower enhanced with cladding improvements, internal enhancements, and a slight addition to the front façade to integrate an additional code compliant stairwell and additional units.

The result of this form-based approach is a richer site redevelopment plan that not only emphasizes neighbourhood improvements in the form of appropriate building forms, but adds pedestrian connections, public art, community-based businesses, and a meeting place for the community as paramount to measuring its success.

3. **Efficient Use of Site:** The redevelopment plan is currently grossly underutilized with less than half the site used for development and the balance an eyesore of surface parking or vacant land. The proposal spreads additional density throughout the site with two additional buildings, adding more than half the additional density in a way that fits into the adjacent building fabric and adding neighbourhood amenities at the same time. The additional commercial space is primarily lined along the proposed pedestrian mews corridor that is a public access through the site and has a local support service function.
4. **Additional Community Amenities:** The additional community amenities are a response to the community consultation process which emphasized the need to improve the neighbourhood in terms of streetscape, pedestrian access and meeting places on and through the site, pedestrian orientation, safety and security, "greenness" of the site, local retail and office uses, public art and enhancements, and affordability (these benefits are further described in the next section.)

C. Community Benefits

The benefits given to the community through site redevelopment are important in measuring the "Net Community Gain" created by the development. The following is a list of items that evolved as a result of the comprehensive community dialogue:

1. Choice and Diversity of Housing:

- 10% of new units will be "affordable" in accordance with CMHC standards;
- A combination of rental and ownership units will be provided;
- A variety of sizes of units from bachelor to 2 bedrooms will be provided; and
- The unit orientation and improvements will expand the student emphasis to include young professionals.

2. Pedestrian Oriented Redevelopment:

- 50 underground parking stalls will be dedicated for neighbourhood parking use – taking some street parking off the streets in winter and providing a necessary local service;
- Only 10% of the existing underground parking stalls are used in the existing Fenwick Tower and new development parking will be limited with a pedestrian and bicycle emphasis;
- Bicycle parking will be expanded and provided at various points in the development;
- A Car-Share program will be considered in the redevelopment with the provision of 2 Car-Share stalls, expanding the current 9 dedicated locations in Halifax, and
- The parking garage will be upgraded and expanded for safety, security and accessibility to include an access to South Street – dispersing the traffic and taking pressure off of Fenwick Street

3. Improved Streetscape, Open Space Network, and Community Meeting Space:

- A through-block pedestrian "Mews" will be provided that connects Fenwick Street and South Street with appropriate lighting, seating, and a host of local based retail and services focused along the mews for safety and vitality;
- The pedestrian "Mews" and other rooftop spaces will be landscaped to bring plants, flowers, and small trees into the site;
- A number of public art pieces will be placed along the pedestrian "Mews" to animate the space, adding local identity, history, and cultural richness to the experience; and
- The streetscape along Fenwick Street will be improved by street trees, a new sidewalk, and 6 townhouses fronting on the street.

4. Cultural and Social Neighbourhood Meeting Place:

- A Community Meeting Space will be available to neighbourhood associations needing meeting space;
- Retail and office uses will favour local and appropriately scaled businesses (cafes, restaurants, professional offices and other necessary services); and
- The pedestrian "Mews" will be an important "3rd Place" in the neighbourhood to hold special gatherings, festivals, and displays.

C. Sustainability Features

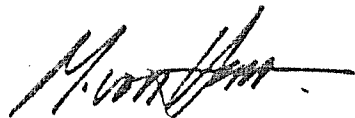
The following is a summary of the sustainable features that will be part of site redevelopment and management:

- The Fenwick Tower retrofit is targeting a 50% reduction in energy use;
- New buildings will use LEED (Leadership Through Energy and Environmental Design) as a reference for building construction and performance;
- The Fenwick Tower will use local materials where possible and appropriate;
- Materials recycling on site will be carried out during the construction process and following construction;
- Pedestrian and bicycle orientation will continue on site as part of redevelopment with expanded car parking being limited, bicycle parking expanded, and 50 local parking stalls being provided to the neighbourhood;
- A Car-Share program for two stalls will be considered on site;
- 10% of new housing units will be affordable based on CMHC criteria;
- New commercial uses will be focused on providing necessary local services and providing for local businesses;
- Landscaping on site will consider native plants that require less water and are more hardy;
- A number of Public Art installations will be coordinated to enhance and reflect local identity and culture on site;
- Roofs will be landscaped, providing amenity space for residents and positive overlooks from adjoining units;
- Site remediation and repair in terms of landscaping and amenity improvement will be embraced in redevelopment;
- Social and public meeting places will be part of the "pedestrian mews" design through the site – encouraging special events, festivals and community activities throughout the year, and
- An interior space will be open for neighbourhood association meetings to further the idea of community capacity building and stewardship after the project is completed

I hope this discussion is helpful in advancing the project in the application process. It is part of the necessary dialogue to take this project from vision to construction. Please phone me at (604) 789-9325 on my cell phone or email me at yhausen@telus.net with any further questions

On behalf of the FENWICK TOWER SITE REDEVELOPMENT TEAM,
Professional Architects, Planners, Landscape Architects, and Urban Designers

Yours truly,



Michael von Hausen MLAUD, MCIP, CSLA, LEED AP
President

cc. Andrew Metlege and Joe Metlege, Templeton Properties, Halifax
Kelly F. Denty, Supervisor, Planning Applications, Halifax Regional Municipality
Michael Napier and Heather Brown, MNA Architects, Halifax
Al Endall, Endall Elliot Architects, Vancouver

(96)

**Attachment E - Public Information Meeting Minutes
Case 15937
March 24, 2010**

In attendance: Councillor Uteck
Councillor Sloane
Paul Sampson, Planner
Kelly Denty, Supervisor, Planning Applications
Shanan Pictou, Urban Design Technician
Gail Harnish, Planning Services
Andrew Metlege, Templeton Properties
Joe Metlege, Templeton Properties
Michael VanHausen, Consultant
Michael Napier, Architect

Opening remarks, introductions, purpose of meeting

Councillor Uteck called the public information meeting (PIM) to order at approximately 7:00 p.m. in Halifax Hall.

Mr. Paul Sampson advised the applicant is Templeton Properties. The application being discussed at tonight's meeting is for a site specific amendment to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to allow for a mixed use redevelopment of the Fenwick Tower site at 5599 Fenwick Street by development agreement.

Overview of planning process

Mr. Sampson indicated the proposal is to retrofit and add onto the existing building known as Fenwick Tower/Fenwick Place. The proposal also includes additional development on the site.

Mr. Sampson noted:

- the site has frontage on South Street and Fenwick Street
- the site is 1.8 acres in size
- the site is designated as Medium/High Density Residential and Commercial
- the site has three zones - R-3 (Multiple Dwelling), R-2A (General Residential Conversion), and C-2A (Minor Commercial)
- the site has two viewplanes - #9 and #10
- the height precincts are 35' and 100'

Mr. Sampson provided an overview of the planning process:

- Regional Council initiated the process to consider the application
- we are now holding the PIM which is an opportunity for an information exchange

- staff will do a detailed review of the application
- staff will negotiate a draft development agreement
- staff will prepare a staff report which is tabled with Peninsula Community Council
- Community Council will forward its recommendation to Regional Council
- Regional Council will decide whether or not to schedule a joint public hearing with Peninsula Community Council (the MPS amendment would have to be approved by Regional Council and the development agreement would have to be approved by Peninsula Community)
- if the amendments are approved by Regional Council, they are forwarded to the Province for review
- once the amendments are in effect, Community Council can consider approval of the development agreement.

Presentation of proposal by applicant

Mr. Joe Metlege indicated they created a clip that recaps the steps they have gone through for this process.

- Templeton Properties acquired the existing Fenwick Tower in June of 2009.
- Changes began immediately in terms of updates to the apartments, changes in tenancy procedures, and some long needed maintenance to the exterior.
- Templeton's goal was to redevelop the 80,000 sq.ft. site in order to improve the deteriorated Fenwick Tower and its site internally as well as within the community.
- Templeton Properties engaged design consultants: a local architect, Michael Napier, and Michael VanHausen, urban planner and facilitator, and Alan Endoff, both of Vancouver.
- Early discussions focused on the importance of involving the community in the early stages of design. Neighbours were seen as a rich resource waiting to be tapped and it was imperative that their input be gathered prior to starting the design process in order to enrich the project. The process was to involve stakeholders prior to the development agreement process with a goal to creating a proposal for the community by the community.
- Templeton Properties identified and contacted thirteen local organizations and invited them to participate in a series of workshops, open houses, councillor and neighbourhood focus groups. This process began on October 6th when representatives of these associations joined the design team in a workshop session led by Michael VanHausen.
- The first step was to tour the site in order to familiarize the team with the extent of the site as well as the existing condition of the site and existing building.
- The focus group was asked to consider the current tower and its site and how both could better fit within the community, what opportunities and challenges existed on the site, and what problems would be important to consider during the process of design and development.

- Some of the ideas that were heard were: improvements to the aesthetics of both the site and Fenwick Tower; modifications to the Fenwick Street streetfront; improved energy efficiency, and a development that was good for the neighbourhood as well as the developer.
- Following the initial workshop, the owner and the design team met with the four local councillors to discuss the project. They were given a tour of the site and presented with the findings of the workshop. During the presentation, the councillors were invited to present further input and ideas.
- On October 8th, the focus group was invited back for a second session. Their first task was to prioritize the list of opportunities and principles they had created. This allowed the designers to focus on what the community thought and their priorities. The top goals for redevelopment were identified as: to respect neighbourhood character; to incorporate safe, useful, open space; to incorporate long term benefits for the community; to make Fenwick a destination for the neighbourhood, and to support local business.
- The top opportunities for redevelopment were identified as: to improve the South streetscape; improve the Fenwick streetscape; to increase density; to interconnect South Street and Fenwick Street; and to enhance the entry to Fenwick Tower.
- Participants were asked to partake in a building block model making exercise where they were provided with a model of the existing site and a set of blocks of various dimensions. Multiple configurations were created, many with overarching themes.
- Although the focus group was specially chosen to represent neighbourhood associations, businesses, and design based groups, there was still a need to open up the process to neighbours and interested individuals to be a part of the process. To achieve this, Templeton Properties hosted two open house events with 200 invited guests. Individuals were greeted by the property owner and the design team and guided through the work that had been done by the focus group. Guests were shown work in progress sketches that demonstrated how the information gathered had been interpreted and were encouraged to add their ideas.
- After many weeks of collaboration and design iterations and review between the client and the developer, a proposal was put forth to the same focus group, neighbours and the councillors once again showing how their ideas had been translated into an urban planning and architectural response.
- Addressing the Fenwick streetscape was identified in the community as a priority in the redevelopment of the site. It was clearly indicated they wanted to see friendlier low scale buildings that would continue the residential fabric of Fenwick Street. The community was interested in seeing both small scale commercial and residential homes along the street. To respond to this request, they designed a series of small townhouses that respected size, scale and setbacks of the existing residential homes. This series of townhouses has the possibility of being used in a live work situation and will complement the residential feel of Fenwick Street.
- The community's voice and desire to see the Fenwick site to be open and welcome to the community and allow people to cross the site from South Street to Fenwick Street. The design team responded by creating a pedestrian passage from Fenwick Street to South

Street lined with boutique shops and services. The passage will act as a connector to all buildings on the site with shop entrances and building lobbies opening off of it. An inviting entrance from both Fenwick and South Street will be created with wide accessible paths, signage, landscaping, art and lighting to encourage activities and vibrancies.

- We heard from the stakeholders that they would like to see on the South Street site, which is currently a parking lot, a residential building that would be consistent with the street, scale, height and setbacks of the existing buildings, and would respect HRM's current viewplane restrictions.
- While respecting neighbouring buildings was important, the community also expressed an interest in a more adventurous design. It was also important that the building be friendly to pedestrians along South Street and back through the site along the pedestrian access. They created a design that respected all of those requests.
- The existing home on the west side of the site was seen as an opportunity site by the focus group. The suggestions were to fill this area, to be cognizant of the close relationship this building would have with the existing James Place, and that both commercial and residential uses were of interest. During the process of design, this site was found to provide an opportunity to create a gradual step down in height from Fenwick Tower as well as from James Place, towards the small scale residential buildings along Fenwick Street. The entrance to this building will be accessed off the pedestrian passage, an important move that will bring people into the site, increasing activity and vibrancy along the passage.
- While the design team found much inspiration and much consultation from the stakeholder and focus groups, Templeton Properties, as the owner of the Fenwick site, had a number of initiatives that were important to be carried through the redevelopment of the site. Both Templeton and the community felt that incorporating public and accessible green space throughout the site was an important initiative. The pedestrian passage creates many opportunities for a variety of plants, flowers, shrubs and trees, and this landscaping will add a softer and more inviting feel to the current site.
- Spearheaded by Templeton Properties, and enthusiastically supported by HRM, public art installations throughout the site is an important initiative that will add to the interest of the site, encouraged use by the pedestrians, and provide the opportunity for the public to make their mark on the site.
- Templeton Properties has strongly voiced their intention to make 10% of any additional residential development on the site to be affordable housing. This intention will help foster the diversity of residents on the site which was indicated as an important opportunity by the neighbours.
- Stakeholders were also concerned that increased density on the site would mean an increase in traffic that would negatively impact an already taxed parking situation. To address this concern, Templeton Properties will provide fifty reserve parking spaces for local residents as well as provide a second vehicular access to the underground parking. Currently there is one entrance off Fenwick Street; a second one will be located off South Street, which will help to alleviate vehicle traffic on Fenwick Street.

- Templeton Properties is also undertaking a traffic study to further understand the impact of the proposed development.
- For forty years, the community on Fenwick Street, and the surrounding area, has had to deal with an unfriendly and often described as an unsightly Fenwick Tower which has had an institutional look, function, and feel. Part of the redevelopment is to reclad the entire building to create a softer, more modern residential feel, while improving the energy efficiency by as much as 50%.
- On the south side, the designer's intention is to provide a height transition from the existing building down to the proposed townhouses, as well as create a softer image for neighbours, instead of the existing thirty-three storey concrete wall. The 36' addition to the south side of the tower accomplishes this, as well as many other advantages including; provides the space to provide a Code compliant exit stairs for the residents; maximizes views to the harbour and sun exposure for the residents; allows for the south facade to have a greater architectural feel and interest for the neighbours; provides the opportunity to have a rooftop viewing deck, making views of the harbour accessible to the public; and provides the opportunity to redesign the top of Fenwick Tower to have an illuminated roof like feature.
- To date, Templeton Properties and the design team feel that this process of community involvement has successfully contributed to a redevelopment design for this site, which reflects the concerns and wishes of the neighbourhood, as well as realizing Templeton Properties' vision for the site. Here at Templeton Properties, we look forward to carrying through this philosophy and the redevelopment of the Fenwick site unfold.

Mr. Metlege stated the clip sums up what has been brought forward to-date, and includes a lot of ideas from Templeton Properties, and a lot of the people in this room and the neighbours influenced the design of this site. What makes this site different is they really brought the community and the neighbours into the design before they went to Council. The fingerprints of the community are all over this project. They are very proud of this design and this project, and wished to thank everybody involved.

Questions and comments

Mr. Caylum Evong said he was involved with the development of this and the public consultation this has gone through. He thought it was commendable that a developer would go through the process of dealing with the public and getting their insight and feedback before they went through with the final renderings. He strongly supported the redevelopment of Fenwick Tower. In its current state, it is not a very pretty site. It is hoped in the next few years this will go through seamlessly and they will have a nice building that will give them a wow factor in Halifax. At the moment, they do not have a lot of things that give them that wow factor but if this building is redeveloped it will be the building with the wow factor.

Mr. Peter Zimmer commented he was looking at this and felt it was pretty neat, looking at it for the pedestrian ways. He has been on two wheels in Halifax since 1969. He was a biker and

hoped they would put in bikers parking to a higher standard than they do the cars, so that it is inviting for people visiting by bike to the shops and the residents. He was thinking of the long haul. They are looking at a city with \$2 and \$3 litre gas which will change a lot of things. You are in the right place; right scale to do a lot about that. Generally this is the first he has paid attention to it in great detail and it looks pretty good.

Ms. Beverly Miller indicated staff referenced the 36' wide addition to the south end of the building which would allow for a stairwell? Mr. Sampson confirmed that to be the case.

Ms. Miller noted it says the existing building has 274 units and when they are finished it will have 402 units. She asked for an explanation.

Mr. Sampson advised the addition will allow for additional units, and the unit sizes in the existing building are proposed to change as well. That is the resulting increase she was looking at.

Ms. Miller commented this is more than a stairway on the outside. She asked how far that will be from the sidewalk.

Mr. Sampson confirmed the addition would house additional units on each floor.

Mr. Michael Napier advised approximately three more units per floor on the lower floors and two additional units on the upper floors. They are talking approximately just under 90 additional units in that area.

Ms. Miller asked about the setback from the street on the south side on Fenwick Street.

Mr. Napier responded he did not have the exact number, but advised it is approximately 30' back for the townhouses.

Ms. Miller asked what the setback would be for the townhouses from the sidewalk.

Mr. Napier responded they would match what is along Fenwick Street now which is about 5'.

Ms. Miller indicated she counted it as 536 units, and asked if the density was based on 1.5 or 2.5 persons per acre (ppa).

Mr. Napier responded 2.25 ppa.

Ms. Miller noted based on 2.5 ppa, it comes out to 1340 people on that site.

Mr. Sampson advised the proposed number of persons is 1257, and the total number of units is 536 including all the buildings.

Ms. Miller asked how big the site was. Mr. Sampson responded 1.8 acres.

Ms. Miller asked what the density normally is for R-3 development. Mr. Sampson responded 250 ppa.

Ms. Miller commented this is 2.5 times more than the normal density.

Mr. Sampson responded it is a little over two times the usual. That would be based on the land use by-law calculation and what is termed to be habitable rooms in the building.

Ms. Miller indicated she understood there to be only 423 parking spaces for the commercial space and the 536 residential units, and questioned what good planning required in that neighbourhood for an apartment building. Is there enough parking spaces for almost 1300 people plus the commercial space?

Mr. Sampson noted the initiation report talks about some of the numbers such as the amount of commercial space and the total number of units. There is no staff opinion on this because it is so early in the process. Ultimately Council will have to decide what is appropriate for this site. We are looking for your comment.

Ms. Miller stated relative to the size of the site, based on what is normally considered good planning, there is 2.5 times as many people and not very much parking space.

Ms. Miller referenced Fenwick Street in terms of additional traffic. You will have a hard time driving through there as it is blocked all the time. She could not see how it could accommodate more commercial plus 1300 people with Fenwick Street as it is. You might have to do something about Fenwick Street. Some of it will spill off onto South Street. That street is only two lanes as well and it has the bus stops.

Mr. Sampson advised staff will review the traffic study.

Mr. Napier indicated they already did the traffic study and volunteered to provide her with a copy if she wished to look at it. Generally, they do not feel there would be any additional traffic on Fenwick Street. It will be funneling out onto South Street which is lightly used according to the stats from HRM - approximately 700 trips per hour which does not even make into a collector street.

Ms. Miller asked if all the traffic from this site would spill out onto South Street.

Mr. Napier responded it would all be interconnected. It will be easier to get onto South Street and go where you want to.

Ms. Miller commented it was being indicated there will be traffic spilling onto both streets but the people there will probably use South Street.

Mr. Napier indicated he believed her assumptions about parking are wrong. There is 10% car usage by the tenants of Fenwick Place in that building now. They have more people from Fenwick parking there as rental than residents using it. They have a huge surplus of parking and did not see a huge shift. With most of the buildings they are doing in this area now, it is 30-45% occupied by the actual tenants. They probably have too much parking.

Ms. Sampson advised the traffic study is being reviewed by HRM traffic engineers, and that the study is available on the HRM Planning web site.

Mr. Michael VanHusen commented they have a dream situation in that building in terms of parking. He was from the west coast and they are parking challenged and trying to convert people to bikes and car-sharing. With 10% utilization, it opens the gate for fifty car parking spots which are needed in the community for the community. As it is a student oriented building, they are oriented to biking and walking. It is going in the right direction they are hoping cities move towards, and we do not expand our parking footprints. In this situation where it is grossly under-utilized, sharing with the community and promoting pedestrian orientation, we can get at the nub of traffic by not putting cars into the buildings, so you go to the source to provide the solution.

Ms. Miller noted it was commented by Mr. Metlege that they were moving away from students and were going towards young professionals.

Mr. Metlege responded they are not working away from students. A component of the building will be students regardless. He did not like to use the word "students" because there are different levels of students. The finish of the units and the quality of the site will attract a more responsible tenant regardless of whether they are professionals, students, singles, families, or seniors. Their conduct in the building will be a lot more professional and mature.

Ms. Miller commented they are counting on them not having cars.

Mr. Metlege responded they are counting on over thirty years of being in the South End with over 300 units that rent to the same demographics as Fenwick, and their historical data indicates that no more than 10% of their residents own a car.

Ms. Miller noted MPS amendments go to Regional Council who will hold a public hearing but there will not be another public hearing for the development agreement. Mr. Sampson confirmed this.

Ms. Miller requested that consideration be given to holding two public hearings; one for the MPS amendments, and then a second one for the development agreement. When they did the

Alexander project, people found the five minutes was not enough time to say the things that needed to be said for the MPS amendment and for the development agreement.

Mr. Sampson responded the Halifax MPS has been amended many times, and there have been a number of site specific amendments to it over the past fifteen to twenty years, such as the one being proposed this evening. Typically, in the last fifteen years, they have gone through the same type of procedure where the public hearing is held jointly by both Councils. Council has been seeking comments on the MPS amendments and the proposed development agreement at the same time, for the sake of convenience for the public and a time-saver.

Councillor Uteck questioned what the purpose of holding two public hearings would be.

Ms. Miller responded this is a plan amendment for a small block of land in the middle of another planning district. The plan amendment is one set of considerations whereas the development agreement is another. She suggested perhaps there needs to be a formal process set-up with the Peninsula Community Council members to discuss the development agreement before they approve it. At Regional Council when they have the public hearing, you really talk about the plan amendment. It would be good to set up some kind of formal process where you put out a notice and ask for comments on the development agreement before you make your decision.

Ms. Rachel Darrah indicated her background was in community design and was a resident across the street from Fenwick Tower. It is a monstrosity and is a wind tunnel. She saw a lot of wow on Barrington Street in the historical section of the city. As a resident, she would like to have more vibrancy in the community. They are trying to turn something that is a monstrosity into something that is wonderful. This parking issue has not been visionary in they have had to provide so much parking in the downtown for so long. She referred to the Queen Street lot which used to be the Infirmary which has unlimited free parking which is not helping the city at all. Let's cut the parking. There is only one bike outside tonight which is a shame. She supported the process of community engagement, and thought they have done a good job. They talked to her colleague about wanting to support local businesses in the commercial space. As citizens, they need to keep their eyes on this development and talk to them. Perhaps through the citizens staying engaged, they can help to create a fantastic development. She was in support of what she has seen so far.

Mr. Gaston Chagnon asked how far it was from the building to the line on the west building side.

Mr. Napier responded it depends on which part of the building as it varies. It is 15-20', although in some cases it may be down to 10', but it steps back again up higher.

Mr. Chagnon indicated he thought it was supposed to be 20' at all times.

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Mr. Napier responded 20' was the standard R-3 setback requirement except when you get into angle controls where you can reduce it down to 10' minimum. In response to other questions, he noted the building, at that point, would not meet the 60 degree angle control. That part of the complex would be about one storey less than James Place. Because of the depression on the site, they would start one floor below the podium on James Place.

Closing comments

Mr. Sampson advised that members of the public could send him an email if they wanted to have their comments included for the record. We will include the minutes with the report and any written submissions will be attached to the staff report.

Mr. Metlege thanked everybody for their input. As far as the commercial, they always said they wanted to use the Hydrostone as the model. They heard very strongly from the community that they want local amenities and shops. He encouraged everybody to stay engaged and active in this process.

Adjournment

The meeting adjourned at approximately 8:00 p.m.