HALIFAX
REGIONAL MUNICIPALITY

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Design Review Committee
May 9, 2013

TO: Chair and Members of Design Review Committee

Original Signed

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

DATE: April 30, 2013

SUBJECT: **Case 18465: Substantive Site Plan Approval – Mixed-Use Development, 5504 Spring Garden Road, Halifax**

ORIGIN

Application by Westwood Developments Ltd.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that the Design Review Committee:

1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development of 5504 Spring Garden Road, Halifax, as shown on Attachment A;

2. Approve the requested variances to the Streetwall Height, Upper Storey Streetwall Stepback, Upper Storey Side Yard Stepback, and Landscaped Open Space as shown in Attachment A and outlined in Attachment B;

3. Accept the findings of the qualitative wind impact assessment found in Attachment B; and

4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development, the provision of exemplary sustainable building practices.

BACKGROUND

Proposal

This application for substantive site plan approval by Westwood Developments Ltd. is for a mixed-use development at 5504 Spring Garden Road, Halifax (refer to Attachment A). The applicant wishes to demolish the existing building and construct a new building. To enable the proposal to proceed to the permit and construction phases, the Design Review Committee must consider the proposal relative to the Design Manual within the Downtown Halifax Land Use By-law (LUB).

Existing Context

The subject property is located at the southwest corner of Spring Garden Road and Birmingham Street, and is roughly 5,300 square feet in area, with 52 feet of frontage on Spring Garden Road and 101 feet on Birmingham Street (Map 1). The property is located on a section of Spring Garden Road which functions as a major commercial and transit corridor within Downtown Halifax.

Currently, the property is occupied by a 3-storey mixed-use building which includes a commercial use along Spring Garden Road and Birmingham Street (Winsbys) and residential units on the 2nd and 3rd floors. The main entrance to the existing building is on Spring Garden Road. The property abuts the Sport Nova Scotia building immediately to the west of the existing building.

Project Description

The proposal is to construct a new 7-storey mixed use commercial and residential building, which includes one floor below grade, to be used for both commercial and residential uses. The following highlights the major elements of the proposal:

- The first two floors, plus the below grade level, are intended for commercial use (retail);
- Approximately 14,300 square feet of gross commercial floor area is proposed;
- Access to the commercial areas will be primarily from Spring Garden Road with secondary and elevator access from Birmingham Street;
- Above the second floor, 5 floors of residential are proposed;
- Access to the residential spaces will be primarily from Birmingham Street;
- The building has a 5-storey streetwall along Spring Garden Road and Birmingham Street;
- The building includes a 2-storey penthouse recessed from the 5-storey streetwall, which includes a landscaped terrace for the penthouse units;
- The building includes a landscaped flat roof;
- Weather protection at sidewalk is provided level via cantilevered building elements and glass canopies;
- Exterior cladding material includes clear and spandrel glass, terra cotta panels and louvers, metal panels, and a stone building base; and
- Bicycle parking facilities are provided as per requirements of the Land Use By-law.

Information about the approach to the design of the building has been provided by the project's architect (Attachment B).

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

- The property is within the DH-1 (Downtown Halifax) Zone and the Spring Garden Road Area (Precinct #3);
- The property is located in a section of Spring Garden Road that is designated as a primary or "Pedestrian-Oriented" commercial street;
- The maximum pre-bonus height is 22 metres and the maximum post-bonus height is 28 metres;
- The property is encumbered by Viewplanes #9 and #10 (Map 1);
- The required streetwall setback on Spring Garden Road and Birmingham Street is between 0 and 1.5 metres;
- The minimum streetwall height is 11 meters while the maximum streetwall height is 17 metres along Spring Garden Road and 18.5 metres along Birmingham Street;
- Above the Spring Garden Road and Birmingham Street streetwalls, the minimum setback is 3 metres;
- From interior property lines, the minimum setback above the streetwall is 10% of the lot width (3 metres);
- This section of Spring Garden Road requires buildings above 17 metres along the Spring Garden Road streetline to be setback an additional 0.9 metres from the streetline for every 0.6 metres of height (southern sunlight angle);
- Landscaped open space is required for predominantly residential buildings (more than 50% of the gross floor area is devoted to residential uses); and
- Landscaping is required for flat rooftops.

Role of the Development Officer
In accordance with the Substantive Site Plan Approval process, as set out in the Downtown Halifax LUB, the Development Officer is responsible for determining if a proposal meets the land use and built form requirements of the LUB. The Development Officer has reviewed the application and determined it to be in conformance with these requirements, with the exception of the maximum streetwall height, upper storey streetwall stepback, upper storey side yard setback, and landscaped open space. The applicant has requested variances to these elements.

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

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

DISCUSSION

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

Outdoor Amenity for 2 & 3 bedroom units [3.2.4 (d)]
The Design Manual encourages units with multiple bedrooms to provide immediately accessible outdoor amenity space. Outdoor rooftop terraces are provided at the 6th and 7th floors for the units on these levels. The provision of additional outdoor amenity space for other multiple bedroom units is not encouraged given the relatively small size of the subject property and the abundance of public open spaces nearby (i.e., Victoria Park, Public Gardens, and the Public Library courtyard).

Corner Sites [3.4.2 (a) & (b)]
The Design Manual indicates that special conditions for corner sites should be acknowledged with design responses such as the change in building massing at the corner and the use of distinctive architectural treatments. The proposed building incorporates a change in its massing at the corner by providing a slightly recessed first floor and a significantly recessed penthouse. Further, the corner is expressed through the use of wrap around glass on the first two floors and horizontal terra cotta louvers on floors 3 through 5, which also wrap around the corner. Horizontal LED lighting inside the spandrel panels on the second floor and penthouse level will also wrap the building and provide an appropriate design response at the corner.

Variances *[3.6.3, 3.6.5, 3.6.6., 3.6.12]*
Four variances are sought to the quantitative elements of the LUB for this development as follows.

Streetwall Height [3.1.3 and 3.6.3]
A streetwall height variance is sought under Section 3.6.3 of the Design Manual to allow a slightly taller streetwall on Birmingham Street. Although the proposed streetwall is less than the maximum height assigned to Birmingham Street (18.5 metres), where there is more than one streetwall of differing heights (Spring Garden Road is a maximum of 17 metres), the lowest of the streetwalls is the required streetwall height. The Birmingham Street streetwall is consistent with this requirement at the corner of Spring Garden Road; however, the issue is caused by the sloping condition of Birmingham Street, which falls away from Spring Garden Road.

This variance request is reasonable given the sloping condition of Birmingham Street. The design, which includes commercial display windows that wrap the building corner, allows the Birmingham Street streetwall to match the Spring Garden Road streetwall. This design approach also furthers the expression of a well-defined building base and middle in relation to the building top.

Upper Storey Streetwall Stepback [3.6.5]
An upper storey streetwall stepback variance is sought under Section 3.6.5 of the Design Manual to allow for the installation of a glass guardrail behind the parapet along Spring Garden Road and Birmingham Street.

This variance request is reasonable given that the guardrail allows the terrace above the parapet to be used as outdoor amenity space. Without the variance, the guardrail must meet the 3 metre minimum stepback from the streetwall, which would eliminate most of the outdoor amenity space on the 6th level.

Upper Storey Side Yard Stepback [3.6.6]
An upper storey side yard stepback variance is sought under Section 3.6.6 of the Design Manual to allow interior access and egress to both levels (floors 6 & 7) of the penthouse. The angular stepback above the streetwall from Spring Garden Road (southern sunlight angle), coupled with the upper storey stepbacks from all streetwalls, causes significant challenges with providing proper interior access and egress for these levels (i.e., required elevators and stairwells).

This variance request is reasonable given the small size of this lot and the challenges with providing building access to a small floor plate recessed above the streetwall. The design responds by providing these necessary building features within the required minimum stepback from interior lot lines, and away from the streetwall.

Landscaped Open Space [3.6.12]
A landscaped open space variance is sought under Section 3.6.12 of the Design Manual to allow landscaped open space to only apply where the proposed building has more than 60% residential floor area. As the LUB requires landscaped open space (fully accessible for the common use of all occupants of a building) in Precinct 3 for buildings containing more than 50% residential floor area, the variance is required to allow the proposal to proceed without providing landscaped open space.

The variance request is reasonable given the close proximity to Viewplane #10, which is roughly 9 feet above the elevator shaft. Extending the elevator to provide landscaped open space access at roof level would likely cause conflict with Viewplane #10. The design incorporates landscaped open space for the occupants of the 6th and 7th floors (outdoor terraces) and is located near several public open spaces (i.e., Victoria Park, Public Gardens, and the Public Library courtyard). Further, the roof will be used to accommodate mechanical equipment and building exhaust (instead of being vents through the streetwalls), and where not used for these purposes, will be used as a 'living green roof'. Lastly, providing landscaped open space at grade will reduce opportunities for commercial floor area and residential density on this already small downtown lot.

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

The assessment outlines that the resultant wind conditions are generally expected to be comfortable along the Spring Garden Road sidewalk in the winter months due to the slightly taller streetwall (compared to the existing 3-storey building). Overall, the assessment identifies that the recessed upper storeys and the installation of canopies will assist in mitigating wind impacts.

Proposed Public Benefit
The LUB specifies a maximum pre-bonus height and a maximum post-bonus height. Projects that propose to exceed the maximum pre-bonus height are required to provide a public benefit. The LUB lists the required public benefit categories, and establishes a public benefit value that is the equivalent of $4.00 for every 0.1 square metres of gross floor area created by extending above the pre-bonus height. The maximum pre-bonus height for the proposal is 22 metres and the maximum post-bonus height is 28 metres. The proposal is approximately 25 metres in height and the gross floor area to be gained is approximately 289 square metres.

The developer proposes that the public benefit contribution is to be in the form of exemplary sustainable building practices. This type of benefit falls within the public benefit categories that are identified in the LUB. A preliminary calculation of the value of the required public benefit is approximately $11,560. The developer has not identified the particular element of the building system that will be used for this purpose, however, various options are available as outlined in Appendix C of Attachment B.

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

In this case, the minimal amount of floor area created by exceeding the pre-bonus height generates a small public benefit value (approx. $11,560), which in turn limits the types of benefit that can be reasonably applied. Therefore, it is recommended that directing the required public benefit towards exemplary sustainable building practices is appropriate.

Conclusion
Upon review of the proposal against the criteria of the Design Manual, staff recommend that, with the requested variances, the proposal meets the Design Manual guidelines.

FINANCIAL IMPLICATIONS

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the requirements of the Downtown Halifax LUB regarding substantive site plan approvals. The level of engagement was information sharing, achieved through the

HRM website, the developer's website, public kiosks at HRM Customer Service Centres, signage on the subject property, and a public open house.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. The Design Review Committee may choose to approve the application for substantive Site Plan Approval, as submitted. This is the recommended course of action.

2. The Design Review Committee may choose to approve the application with conditions. This may necessitate further submissions by the applicant, as well as a supplementary report from staff.

3. The Design Review Committee may choose to deny the application. The Committee must provide reasons for this refusal, based on the specific guidelines of the Design Manual.

ATTACHMENTS

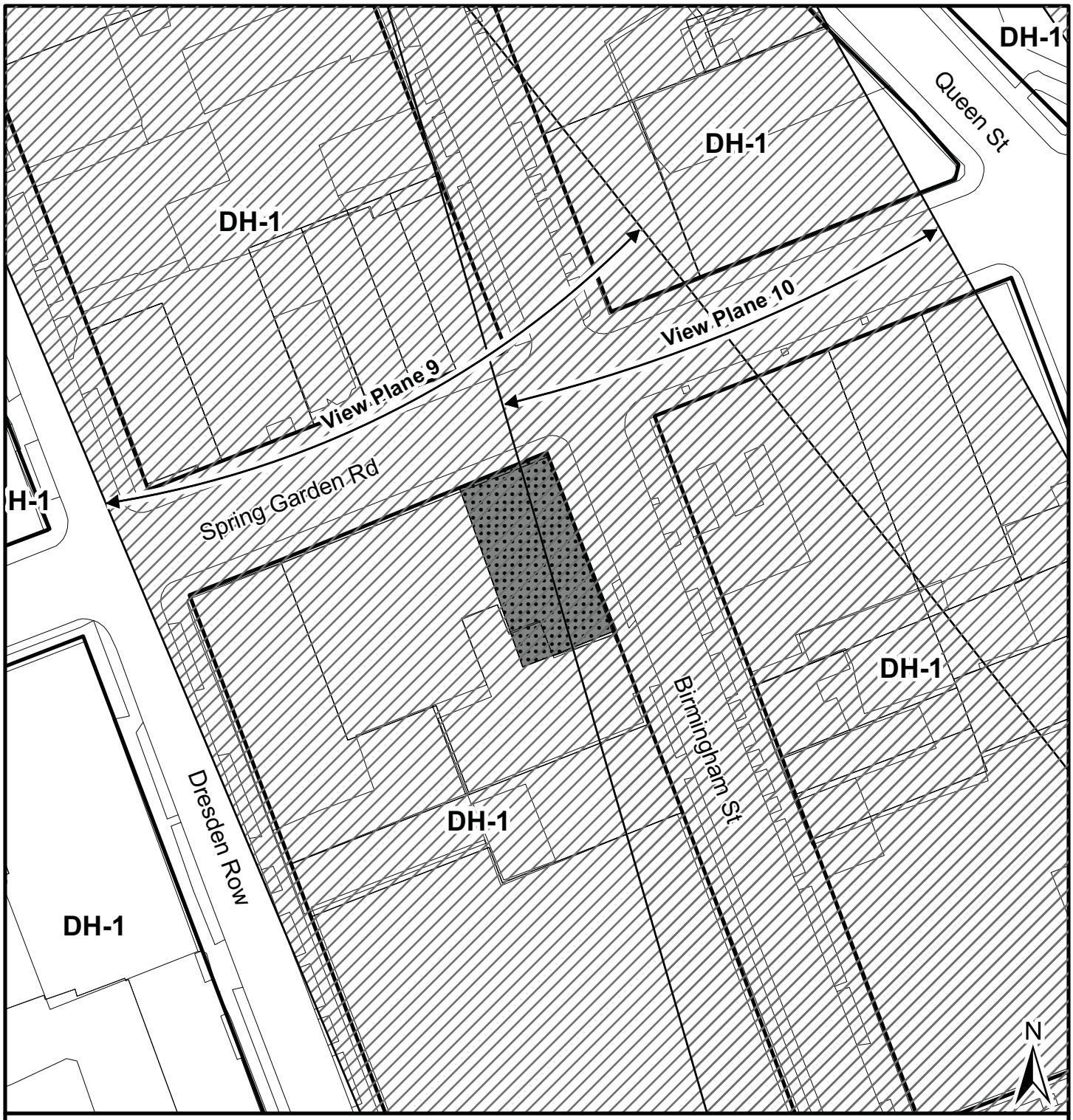
Map 1	Location and Zoning
Attachment A	Site Plan Approval Plans
Attachment B	Design Rationale
Attachment C	Design Manual Checklist – Case 18465

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

Report Prepared by: Miles Agar, LPP, Planner, 490-4495

Original Signed

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



Map 1 - Zoning

5504-5510 Spring Garden Road
Halifax

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

0 10 20 30 m

Subject property

View plane

Downtown Halifax Plan Area

Zone

DH-1 Downtown Halifax 1

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

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

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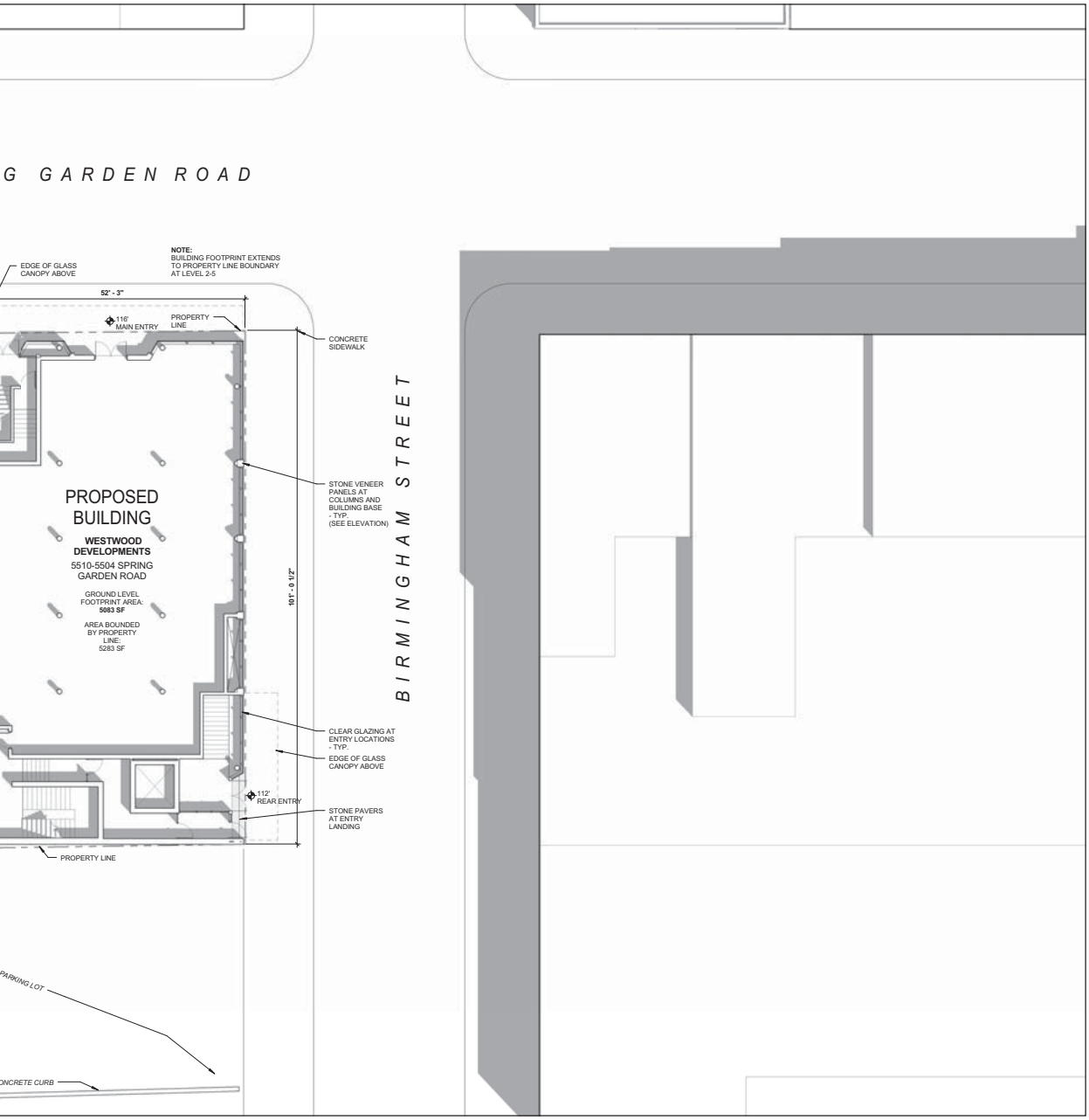
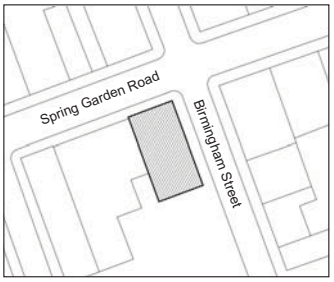




Architect: DSRA

Property Owner: Westwood

5510-5504 Spring Garden Rd.

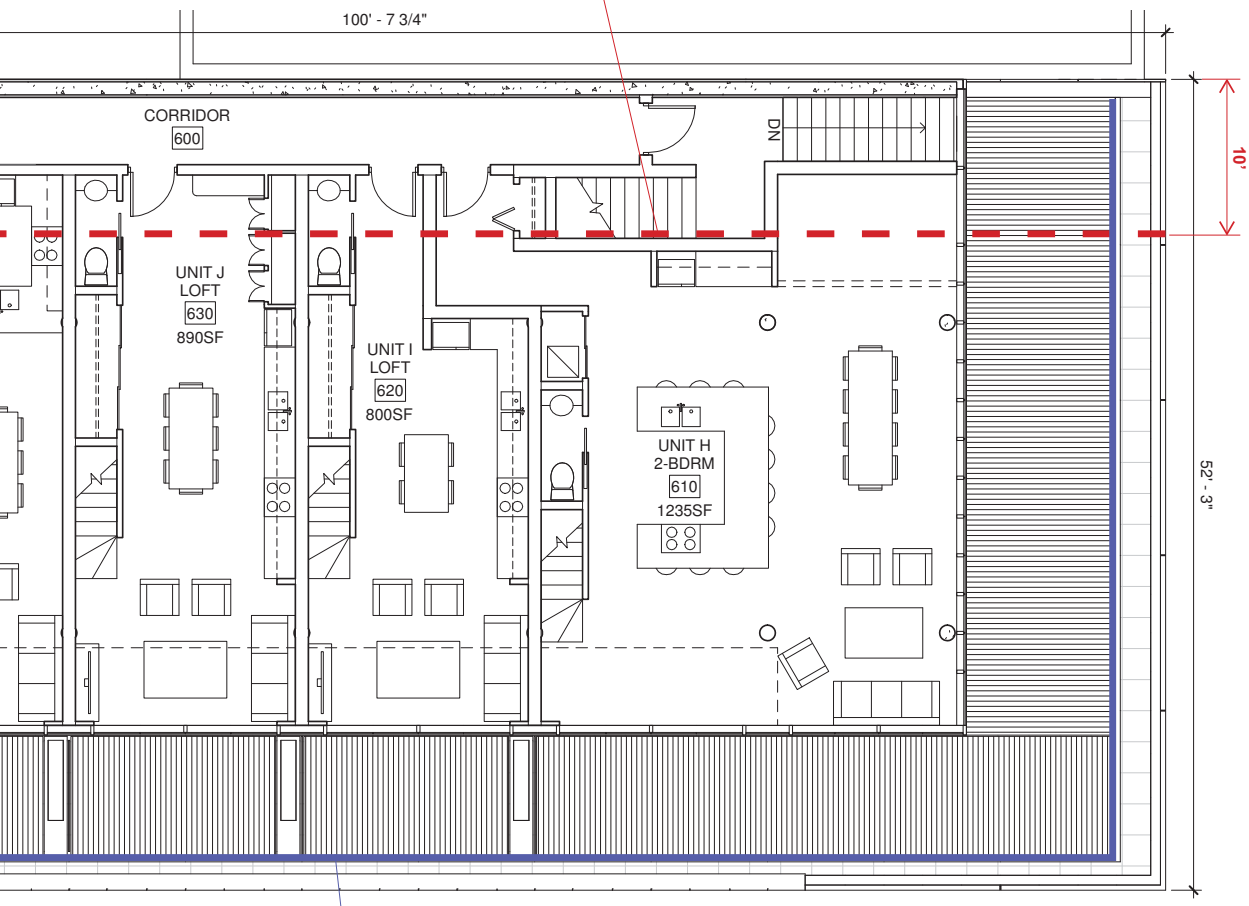
Site Plan

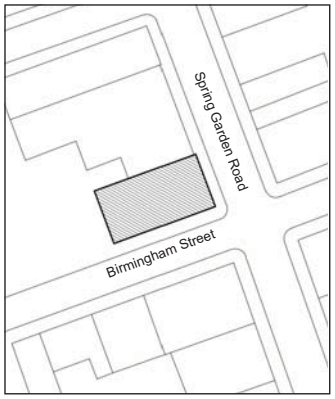
April 19, 2013

A001

Case 18465
Attachment A - Site Plan Approval Plans

VARIANCE REQUEST 3:
TO WAIVE MID-RISE INTERIOR LOT LINE SETBACK





VARIANCE REQUEST 2:
TO WAIVE 3 METRE STEPBACK REQUIREMENT FOR OBJECTS ABOVE STREETWALL TO ALLOW FOR GLASS GUARDRAILS WHERE SHOWN

Architect: DSRA
Property Owner: Westwood

5510-5504 Spring Garden Rd.

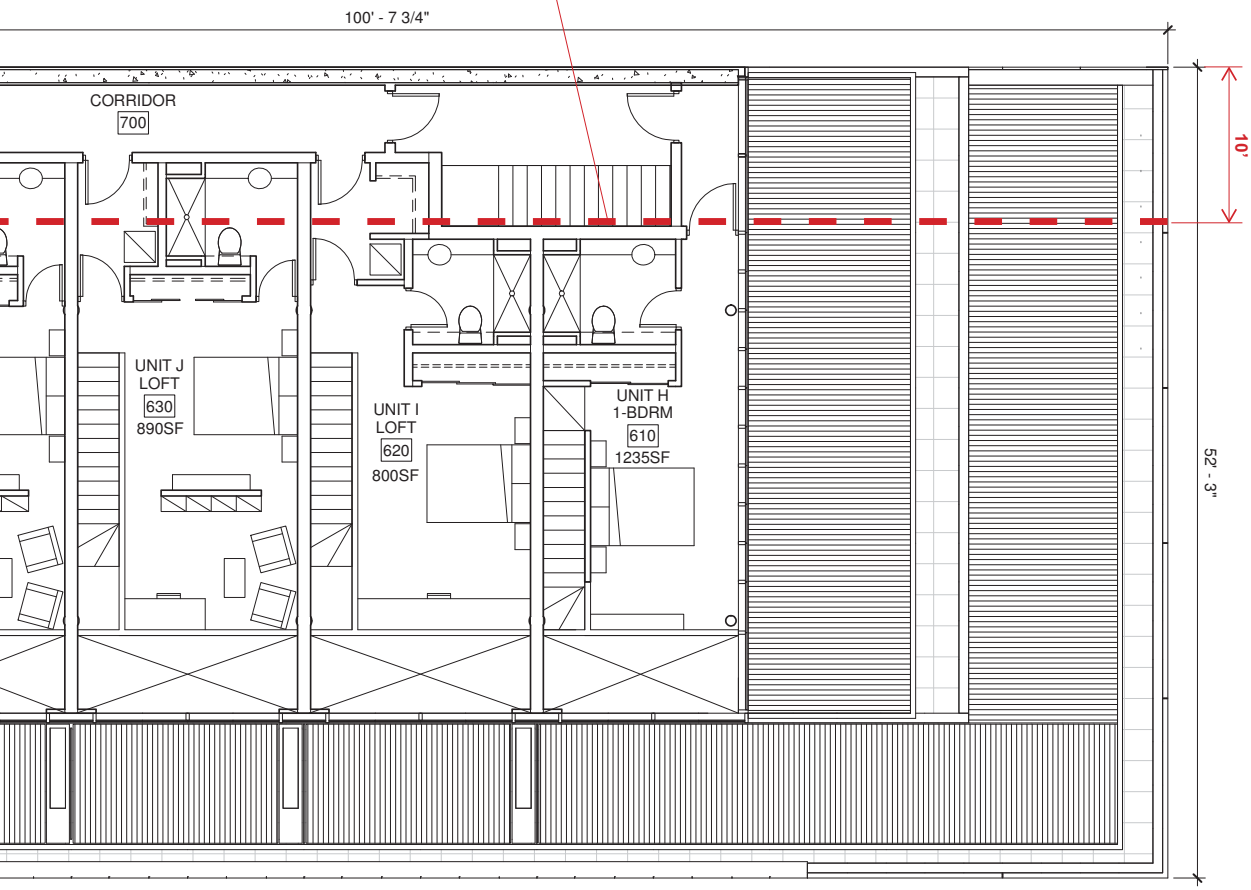
Level 6

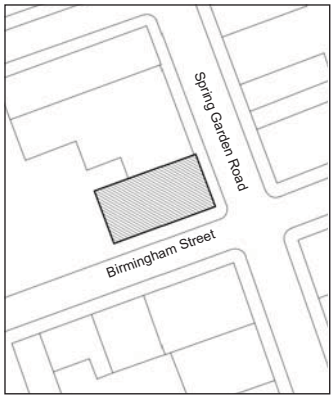
April 19, 2013

A106

Case 18465
Attachment A - Site Plan Approval Plans

VARIANCE REQUEST 3:
TO WAIVE MID-RISE INTERIOR LOT
LINE SETBACK





Architect: DSRA

Property Owner: Westwood

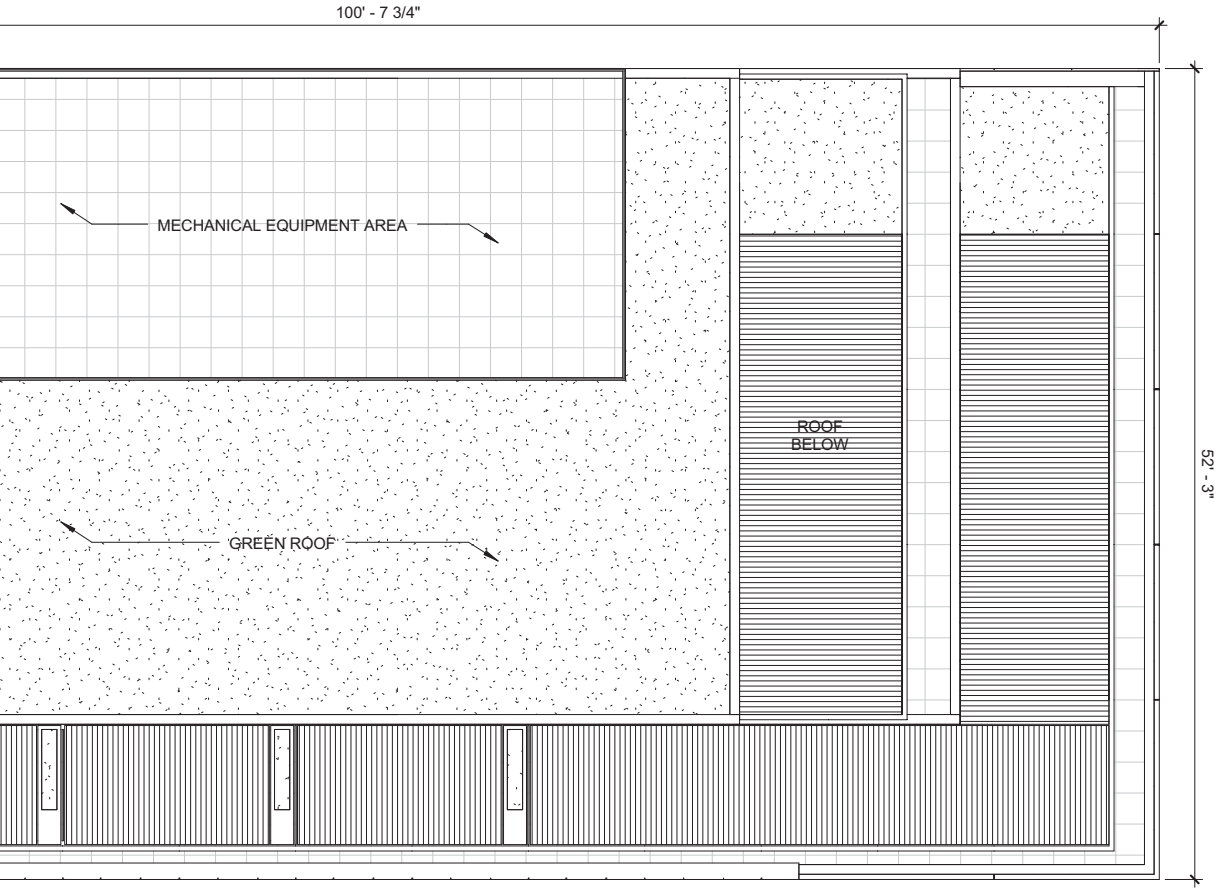
5510-5504 Spring Garden Rd.

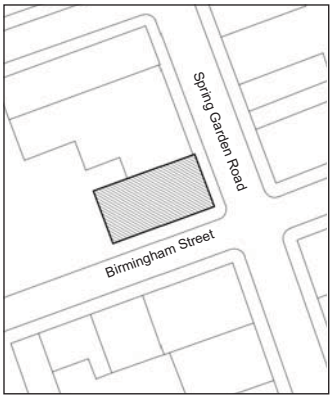
Level 7

April 19, 2013

A107

Case 18465
Attachment A - Site Plan Approval Plans





Architect: DSRA

Property Owner: Westwood

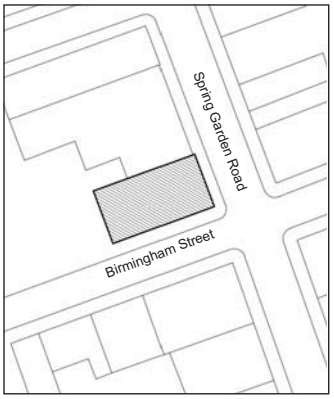
5510-5504 Spring Garden Rd.

Level 8

April 19, 2013

A108

Case 18465
Attachment A - Site Plan Approval Plans



Architect: DSRA

Property Owner: Westwood

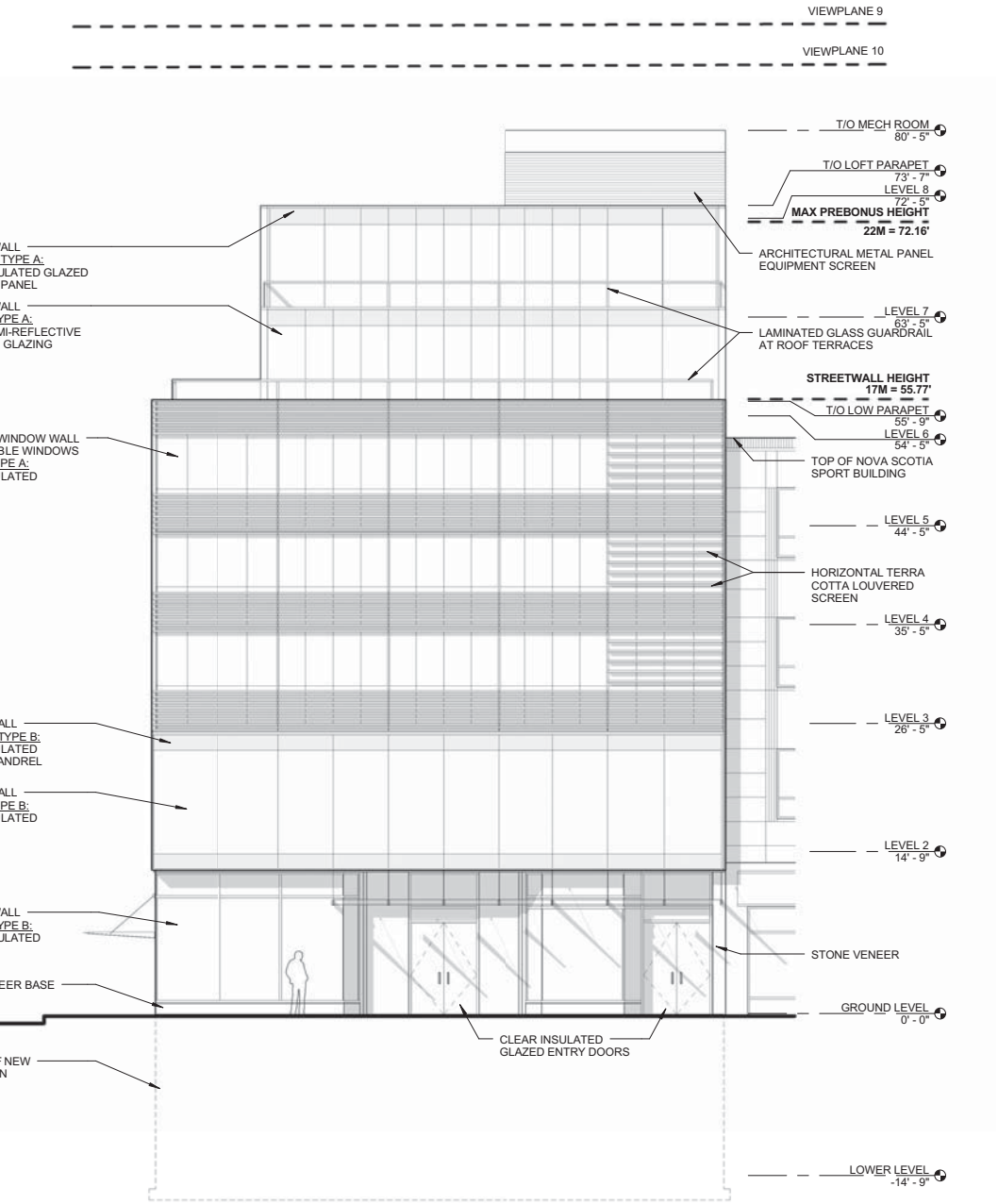
5510-5504 Spring Garden Rd.

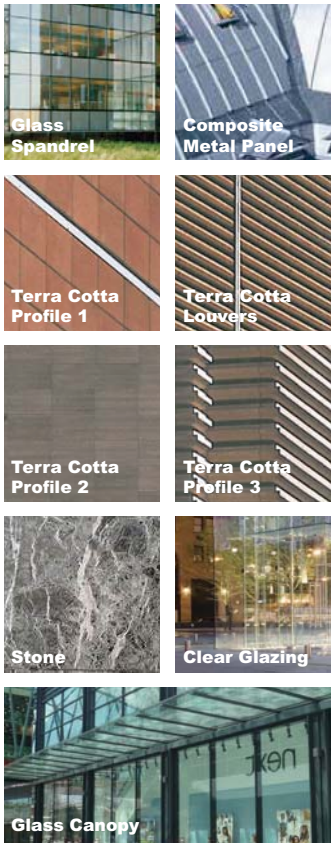
Roof Landscape Plan

April 19, 2013

A109

Case 18465
Attachment A - Site Plan Approval Plans





Architect: DSRA

Property Owner: Westwood

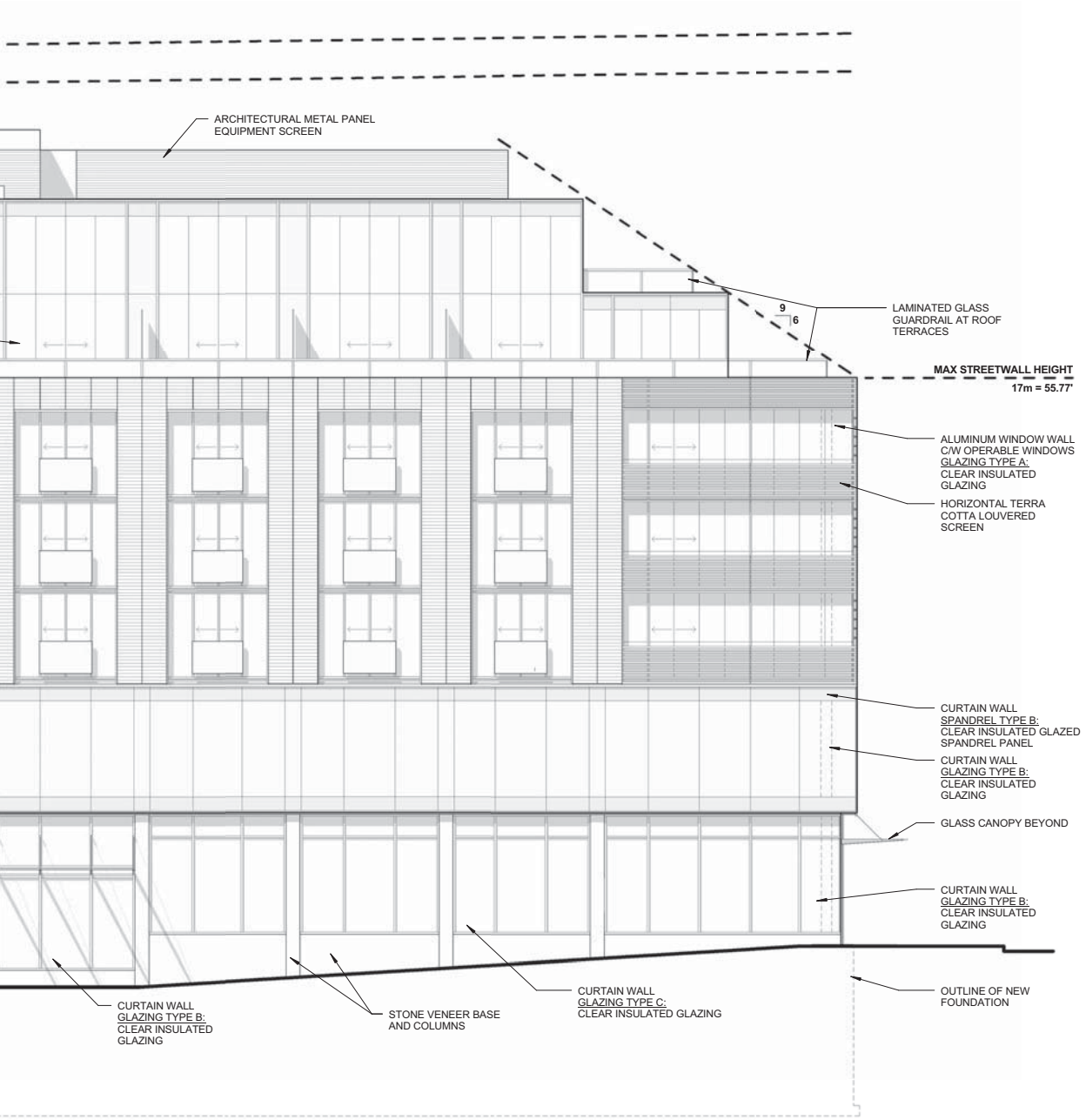
5510-5504 Spring Garden Rd.

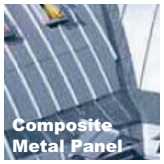
North Elevation

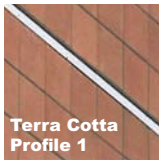
April 19, 2013

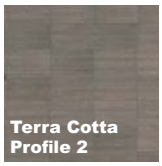
A112

Case 18465
Attachment A - Site Plan Approval Plans









Architect: DSRA

Property Owner: Westwood

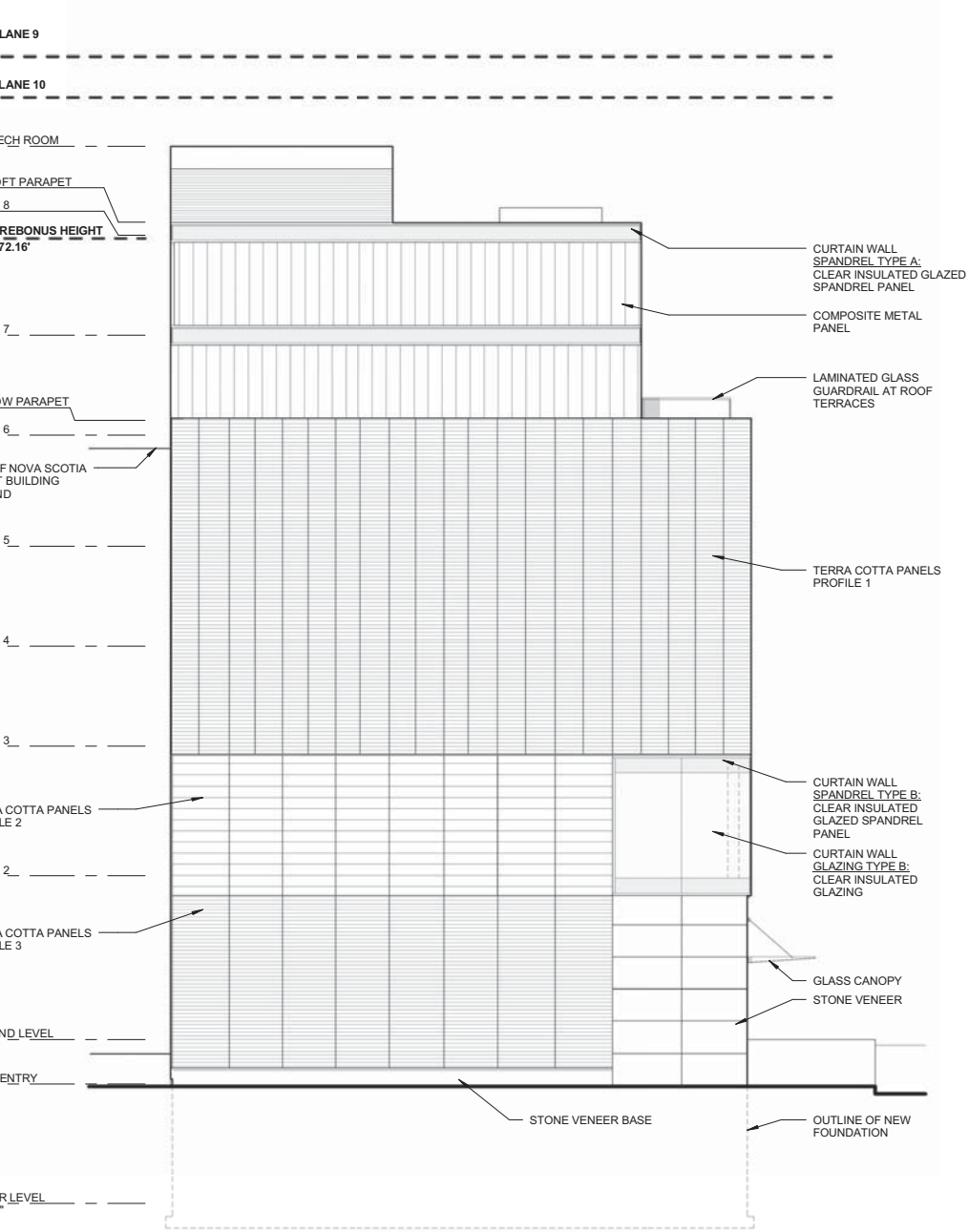
5510-5504 Spring Garden Rd.

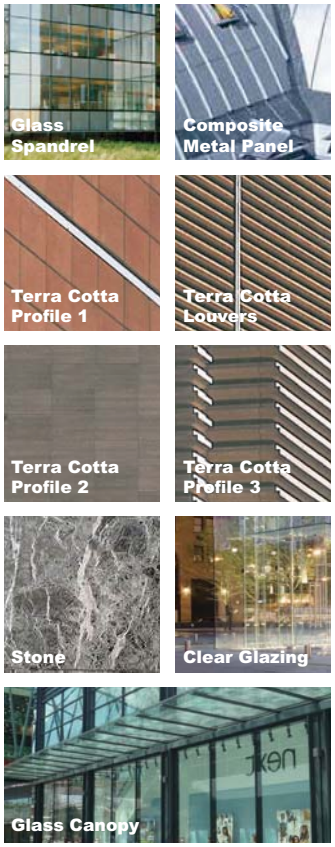
East Elevation

April 19, 2013

A113

Case 18465
Attachment A - Site Plan Approval Plans





Architect: DSRA

Property Owner: Westwood

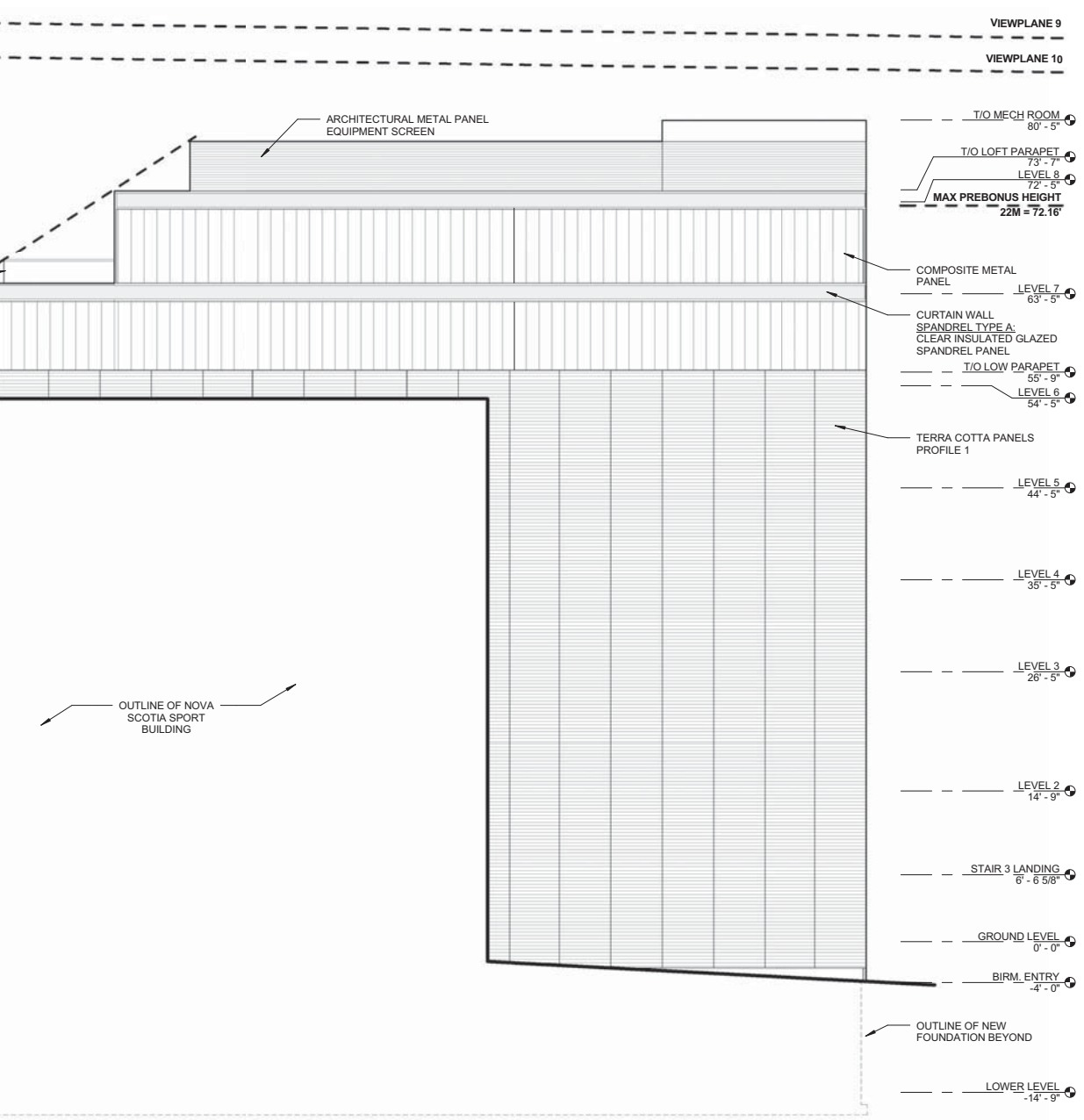
5510-5504 Spring Garden Rd.

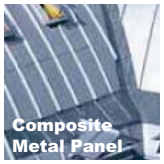
South Elevation

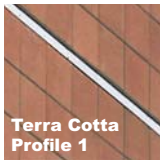
April 19, 2013

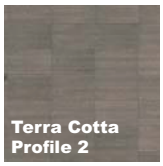
A114

Case 18465
Attachment A - Site Plan Approval Plans









Architect: DSRA

Property Owner: Westwood

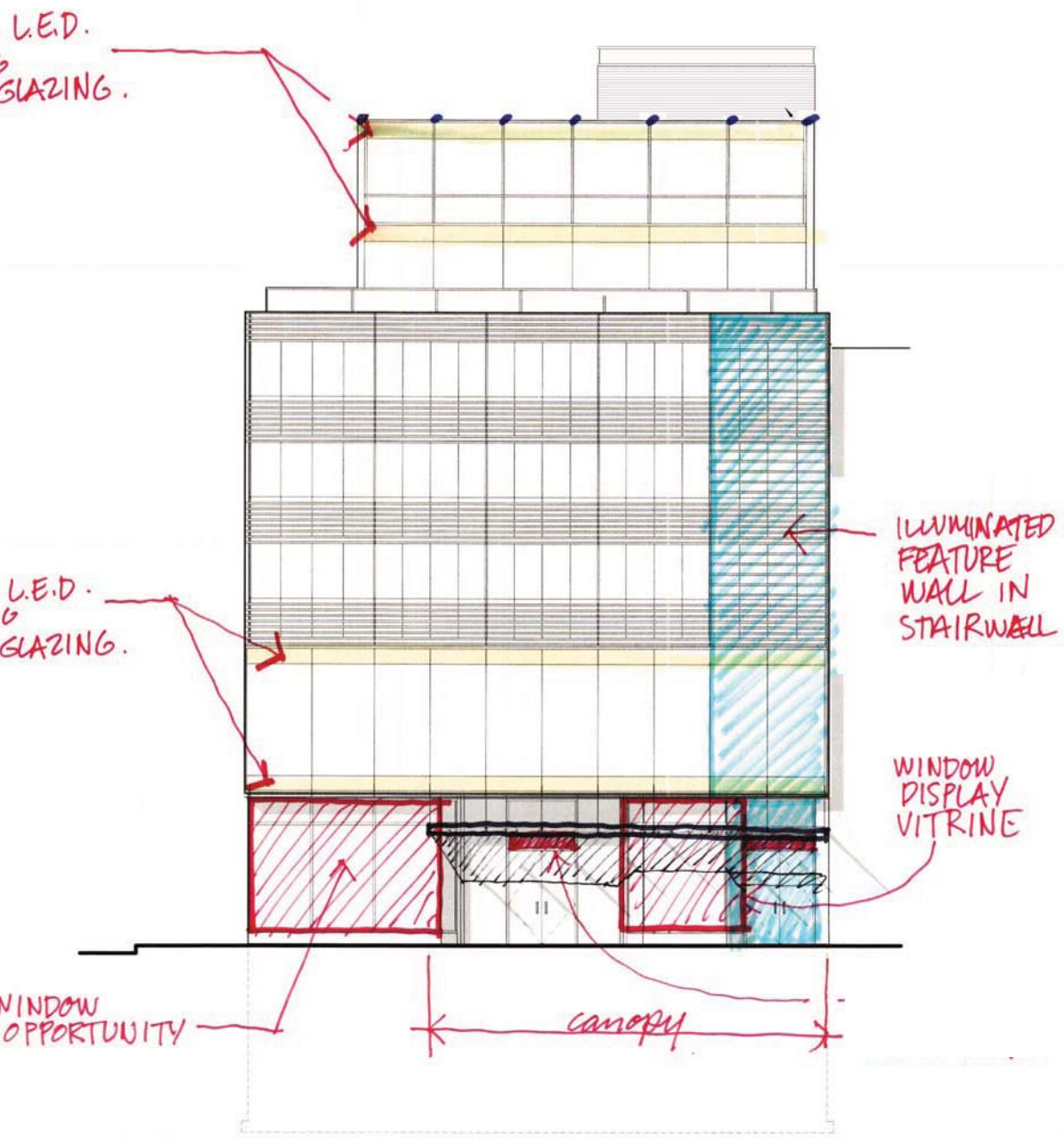
5510-5504 Spring Garden Rd.

West Elevation

April 19, 2012

A115

Case 18465
Attachment A - Site Plan Approval Plans



Architect: DSRA

Property Owner: Westwood

5510-5504 Spring Garden Rd.

Lighting

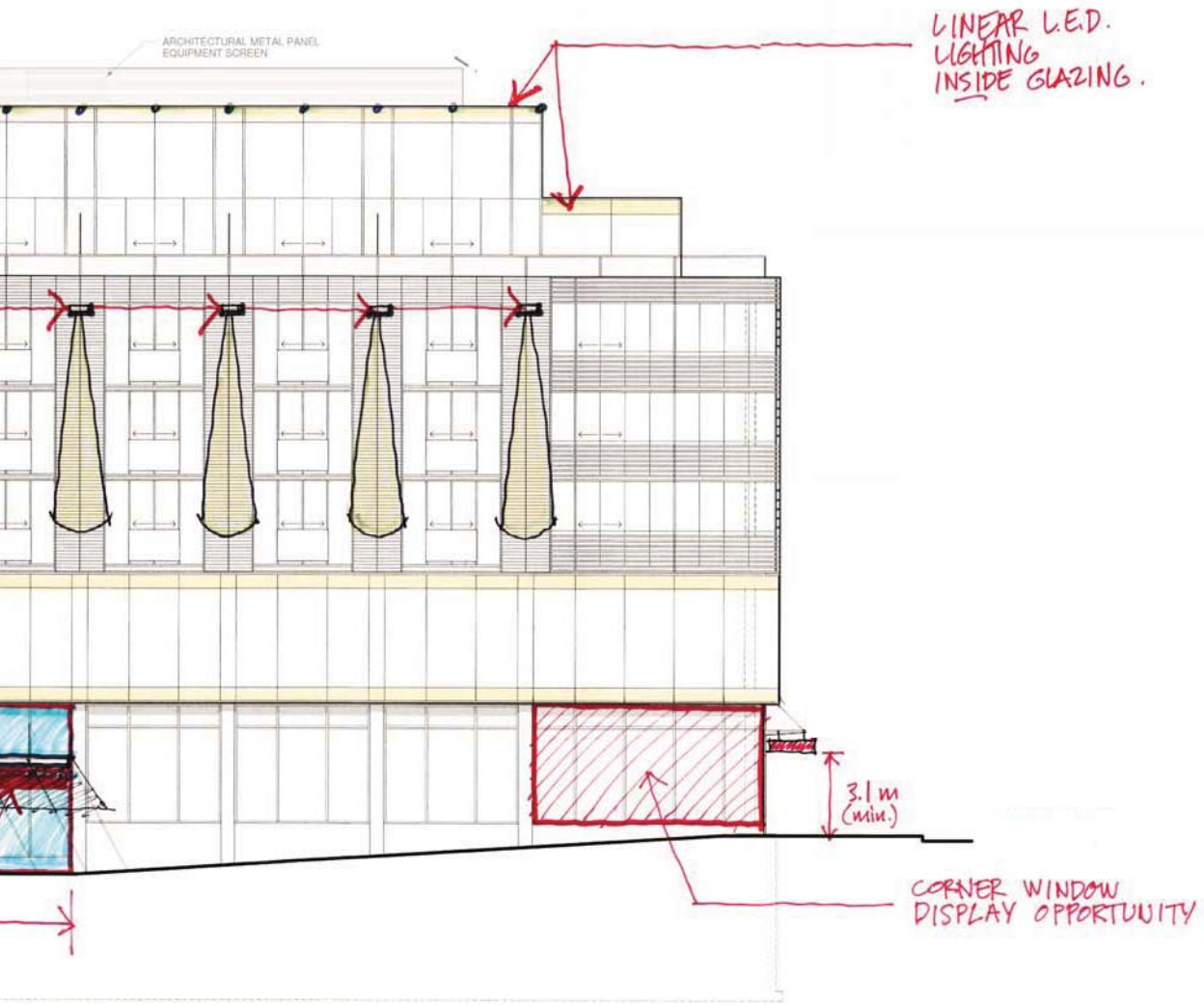
North Elevation

NTS

April 19, 2013

A116

Case 18465
Attachment A - Site Plan Approval Plans



Architect: DSRA

Property Owner: Westwood

5510-5504 Spring Garden Rd.

Lighting

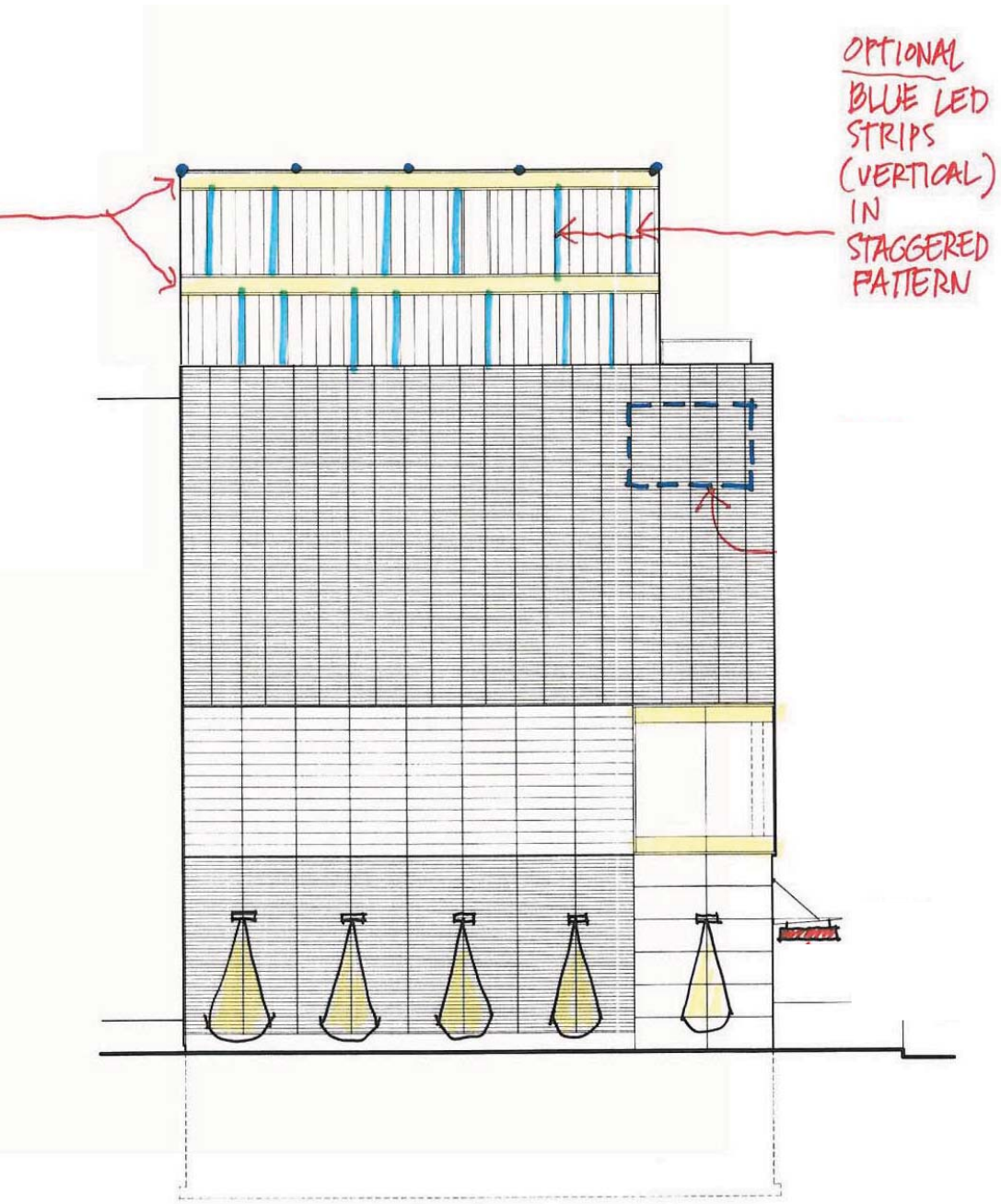
East Elevation

NTS

April 19, 2013

A117

Case 18465
Attachment A - Site Plan Approval Plans



Architect: DSRA

Property Owner: Westwood

5510-5504 Spring Garden Rd.

Lighting

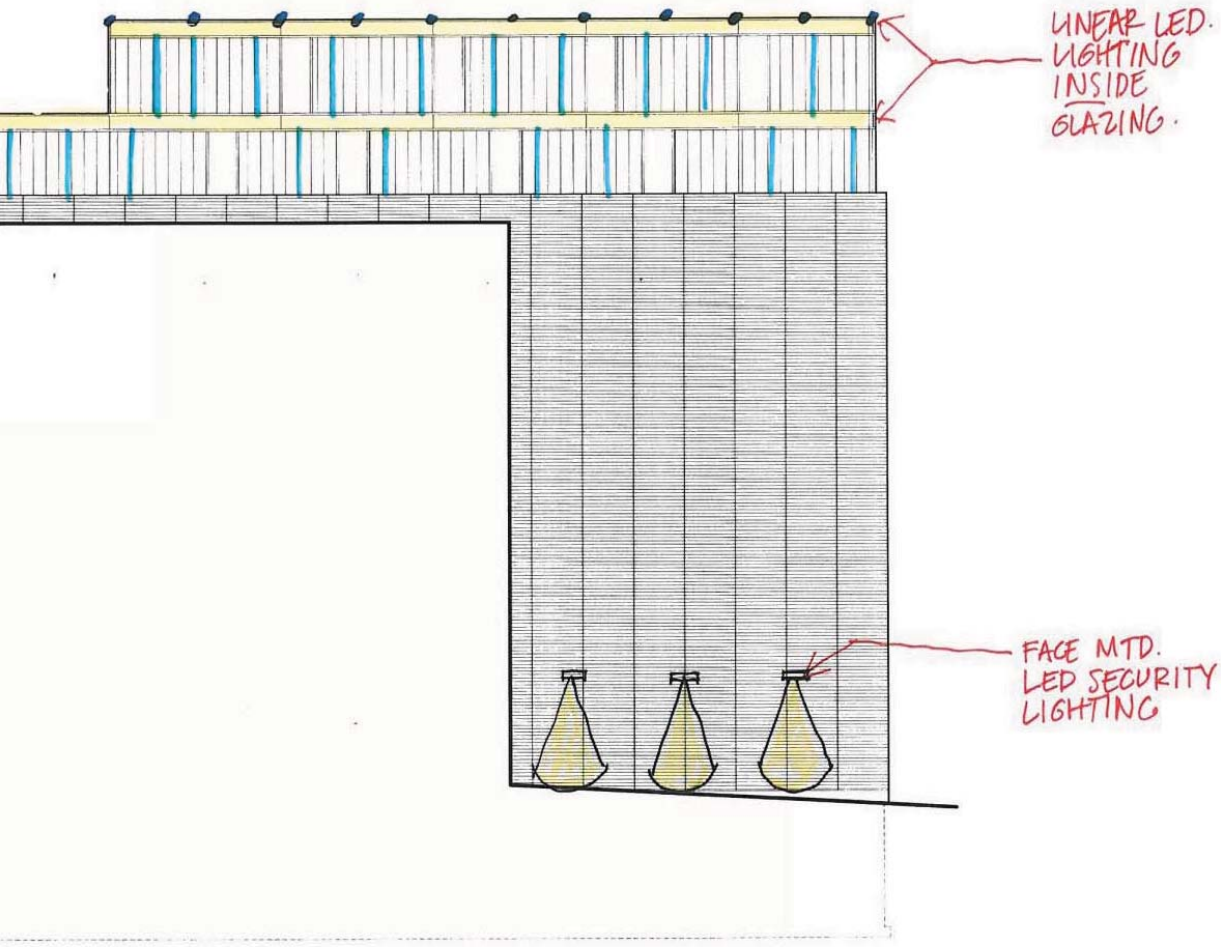
South Elevation

NTS

April 19, 2013

A118

Case 18465
Attachment A - Site Plan Approval Plans



Architect: DSRA

Property Owner: Westwood

5510-5504 Spring Garden Rd.

Lighting

West Elevation

NTS

April 19, 2013

A119

Case 18465
Attachment A - Site Plan Approval Plans

Case 18465
Attachment B - Design Rationale

Design Rationale and Requested Variances

In Support of the Substantive Site Plan Approval Application by Westwood Developments Limited for the Proposed Mixed Use Building located at 5510-5504 Spring Garden Road, Halifax, Nova Scotia

April 19, 2013
Rev. 04

Prepared by

DSRA

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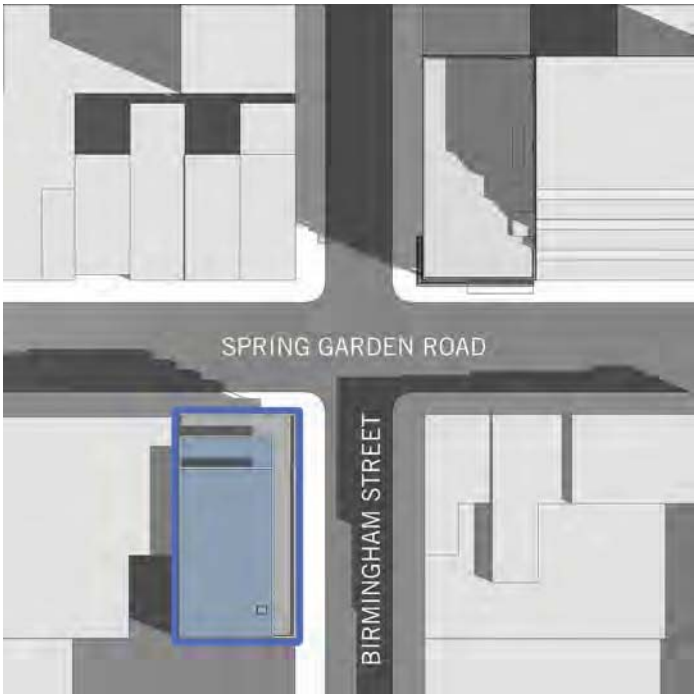
Halifax, Nova Scotia B3J 1G2
dsra.ca

Executive Summary



The proposed seven-storey building, situated at the southwest corner of Spring Garden Road, brings a vibrant mix of retail and residential spaces to this important commercial area. The ground floor bank and second floor, high-quality retail space are easily accessed off of Spring Garden Road and Birmingham Streets. The lower-level retail space and the additional five storeys of residential units are conveniently accessed from separate entrances along Birmingham Street, which also serve as the barrier-free entrances to all levels. In total, around 11,000 sf of retail space is provided.

The objective of this economically and environmentally sustainable urban development is to provide greater density and increased opportunities to live, shop and work in the heart of the Spring Garden Business District. The new building height falls within the maximum streetwall height as prescribed by the HRM Downtown Land Use By-Law and HRM-By-Design Guidelines. It also respects the relevant Viewplanes.

The material palette of high-performance clear glazing and terra-cotta siding responds to the masonry buildings on the south side of Spring Garden Road in a contemporary way, offering maximum transparency and visibility at street level.

Design Rationale

Relevant Criteria
Downtown Halifax Land Use By-Law and Schedule S-1 Design Manual

The property is situated within the Downtown Halifax Zone (DH-1) as per Map 1.

The property is situated within Precinct 3 - Spring Garden Road as per Map 2.

The property is situated on a Primary, pedestrian-oriented commercial street as per Map 3.

The property has a Maximum Pre-Bonus Height of 22 metres as per Map 4.

The property has a Maximum Post-Bonus Height of 28 metres as per Map 5.

The property has a Streetwall Setback of 0 – 1.5 Metres as per Map 6.

The property has a Maximum Streetwall Height of 17 Metres on Spring Garden Road and 18.5 Metres along Birmingham as per Map 7.

Land Use Requirements – Section 7

(1)	The proposed mix of commercial and residential uses are permitted in the DH-1 Zone
(2a)	The proposed Bank is permitted on the ground floor.
(3)	The bank entrance and lobby is permitted to face and have access onto Spring Garden Road
(4)	Out of the 19 total dwelling units anticipated for the building, seven will include two bedrooms in compliance with this section.
(5)	Currently, one elevator serves both the commercial and residential uses in the building. The Residential units have a separate entry lobby and direct access to a ground level entrance along Birmingham Street. The southwest stairwell is designated as “emergency exit only” from the lower retail level.
(11A - 11E)	A variance is being sought to be exempted from the Landscaped Open Space Requirement. See attached “Requested Variances” document.
(12 thru 15)	Proposed Building complies with Storm Surge Protection Criteria

Built Form Requirements - Section 8

(6 thru 11) The proposed building exceeds the Maximum Pre-Bonus Height by .5m. The Post- Bonus Height of 22.5m does not exceed the Maximum Post Bonus Height of 28m, pursuant to Section 12 of the Land-Use By Law (located later in this document)

(10) The heights of the glass guardrails surrounding the exterior roof terrace space on the 6th Storey, pursuant to Section 8 (8). A variance is being sought to exempt the railings from the 3 metre setback from the outermost roof edge. See attached "Requested Variances" document.

(12) Private Roof Terraces at 6th and 7th storeys to be fully landscaped. The high roof area will be paved with a combination of high-albedo concrete pavers to help in combatting the heat-island effect and sedum mats to provide a vegetative roof.

(13) The floor-to-floor height of the ground floor measures 4.5m (14'-9")

(14 thru 16) The proposed building does not violate either of the two applicable view planes – Viewplanes 9 and 10. This has been confirmed by the surveyor.

(18) A qualitative wind assessment has been provided per HRM request. See attached Letter.

Streetwalls - Section 9

(1) The proposed building has a streetline setback of zero on Spring Garden Road and Birmingham. Entrances are set back so that doors do not swing out into the path of pedestrian traffic.

(2) The building does not exceed the Maximum Streetwall Height of 17m along Spring Garden. A minor variance is being requested to maintain the para pet height down Birmingham as well

(3) The building exceeds the 11 Metre Minimum Streetwall Height.

(5) The (2) streetwalls extend the full width of the lot abutting both streetlines.

Building Setbacks and Stepbacks – Section 10

(4,5) A variance is being sought. See attached "Requested Variances" document.

Additional Requirements Precinct 3: Spring Garden Road Area – Section 11

(3) The additional sloped setback has been applied to the building.

Post-Bonus Height Public Benefit - Section 12

(1 thru 5, 7, 8) See Appendix C for a detailed description of the public benefit.

Signs – Section 13

(1 thru 17) Future Building and Tenant signage shall comply with all guidelines and requirements.

Parking – Section 14

(15) A total of (8) Class A and (6) Class B Bicycle Spaces shall be provided as per the requirements.

(17c) A bicycle storage room for Class A Parking, accessible by elevator, will be provided on the lower level.

(18) Uncovered Class B parking shall be provided against the building along Birmingham Street no more than 15 metres from an entrance in compliance with HRM By-Law S-300

Schedule S-1 Design Manual – Relevant Criteria

3.1 The Streetwall

3.1.1 Pedestrian-Oriented Commercial

3.1.1(a) "Articulation of Narrow Shop Fronts…close placement to sidewalk"

The three main entrances are setback from the sidewalk and are articulated to allow for window displays.

3.1.1(b) "High levels of transparency"

The street level is characterized by clear-glazing over the entire first floor elevation

3.1.1(c) "Frequent entries."

The curtain wall system allows for entries along the length of the building; the current design has a main bank entry and upper level retail entry off of Spring Garden Road, and a main retail entry and a residential entry off of Birmingham Street.

3.1.1(d) The building provides protection from the elements with a continuous glass canopy along Spring Garden Road and Birmingham Streets.

3.1.1(e) There is potential for "spill-out" activity along the entire Birmingham Street side walk, including the potential for covered café seating.

3.1.2 Streetwall Setback

3.1.2(a) "Minimal to no Setback"

The entire building has minimal to no setback, consistent with the Spring Garden Road Business District.

3.1.3 Streetwall Height

The proposed building respects the prescribed streetwall height and is formally consistent with surrounding buildings.

3.2 Pedestrian Streetscapes

3.2.1 Design of the Streetwall

3.2.1(a) The glazing at street level is articulated by bays at each entry and window display vitrines.

3.2.1(e) "Streetwalls should be designed to have the highest quality material and detail."

The proposed building meets the street with an articulated glass façade and stone panels at the entry, with high-quality terra cotta panels above, which responds in a modern way to the masonry buildings nearby along the south side of Spring Garden Road.

3.2.1(f) "Streetwalls should have many windows and doors to provide 'eyes on the street' and a sense of animation and engagement."

The street level of the building is completely clear glazing. The second floor retail space also features transparent glazing.

3.2.1(g) "Along pedestrian frontages at grade level, blank walls shall not be permitted, nor shall any mechanical or utility functions (vents,trash vestibules, propane vestibules, etc.) be permitted."

Clear glazing dominates the pedestrian frontages. The south wall is a firewall and as such is restricted in terms of the amount of openings which are allowed. How ever, it is clad in terra-cotta panels and the module size and textures are varied to provide variety and interest.

3.2.2 Building Orientation and Placement

3.2.2(a) "All buildings should orient to, and be placed at, the street edge with clearly de fined primary entry points that directly access the sidewalk."

The proposed building comes right to the sidewalk with multiple points of entry.

3.2.3 Retail Uses

3.2.3(b) "Weather protection for pedestrians through the use of well-designed awnings and canopies is required along mandatory retail frontages (Map 3) and is strongly encouraged in all other areas."

Weather protection is provided by glass canopies at each entrance on both the Spring Garden Road and Birmingham Street frontages.

3.2.3(d) "Minimize the transition zone between retail and the public realm. Locate retail immediately adjacent to, and accessible from, the sidewalk."

There are retail entries from both Spring Garden and Birmingham Street

3.2.3(f) "Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances. Where a changing grade along a building frontage may result in exceedingly raised or sunken entries it may be necessary to step the elevation of the main floor slab to meet the grade changes."

All retail entrances are at grade.

3.2.4 Residential Uses

3.2.4(b) The residential units are accessed by a common entrance and lobby located at ground level along Birmingham Street, and the entrance is clearly recognizable from the exterior through the use of full-height curtainwall and a distinctive canopy.

3.2.4(d) Penthouse Units with two bedrooms that have immediately accessible outdoor landscaped rooftop amenity space are provided.

3.2.4(f) The second floor retail space (possible restaurant) and third floor residences shall incorporate acoustic dampening building materials to mitigate unwanted sound transmission.

3.2.5 Sloping Conditions

3.2.5(a) The Building's floor level has been set to closely match that of the existing side walk grade.

3.2.5(c) "Provide windows, doors and other design articulation along facades; blank walls are not permitted."

The glazed façade and entry doors provide visual connection to the sidewalk.

3.2.5(d) "Articulate the façade to express internal floor or ceiling lines; blank walls are not permitted."

Ceiling and floor lines are registered by the articulation of mullions in the glass façade and through the patterns and modules in the terra cotta rainscreen system.

3.3 Building Design

3.3.1 Building Articulation

3.3.1(a) The proposed building is articulated differently as one moves up the building:

Base: The street level is characterized by a protected, clear glazed base which provides visual connectivity with the sidewalk and multiple points of entry.

Middle: The second level (Floor 2) includes a fully-glazed retail space, while The upper portion (Floors 3-5) houses residential units, clad in window wall and terra cotta, with no setback.

Top: The roof level (Floors 6-7) consists of glazed rooftop lofts, setback from the streetwall, and provided with private terraces.

3.3.1(b) The utilization of a high-quality terra cotta rainscreen and ample street level glaz ing in the building provides high-quality contemporary architecture which is respectful of the downtown context - and is a great improvement on the existing building.

3.3.1(c) Articulation of the building massing provides architectural massing and visual interest.

3.3.1(d) "Street facing facades should have the highest design quality, however, all publicly viewed facades at the side and rear should have a consistent design expression."

This has been achieved.

3.3.2 Materials

3.3.2(a) "Building materials should be chosen for their functional and aesthetic quality, and exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance".

The proposed building - a combination of glass, stone, terra cotta rainscreen and bits of composite metal panel- more than satisfies this requirement.

3.3.2(b) "Too varied a range of building materials is discouraged in favour of achieving a unified building image."

The proposed building exhibits a unified material concept.

3.3.2(c) "Materials used for the front façade should be carried around the building where any facades are exposed to public view at the side or rear."

Finishes wrap and cover the visible building elevations.

3.3.2(d) "Changes in material should generally not occur at building corners."

Building Corners are of continuous material and articulation.

3.3.2(e) "Building materials recommended for new construction include brick, stone, wood, glass, in-situ concrete and pre-cast concrete."

Glass and terra-cotta panels are the predominant materials.

3.3.2(f) "In general, the appearance of building materials should be true to their nature and should not mimic other materials".

The proposed building exercises many of the varying properties of glass, all of which are true representations of the visually flexible nature of the mate rial. Stone is stone. Terra Cotta responds to the brick buildings surrounding the site. All materials are honestly deployed.

3.3.3 Entrances

3.3.3(a) "Emphasize entrances with such architectural expressions as height, massing, projection, shadow, punctuation, change in roof line, change in materials, etc."

The main entrance is signified by a tall volume of clear glazing above the recessed entry way.

3.3.3(b) "Ensure main building entrances are covered with a canopy, awning, recess or similar device to provide pedestrian weather protection."

All entrances are recessed and protected by canopies.

3.3.4 Roof Line and Roofscapes

3.3.4(c) "Landscaping treatment of all flat rooftops is required. Special attention shall be given to landscaping rooftops in precincts 3, 5, 6 and 9, which abut Citadel Hill and are therefore preeminently visible. The incorporation of living "green roofs" is strongly encouraged".

The roof at levels 6 and 7 will be fully landscaped and accessible from the resi dential units. The high roof will feature high-albedo concrete pavers.

3.3.4(d) "Ensure all rooftop mechanical equipment is screened from view by integrating it into the architectural design of the building and the expression of the building 'top'. Mechanical rooms and elevator and stairway head-houses should be incorporated into a single well-designed roof top structure. Sculptural and architectural elements are encouraged to add visual interest."

Mechanical equipment is located on the high roof, with access from the southwest stairwell. The stairwell enclosure and mechanical room shall be clad in the same composite panel as levels 6 and 7, and the mechanical equipment shall be surrounded by a 5'-0" high screen composed of horizontally-orientated corrugated metal panels attached to a galvanized steel structure.

3.3.4(e) "Low-rise flat roofed buildings should provide screened mechanical equipment. Screening materials should be consistent with the main building design. Sculp tural and architectural elements are encouraged for visual interest as the roofs of such structures have very high visibility."

See above 3.3.4(d).

3.3.4(f) "The street-side design treatment of a parapet should be carried over to the back-side of the parapet for a complete, finished look where they will be visible from other buildings and other high vantage points."

The back side of the building parapet is clad in ceramic rainscreen with no exposed fasteners to create a continuous look with rooftop mechanical equipment.

3.5.4 Lighting

3.5.4(b) "Consider a variety of lighting opportunities inclusive of street lighting, pedestrian lighting, building up- or down-lighting, internal building lighting, internal and external signage illumination (including street addressing), and decorative or display lighting."

Down-lighting is provided in soffits of recessed areas to illuminate the building perimeter. Internal lighting in the transparent second floor restaurant, street level restaurant and public circulation areas will provide an active and inviting glow while avoiding light pollution from direct illumination. Feature lighting will illuminate the major entrances.

3.5.5 Signs

3.5.5(a) "Integrate signs into the design of building facades by placing them within archi-

tectural bay, friezes or datum lines, including coordinated proportion, materials and colour."

Building signage is to be located within the curtain wall as graphic elements in the plane of the glass. There will also be raised, pin-supported metal signage on stone panels near the entries. Signage occurs in two different scales: large scale signage identifies the building at an urban design level, while more human-scaled signage identifies building identity and entry at the pedestrian level.

3.5.5(c) "Sign scale should reinforce the pedestrian scale of the downtown, through location at or near grade level for viewing from sidewalks."

See above 3.5.5(a).

3.5.5(g) "The material used in signage shall be durable and of high quality, and should relate to the materials and design language of the building."

Signage that is incorporated into the curtain wall is of high durability. The use of signage as graphic elements within the plane of the glass reinforces the layered, planar formal language of the building.

5.2 Sustainability Guidelines

5.2.1(f) "Use light-coloured roofing materials with high reflectance."

Light coloured materials will be employed.

5.2.1(i) "Design exterior lighting to be shielded or full cutoff as required. Exterior lighting shall fall within the property."

Exterior lighting will comply with shielding/cutoff requirements whenever possible

5.2.2 Transportation

5.2.2(a) "Provide bicycle storage and convenient changing facilities for 5% of building occupants."

Bicycle storage is provided and tenant spaces shall be plumbed to easily accommodate showers.

5.2.2(b) "Provide transit and pedestrian-friendly physical links to mass transit infrastruc ture. Bus stops or ferry terminals must within 500 metres of the site."

The proposed development is one of the most transit friendly sites in the HRM. Major bus routes servicing urban and suburban users exist immediately on the site.

5.2.3 Water Conservation

5.2.3(a) "Eliminate potable water for landscape irrigation."

Low-maintenance "xeriscape" to be explored for landscaped roof planters

5.2.7 Indoor Air Quality

5.2.7(b) "The building shall be designed to provide daylighting to all full time occupied spaces."
Full height glazing allows for daylighting to penetrate deep into all spaces.

5.2.7(h) "Provide views to the outdoors to as many occupants as possible."

Full height glazing provides views for all occupants.

5.2.8 Building Materials

5.2.8(e) "Design buildings with durability in mind."

Glazed curtain wall systems are extremely durable, maintaining functional and aesthetic qualities over time with very low required maintenance. Terra cotta rainscreen systems provide exceptional performance in a Maritime climate and offers the advantages of masonry (durability, beauty, urban character) without the problems often experienced with masonry (need for repointing due to freeze-thaw, efflorescence, site labour)

5.2.9 Energy Conservation

5.2.9(a) "Buildings should use natural ventilation and passive energy design where possible."

The use of high performance, low-e glazing significantly reduces heat gain. In terior blinds integrated with a building automation system can be used to passively manage the balance of daylighting and heat gain, reducing the need for active heating and cooling.

Operable glass walls in the residences allow for natural ventilation.

5.2.9(f) See above 5.2.9(a).

5.2.10 General Sustainable Development Guidelines

5.2.10(c) See above 5.2.9(a).

5.2.10(h) See above 5.2.9(a).

Requested Variances

The following variances to the Downtown Halifax Land Use By-Law and Schedule S-1 are being sought for this project:

1) Section 7 (6) thru (11) - Landscaped Open Space Requirements
   3.6.12 - Landscaped Open Space Variance

We request a variance to waive the requirement to provide 95 square metres (5 square metres per dwelling unit * 19 units) of rooftop landscaped open space which is fully accessible for the common use of the occupants of the building. Given the relatively small footprint of the proposed building, the zero-lot-line setbacks, and the extensive rooftop mechanical equipment sizes and requirements for servicing a mixed-use building of this type, the space to comfortably accommodate all occupants of the building on the roof are limited, and providing access on such a tight roof becomes a challenge. The four (4) penthouse residences each offer a private landscaped roof terrace along the entire length of Spring Garden Road and Birmingham Street. All told, the residences account for 60% of the gross floor area. We are seeking an increase in the percentage of residential space required to designate a building as PRIMARILY residential from 50% to 60% through the application of Section 3.6.12 (b) which allows for a modification not to exceed 10% of the requirement, which our 60% GFA falls within. Finally, we feel it is important to consider the close proximity of this site to several large public open spaces, including but not limited to the Public Gardens, Victoria Park, the new Halifax Central Library, the Old Spring Garden Library courtyard and the Halifax Citadel.

2) Section 8 (8) and (10) Building Height - Pre/Post Bonus - 3 metre setback
   Section 9 (7) and (8) Varying Streetwall Stepback
   Section 10 Interior Lot Line Setback

At issue are the glass guardrails which protrude 1.07m (3'-6") above the Maximum Streetwall Height along Birmingham Street.

A minor variance is being sought to permit these guardrails to exist along the edge the Birmingham Streetwall on the following grounds:

8(8) Building Height – Pre- and Post-Bonus Heights: Section 8(8) references several architectural features which may exceed the maximum building heights, such as elevator enclosures, HVAC equipment, cupolas, parapets, cornices, eaves or OTHER SIMILAR FEATURES.

Section 8(10) goes on to require a 3m setback from the outermost edge of the roof EXCEPT for the aforementioned features. It is our position that the proposed glass guardrails may qualify as "similar features."

Section 9 addresses Streetwalls in general and Section 9(7) calls for a 3m setback for portions of the building above the streetwall. We are seeking a minor variance, as allowed by Section 9(8) to waive the 3m setback for the glass guardrails on the grounds that, since such features are

exempted from being considered part of the maximum height of the building, it logically follows that they may also be exempted from being considered part of the Streetwall Height as well.

Approval of this minor variance allows the eastern and northern portion of the lower roof to be utilized for private terraces, enhances the rooftop dwelling units' access to the outdoors and activates the roofscape. Finally, these glass guardrails are composed of transparent laminated glass panels and, as such, do not present a true visual encroachment. For all intents and purposes they are "invisible."

We respectfully request a variance on the grounds that it is consistent with the intent of the criteria in the Design Manual.

3) Section 10(4) and (5) – Mid-Rise Building Setbacks and Stepbacks

At issue are the 3m Interior Lot Line Setbacks required for the Mid-Rise portion of the building called for in Section 10(4).

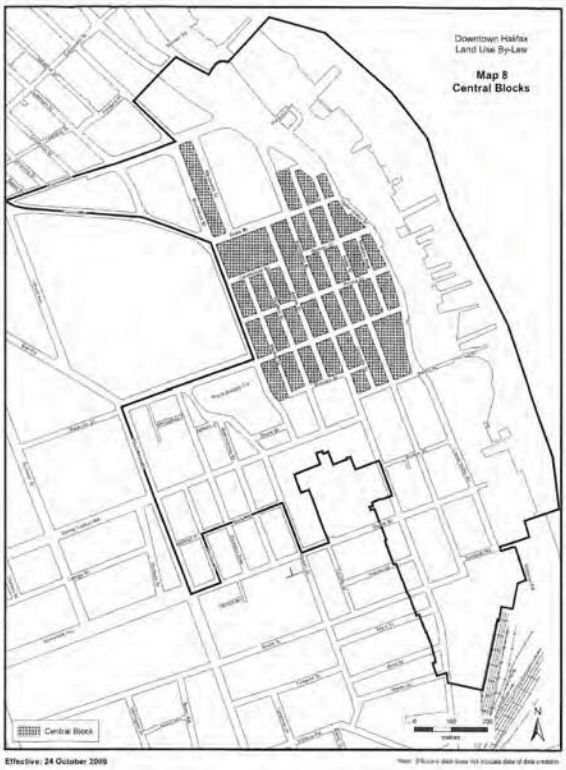
A variance is being sought, as permitted by Section 10(14) to waive the setback requirement along BOTH the southern and western interior lot lines.

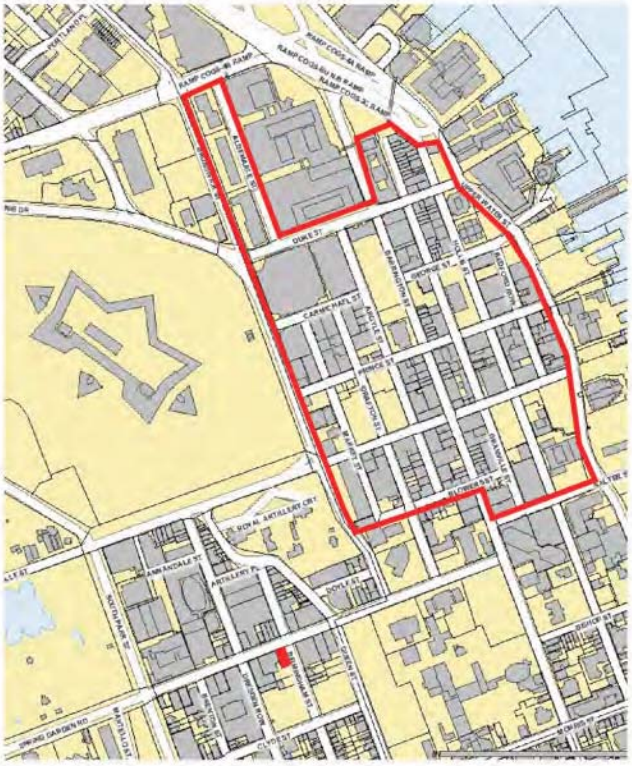
While interior lot line setbacks may make sense for urban developments at the scale of a city block or larger, they run counter to traditional infill development in the Downtown Core and severely restrict the ability to construct efficient, economically viable buildings, fully build up to pre- and post-bonus maximums and achieve greater density on smaller urban lots.

The major reason for this is that these setbacks are at odds with sound architectural space planning principles. On smaller lots – which this proposed project definitely is, with a dimension of 50'x100', building circulation elements – stairs, corridors, and elevators – are best located along an interior lot line and stacked in plan, allowing for structural economy and maximizing leasable space. Shifting these elements in plan as one moves up the building is an expensive – and ill-advised – option. It's quite easy to see how quickly the viable leasable space is reduced when setbacks are applied to all four lot lines – especially on a lot of this size.

It's worth mentioning that the oldest buildings in the Downtown Core were built with this in mind. Indeed, the Downtown Land-Use By-Law specifically addresses this very issue. In Section 10(6), interior lot line setbacks for the Mid-Rise portion of ANY building located on Central Blocks are NOT required.

It's also worth noting that the majority of building lots in the Central Blocks are of a similar size to the lot for the proposed project, as the following comparison drawing illustrates:





There's a good reason for this. Smaller infill buildings such as those on Central Blocks are typically organized with the circulation elements situated along one of the interior lot lines perpendicular to the street – as in this project. This allowed for an economical structure, stacked, side-loaded circulation elements which access larger, flexible spaces across the remainder of the lot. In our opinion, the SIZE of the lot, regardless of its location in the Downtown Zone (or elsewhere for that matter), should be a major factor in determining which projects should be exempt from the interior lot line setback requirement. It is clearly at odds with sound building planning principles.

Therefore, we respectfully request a variance to waive the interior lot line setback requirement along both the west and south lot lines in order to enable the construction of a rational, economical stacked circulation system and a maximization of viable leasable area.

We also submit for consideration that the viability of this requirement be re-examined for ALL smaller mid-rise developments in the Downtown Zone – and beyond.

Enabling the economic viability and constructability of smaller-scale developments of this sort will truly result in the density required to foster the growth of a vibrant, better, livable downtown.

4) Section 9(4) - Varying Streetwall Heights
3.6.3(a) - Streetwall Height Variance

We request a minor variance to waive the requirement to select the LOWER of two streetwalls of varying heights (17m for Spring Garden Road and 18.5m for Birmingham Street) in order to allow for the construction of a streetwall with a consistent parapet height along the full length of Spring Garden Road and Birmingham Street on the grounds that:

1.) It enables a clear formal expression of "base, middle, top" as set forward by the Design Manual Section 3.3.1(a).

2.) It allows for the construction of several more residential units at the southern end of the building at Level 5.

3.) At the southernmost end of Birmingham Street we do not exceed the maximum streetwall height of 18.5m.

Appendix B: Wind Impact Assessment

DSRA

DSRA
5495 Spring Garden Rd, 4th floor, Halifax, Nova Scotia B3J 1G2
T 902 420 9990 F 902 420 9450 dsra.ca

HRM Planning Services
Planning Applications
Bayers Road
PO Box 1749
Halifax, NS B3J 3A5

February 20, 2013

Re: Qualitative Wind Assessment
Proposed Development for 5510-5504 Spring Garden Road
PID #00077859
Westwood Developments Ltd.

To Whom It May Concern,

We thank you for the opportunity to present a qualitative wind assessment as per Schedule S-2 of the Downtown Halifax Land Use By-Law in support of the Substantive Site Plan Approval Submission for the above-noted project.

It is prudent at this stage of the HRM-By-Design Review Process to provide a qualitative estimate of the pedestrian wind conditions on and around the proposed development to be located at the site of the existing Winsby's Building on the southwest corner of Spring Garden Road and Birmingham Street. This qualitative estimate is based on the surrounding site context as it currently exists and relies on generally-understood characteristics of wind dynamics in an urban setting.

Site Characteristics

The proposed site is rectangular in shape with its long axis aligned in the north/northwest by south/southeast direction. It measures 15m x 30m, with the long side along Birmingham Street. It is bordered on the north by a three to five storey street wall, on the east by two-storey developments, on the south by open space/parking lots (to be developed) and on the west by the four-storey Nova Scotia Sport Building.

Publicly-accessible data on prevailing winds in this location show that winds are predominantly from the southwest in the summer months, and from the northwest in the winter months.

Estimated Wind Effects of Proposed Building

The proposed height of the Spring Garden street wall (the façade most affected by winter winds) is 17.37m, which is the approximate height of the adjacent Nova Scotia Sport Building. An additional two storeys of residential units totaling an additional 5m in height are setback 3m from both the Spring Garden and Birmingham streetwalls, effectively minimizing their impact w/r/t wind downwashing on the pedestrians at street level. For the purposes of a qualitative wind assessment, we have focused on the effects of a 17.37m tall building.

Given the massing and scale of the proposed development, no detrimental impact on the current wind patterns on site is expected. The resultant wind conditions are generally

expected to be comfortable for standing in the summer months and walking in the winter months. One would expect a bit more wind turbulence along the Spring Garden Sidewalk in the winter months due to a slightly taller elevation, but this would be mitigated by the fact that the sidewalk in front of the ground floor Spring Garden Road entrances is covered by a continuous canopy which provides protection from both precipitation and wind downwashing. The same situation occurs at the Birmingham Street entrances.

Conclusion

For the reasons stated above and due to the relatively small substantive change in current streetwall elevation due to this proposed project, the submittal of this qualitative wind assessment is consistent with the spirit of the regulations as prescribed in Schedule S-2 for a "*development where wind impact is not expected to be detrimental or may be improved upon in the opinion of the qualified professional...*" , and with the requirements of the Substantive Site Plan Approval process.

Thank you for your time and consideration.

Respectfully Submitted,

Original Signed

Hugh Davison, NSAA
Principal
DSRA Architecture

Appendix C: Post-Bonus Height Public Benefit

In response to the Post-Bonus Height Public Benefit requirement as stipulated under section 12 of the Downtown Halifax Land Use By-Law, the developer has opted to provide the following public benefit:

12(7i):the provision of exemplary sustainable building practices

The following outlines our understanding and proposed approach:

* The gross floor area that has been gained as a result of the post bonus height option is 289 square metres

* The current value of the public benefit that is required to be provided as established under section 12 is $11,560 calculated per section 12(3) using a rate of $4.00 per 0.1 square metres. This amount shall be adjusted in accordance with the Statistics Canada, Province of Nova Scotia Consumer Price Index when the applicant officially enters into a Public Bonus Agreement

* In order to fulfill the exemplary sustainable building practices requirement, the developer plans to engage the Mechanical Design Consultant to perform comprehensive energy modeling on the proposed design in order to prioritize which sustainable building initiatives/strategies are to be pursued on this project. Using this energy model, the Consultant will be able to assist the developer in selecting those strategies with the highest return on investment AND most significant environmental - and public - benefits. Such strategies include, but are not limited to:

  * maximizing efficiency of the heating/cooling systems
  * utilization of high-efficiency lighting
  * utilization of an automated energy management system
  * water conservation measures
  * sourcing of local materials

A quantitative breakdown of the public benefit of the sustainable building strategies pursued in the proposed development shall be available once the design of all building systems has been finalized.

Attachment C – Design Manual Checklist - Case #18465				
Section	**Guideline**	**Complies**	**Discussion**	**N/A**
2	**Downtown Precinct Guidelines**			
2.3	**Precinct 3: Spring Garden Road Area**			
2.3a	Development shall appropriately frame Citadel Hill, the Public Gardens, and Victoria Park through the provision of consistent, animated streetwalls of superior quality and design.			•
2.3b	Ensure that there continues to be adequate sunlight penetration on Spring Garden Road.	•		
2.3c	Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.	•		
2.3d	Prohibit new surface parking lots of any kind.			•
2.3e	Improve the pedestrian environment in the public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).			•
2.3f	Development shall be in keeping with The Spring Garden Road/Queen Street Area Joint Public Lands Plan, including:			•
	• ensure that the Clyde Street parking lots are redeveloped with mid-rise development, underground parking, and massing that transitions to Schmidtville;			•
	• ensure that the existing parking supply on the two Clyde Street parking lots will be preserved as part of the redevelopment of those lots, and that in addition, the redevelopment provides adequate parking for the new uses being introduced;			•
	• reinforce a development pattern of “monumental” buildings on Spring Garden Road from Queen Street towards Barrington Street;			•
	• a new public open space, 2,000 square metres minimum, shall be established at the terminus of Clyde Street, on the east side of Queen Street;			•
	• Clyde Street and Brenton Place to become important pedestrian-oriented streets;			•
	• allow for a mid-rise development at the corner of			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	Morris and Queen Streets, and;			
	• to allow tall buildings on the western blocks of the precinct.			•
3	**General Design Guidelines**			
3.1	**The Streetwall**			
3.1.1	**Pedestrian-Oriented Commercial** On certain downtown streets pedestrian-oriented commercial uses are required to ensure a critical mass of activities that engage and animate the sidewalk. These streets will be defined by streetwalls with continuous retail uses and are shown on Map 3 of the Land Use By-law. All retail frontages should be encouraged to reinforce the 'main street' qualities associated with the historic downtown, including:	•		
3.1.1a	The articulation of narrow shop fronts, characterized by close placement to the sidewalk.	•		
3.1.1b	High levels of transparency (non-reflective and non-tinted glazing on a minimum of 75% of the first floor elevation).	•		
3.1.1c	Frequent entries.	•		
3.1.1d	Protection of pedestrians from the elements with awnings and canopies is required along the pedestrian-oriented commercial frontages shown on Map 3, and is encouraged elsewhere throughout the downtown.	•		
3.1.1e	Patios and other spill-out activity is permitted and encouraged where adequate width for pedestrian passage is maintained.			•
3.1.1f	Where non-commercial uses are proposed at grade in those areas where permitted, they should be designed such that future conversion to retail or commercial uses is possible.			•
3.1.2	**Streetwall Setback** *(refer to Map 6 of the LUB)*			
3.1.2a	Minimal to no Setback (0-1.5m): Corresponds to the	•		

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	traditional retail streets and business core of the downtown. Except at corners or where an entire block length is being redeveloped, new buildings should be consistent with the setback of the adjacent existing buildings.			
3.1.2b	Setbacks vary (0-4m): Corresponds to streets where setbacks are not consistent and often associated with non-commercial and residential uses or house-form building types. New buildings should provide a setback that is no greater or less than the adjacent existing buildings.			•
3.1.2c	Institutional and Parkfront Setbacks (4m+): Corresponds to the generous landscaped setbacks generally associated with civic landmarks and institutional uses. Similar setbacks designed as landscaped or hardscaped public amenity areas may be considered where new public uses or cultural attractions are proposed along any downtown street. Also corresponds to building frontages on key urban parks and squares where an opportunity exists to provide a broader sidewalk to enable special streetscape treatments and spill out activity such as sidewalk patios.			•
3.1.3	**Streetwall Height** *(refer to Map 7 of the LUB)* To ensure a comfortable human-scaled street enclosure, streetwall height should generally be no less than 11 metres and generally no greater than a height proportional (1:1) to the width of the street as measured from building face to building face. Accordingly, maximum streetwall heights are defined and correspond to the varying widths of downtown streets – generally 15.5m, 17m or 18.5m. Consistent with the principle of creating strong edges to major public open spaces, a streetwall height of 21.5m is permitted around the perimeter of Cornwallis Park. Maximum Streetwall Heights are shown on Map 7 of the Land Use By-law.		•	
3.2	**Pedestrian Streetscapes**			
3.2.1	**Design of the Streetwall**			
3.2.1a	The streetwall should contribute to the 'fine grained' character of the streetscape by articulating the façade in a vertical rhythm that is consistent with the prevailing character of narrow buildings and storefronts.	•		
3.2.1b	The streetwall should generally be built to occupy 100%	•		

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	of a property's frontage along streets.			
3.2.1c	Generally, streetwall heights should be proportional to the width of the right of way, a 1:1 ratio between streetwall height and right of way width. Above the maximum streetwall height, further building heights are subject to upper storey stepbacks.	•		
3.2.1d	In areas of contiguous heritage resources, streetwall height should be consistent with heritage buildings.			•
3.2.1e	Streetwalls should be designed to have the highest possible material quality and detail.	•		
3.2.1f	Streetwalls should have many windows and doors to provide "eyes on the street" and a sense of animation and engagement.	•		
3.2.1g	Along pedestrian frontages at grade level, blank walls shall not be permitted, nor shall any mechanical or utility functions (vents, trash vestibules, propane vestibules, etc.) be permitted.	•		
3.2.2	**Building Orientation and Placement**			
3.2.2a	All buildings should orient to, and be placed at, the street edge with clearly defined primary entry points that directly access the sidewalk.	•		
3.2.2b	Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space (see diagram at right). Such treatments are also appropriate for Prominent Visual Terminus sites identified on Map 9 of the Land Use By-law.			•
3.2.2c	Sideyard setbacks are not permitted in the Central Blocks defined on Map 8 of the Land Use By-law, except where required for through-block pedestrian connections or vehicular access.			•
3.2.3	**Retail Uses**			
3.2.3a	All mandatory retail frontages (Map 3 of Land Use By-law) should have retail uses at-grade with a minimum 75% glazing to achieve maximum visual transparency and animation.	•		

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3.2.3b	Weather protection for pedestrians through the use of well-designed awnings and canopies is required along mandatory retail frontages (Map 3) and is strongly encouraged in all other areas.	•		
3.2.3c	Where retail uses are not currently viable, the grade-level condition should be designed to easily accommodate conversion to retail at a later date.			•
3.2.3d	Minimize the transition zone between retail and the public realm. Locate retail immediately adjacent to, and accessible from, the sidewalk.	•		
3.2.3e	Avoid deep columns or large building projections that hide retail display and signage from view.	•		
3.2.3f	Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances. Where a changing grade along a building frontage may result in exceedingly raised or sunken entries, it may be necessary to step the elevation of the main floor slab to meet the grade changes.	•		
3.2.3g	Commercial signage should be well designed and of high material quality to add diversity and interest to retail streets, while not being overwhelming.	•		
3.2.4	**Residential Uses**			
3.2.4a	Individually accessed residential units (i.e. town homes) should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs should be raised above grade level for privacy, and should be accessed through means such as steps, stoops and porches.			•
3.2.4b	Residential units accessed by a common entrance and lobby may have the entrance and lobby elevated or located at grade-level, and the entrance should be clearly recognizable from the exterior through appropriate architectural treatment.	•		
3.2.4c	Projects that feature a combination of individually accessed units in the building base with common entrance or lobby-accessed units in the upper building, are encouraged.			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3.2.4d	Units with multiple bedrooms (2 and 3 bedroom units) should be provided that have immediately accessible outdoor amenity space. The amenity space may be at-grade or on the landscaped roof of a podium.		•	
3.2.4e	Units provided to meet housing affordability requirements shall be uniformly distributed throughout the development and shall be visually indistinguishable from market-rate units through the use of identical levels of design and material quality.			•
3.2.4f	Residential uses introduced adjacent to pre-existing or concurrently developed eating and drinking establishments should incorporate acoustic dampening building materials to mitigate unwanted sound transmission.	•		
3.2.5	**Sloping Conditions**			
3.2.5a	Maintain active uses at-grade, related to the sidewalk, stepping with the slope. Avoid levels that are distant from grade.	•		
3.2.5b	Provide a high quality architectural expression along façades. Consider additional detailing, ornamentation or public art to enhance the experience.	•		
3.2.5c	Provide windows, doors and other design articulation along façades; blank walls are not permitted.	•		
3.2.5d	Articulate the façade to express internal floor or ceiling lines; blank walls are not permitted.	•		
3.2.5e	Wrap retail display windows a minimum of 4.5 metres around the corner along sloping streets, where retail is present on the sloping street.	•		
3.2.5f	Wherever possible, provide pedestrian entrances on sloping streets. If buildings are fully accessible at other entrances, consider small flights of steps or ramps up or down internally to facilitate entrances on the slope.	•		
3.2.5g	Flexibility in streetwall heights is required in order to transition from façades at a lower elevation to façades at higher elevations on the intersecting streets. Vertical corner elements (corner towers) can facilitate such transitions, as can offset or “broken” cornice lines at the top of streetwalls on sloping streets.			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3.2.6	**Elevated Pedestrian Walkways** *(not applicable)*			
3.2.7	**Other Uses** *(not applicable)*			
3.3	**Building Design**			
3.3.1	**Building Articulation**			
3.3.1a	To encourage continuity in the streetscape and to ensure vertical breaks in the façade, buildings shall be designed to reinforce the following key elements through the use of setbacks, extrusions, textures, materials, detailing, etc.: • Base: Within the first four storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment through animation, transparency, articulation and material quality. • Middle: The body of the building above the base should contribute to the physical and visual quality of the overall streetscape. • Top: The roof condition should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline.	•		
3.3.1b	Buildings should seek to contribute to a mix and variety of high quality architecture while remaining respectful of downtown's context and tradition.	•		
3.3.1c	To provide architectural variety and visual interest, other opportunities to articulate the massing should be encouraged, including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.	•		
3.3.1d	Street facing facades should have the highest design quality, however, all publicly viewed façades at the side and rear should have a consistent design expression.	•		
3.3.2	**Materials**			
3.3.2a	Building materials should be chosen for their functional and aesthetic quality, and exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance.	•		
3.3.2b	Too varied a range of building materials is discouraged in favour of achieving a unified building image.	•		

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3.3.2c	Materials used for the front façade should be carried around the building where any façades are exposed to public view at the side or rear.	•		
3.3.2d	Changes in material should generally not occur at building corners.	•		
3.3.2e	Building materials recommended for new construction include brick, stone, wood, glass, in-situ concrete and pre-cast concrete.	•		
3.3.2f	In general, the appearance of building materials should be true to their nature and should not mimic other materials.	•		
3.3.2g	Stucco and stucco-like finishes shall not be used as a principle exterior wall material.	•		
3.3.2h	Vinyl siding, plastic, plywood, concrete block, EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation), and metal siding utilizing exposed fasteners are prohibited.	•		
3.3.2i	Darkly tinted or mirrored glass is prohibited. Clear glass is preferable to light tints. Glare reduction coatings are preferred.	•		
3.3.2j	Unpainted or unstained wood, including pressure treated wood, is prohibited as a building material for permanent decks, balconies, patios, verandas, porches, railings and other similar architectural embellishments, except that these guidelines shall not apply to seasonal sidewalk cafes.	•		
3.3.3	**Entrances**			
3.3.3a	Emphasize entrances with such architectural expressions as height, massing, projection, shadow, punctuation, change in roof line, change in materials, etc.	•		
3.3.3b	Ensure main building entrances are covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.	•		
3.3.3c	Modest exceptions to setback and stepback requirements are possible to achieve these goals.			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3.3.4	**Roof Line and Roofscapes**			
3.3.4a	Buildings above six storeys (mid and high-rise) contribute more to the skyline of individual precincts and the entire downtown, so their roof massing and profile must include sculpting, towers, night lighting or other unique features.	•		
3.3.4b	The expression of the building 'top' (see previous) and roof, while clearly distinguished from the building 'middle', should incorporate elements of the middle and base such as pilasters, materials, massing forms or datum lines.	•		
3.3.4c	Landscaping treatment of all flat rooftops is required. Special attention shall be given to landscaping rooftops in precincts 3, 5, 6 and 9, which abut Citadel Hill and are, therefore, pre-eminently visible. The incorporation of living "green roofs" is strongly encouraged.	•		
3.3.4d	Ensure all rooftop mechanical equipment is screened from view by integrating it into the architectural design of the building and the expression of the building 'top'. Mechanical rooms and elevator and stairway head-houses should be incorporated into a single well-designed rooftop structure. Sculptural and architectural elements are encouraged to add visual interest.	•		
3.3.4e	Low-rise flat roofed buildings should provide screened mechanical equipment. Screening materials should be consistent with the main building design. Sculptural and architectural elements are encouraged for visual interest as the roofs of such structures have very high visibility.			•
3.3.4f	The street-side design treatment of a parapet should be carried over to the back-side of the parapet for a complete, finished look where they will be visible from other buildings and other high vantage points.	•		
3.4	**Civic Character**			
3.4.1	**Prominent Frontages and View Termini**			
3.4.1a	Prominent Visual Terminus Sites: These sites identify existing or potential buildings and sites that terminate important view corridors and that can strengthen visual connectivity across downtown. On these sites distinctive			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways should be provided. Design elements (vertical elements, porticos, entries, etc.) should be aligned to the view axis. Prominent Visual Terminus Sites are shown on Map 9 in the Land Use By-law.			
3.4.1b	Prominent Civic Frontage: These frontages identify highly visible building sites that front onto important public open spaces such as the Citadel and Cornwallis Park, as well as important symbolic or ceremonial visual and physical connections such as the waterfront boardwalks, the proposed Grand Promenade linking the waterfront to the Town Clock, and other eastwest streets that connect the downtown to the waterfront. Prominent Civic Frontages are shown on Map 1 in Appendix A of the Design Manual.			•
3.4.2	**Corner Sites**			
3.4.2a	Provision of a change in the building massing at the corner, in relation to the streetwall.		•	
3.4.2b	Provision of distinctive architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways.		•	
3.4.2c	Developments on all corner sites must provide a frontal design to both street frontages.	•		
3.4.2d	Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space.			•
3.4.3	**Civic Buildings** – *not applicable*			
3.5	**Parking Services and Utilities**			
3.5.1	**Vehicular Access, Circulation, Loading and Utilities**			
3.5.1a	Locate parking underground or internal to the building (preferred), or to the rear of buildings.			•
3.5.1b	Ensure vehicular and service access has a minimal impact on the streetscape, by minimizing the width of the frontage it occupies, and by designing integrated access portals and garages.			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3.5.1c	Locate loading, storage, utilities, areas for delivery and trash pick up out of view from public streets and spaces, and residential uses.			•
3.5.1d	Where access and service areas must be visible from or shared with public space, provide high quality materials and features that can include continuous paving treatments, landscaping and well designed doors and entries.			•
3.5.1e	Coordinate and integrate utilities, mechanical equipment and meters with the design of the building, for example, using consolidated rooftop structures or internal utility rooms.	•		
3.5.1f	Locate heating, venting and air conditioning vents away from public streets. Locate utility hook-ups and equipment (i.e. gas meters) away from public streets and to the sides and rear of buildings, or in underground vaults.	•		
3.5.2	**Parking Structures** – *not applicable*			
3.5.3	**Surface Parking** *(not applicable)*			
3.5.4	**Lighting**			
3.5.4a	Attractive landscape and architectural features can be highlighted with spot-lighting or general lighting placement.	•		
3.5.4b	Consider a variety of lighting opportunities inclusive of street lighting, pedestrian lighting, building up- or down-lighting, internal building lighting, internal and external signage illumination (including street addressing), and decorative or display lighting.	•		
3.5.4c	Illuminate landmark buildings and elements, such as towers or distinctive roof profiles.	•		
3.5.4d	Encourage subtle night-lighting of retail display windows.	•		
3.5.4e	Ensure there is no 'light trespass' onto adjacent residential areas by the use of shielded "full cutoff" fixtures.	•		
3.5.4f	Lighting shall not create glare for pedestrians or motorists by presenting unshielded lighting elements in	•		

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	view.			
3.5.5	**Signs** *(not applicable - Subject to Non-Substantive Site Plan Approval by the Development Officer)*			
3.6	**Site Plan Variances**			
3.6.3	**Streetwall Height Variance** Streetwall heights may be varied by Site Plan Approval where:			
3.6.3a	the streetwall height is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.3b	the modification is for a corner element that is used to join streetwalls of differing heights; or		•	
3.6.3c	the streetwall height of abutting buildings is such that the streetwall height would be inconsistent with the character of the street; or		•	
3.6.3d	where a landmark building element is called for pursuant to the Design Manual.		•	
3.6.5	**Upper Storey Streetwall Stepback Variance** Upper storey streetwall stepbacks may be varied by Site Plan Approval where:			
3.6.5a	the upper storey streetwall setback is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.5b	the modification results in a positive benefit such as improved heritage preservation or the remediation of an existing blank building wall.		•	
3.6.6	**Upper Storey Side Yard Stepback Variance** The setbacks requirements of this section may be varied by Site Plan Approval where:			
3.6.6a	the upper storey side yard stepback is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.6b	where the height of the building is substantially lower than the maximum permitted building height and the setback reduction is proportional to that lower height; or		•	
3.6.6c	a reduction in setback results in the concealment		•	

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	of an existing blank wall with a new, well-designed structure.			
3.6.12	**Landscaped Open Space Variance** Landscaped open space requirements may be varied by Site Plan Approval where:			
3.6.12a	The landscaped open space to be provided is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.12b	The modification does not exceed 10% of the requirement.		•	