

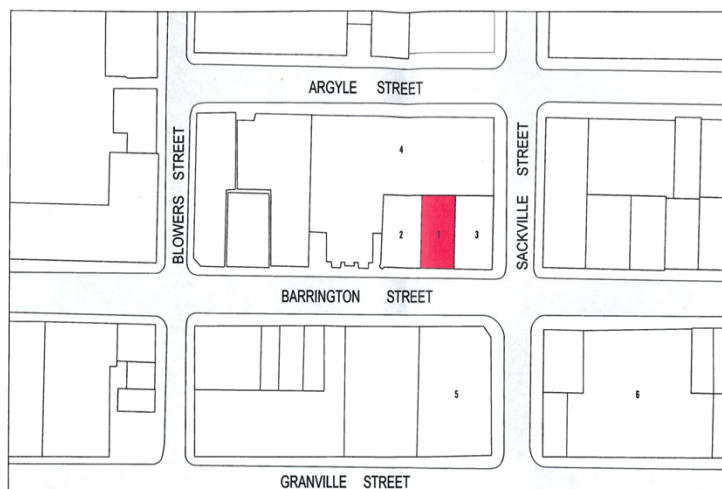
Case 17534

Community & Recreation Services - Development Approvals

Item 9.1

Appeal of the Decision of the Design Review Committee

Substantive Site Plan Approval 1592 Barrington Street, Halifax



- 1 PROPOSED DEVELOPMENT SITE
- 2 KRYER BUILDING
- 3 TRAMWAY BUILDING
- 4 NEPTUNE THEATRE
- 5 DISCOVERY CENTRE
- 6 ROY BUILDING

CONTEXT PLAN
1592 BARRINGTON STREET
HRM SITE PLAN APPROVAL
04-08-2011



LYDON LYNCH

Zoning & Process

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- Property is Zoned DH-1 (Downtown Halifax)
- Two key components of review & approval:
 - 1) Land use & building envelope – Development Officer
 - 2) Building design – Design Review Committee (DRC)

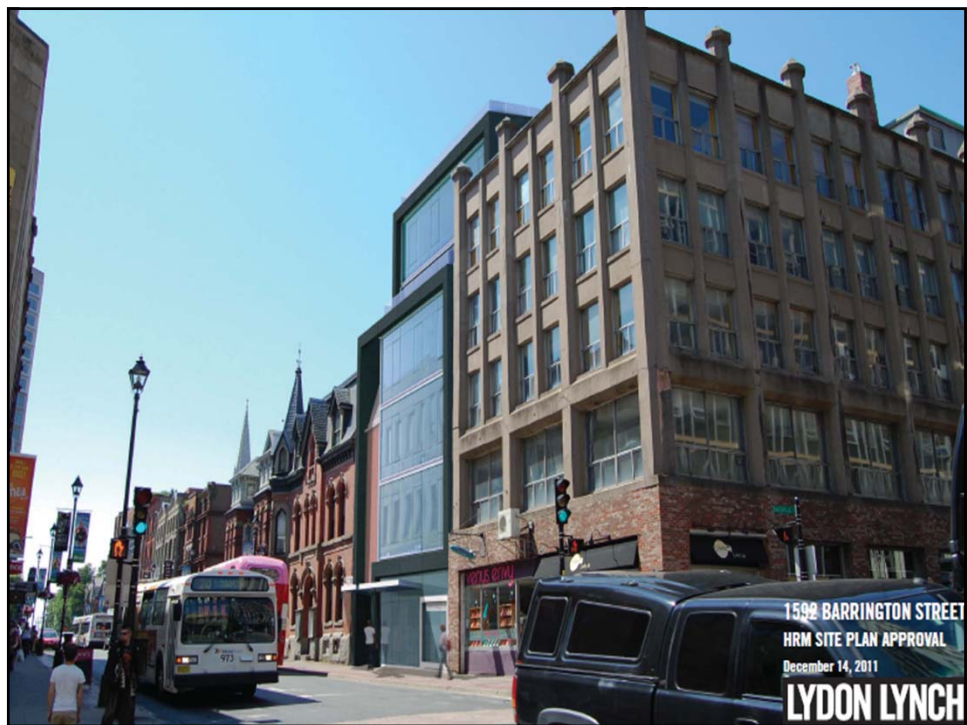


Overview of Proposal

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- Demolition of existing 2 storey bldg. (subj. to Council approval)
- Replace with new 6 storey building
- Approx. 22 m (72 ft) in height
- Top 2 storeys stepped back 3 m
- Landscaped open space on roof
- Retail space on main floor – remaining floors office space





Heritage Cons. District Demolition

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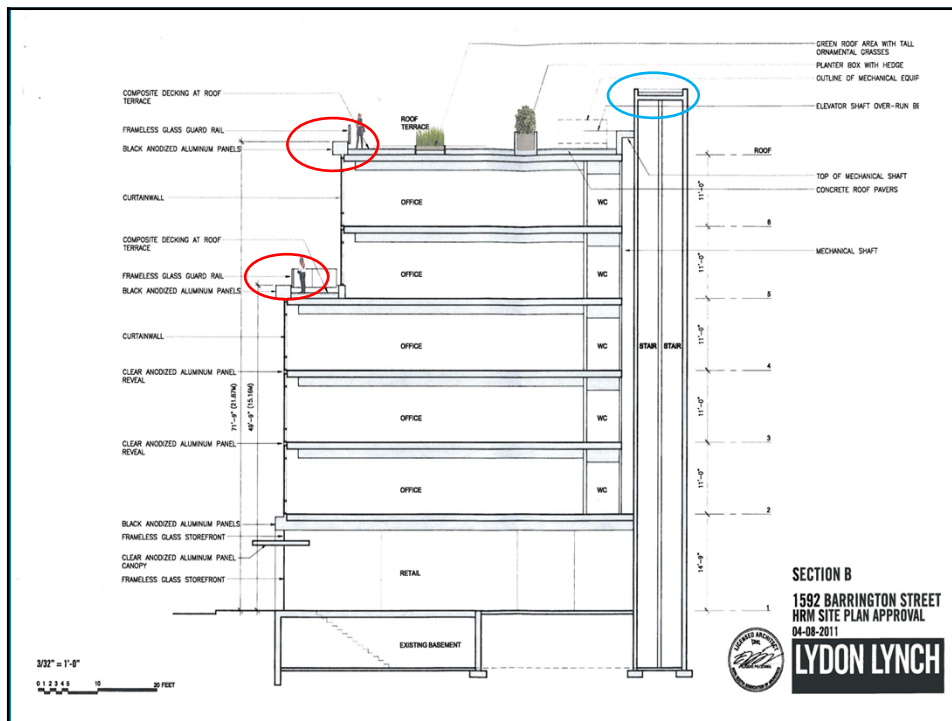
- Located within Barrington Street Heritage Conservation District
- Not a registered heritage property
- Demolition of existing building requires Regional Council approval – hearing scheduled May 22nd



Design Review Committee

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- Design approved by DRC March 8, 2012
- Approved with variances & condition:
 - Variance to height for rear stair enclosure
 - Variance in step back for hand railing on roof
 - Prefinished metal siding be replaced with the black anodized panels on the south façade, and north façade



Notification and Appeal

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- Notification of DRC decision provided as per the Land Use By-Law requirements
- Appeal filed on March 22, 2012



Appeal

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- Key reasons for appeal:
 - New building will encroach on a passage and right-of-way adjacent to and south of Tramway Building
 - New building will interfere & block view of south side of Tramway Building



Appeal Analysis

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- Reasons stated not material to building design
- Passage and right of way extinguished in 1997
- Appellant suggests prescriptive rights over the right of way
- Private, civil matter – beyond Council's jurisdiction
- Concerns of blocking view relevant to LUB req'mts – not subj. to DRC approval & not subject to appeal



Conclusion

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- Building **design** subject to appeal
- Reasons for appeal not relevant to design
- Development Officer & DRC have approved the proposal
- Recommend Council uphold decision of DRC



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Alternatives

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1. Regional Council may uphold the decision of the DRC. This is the **staff recommendation**.
2. Regional Council may approve with additional or different conditions. May require additional information from the applicant or supplementary staff report.
3. Regional Council may overturn the decision of the DRC and refuse the application. Council must provide reasons based on Design Manual guidelines.

