



**HERITAGE ADVISORY COMMITTEE
MINUTES
March 4, 2015**

PRESENT: Mr. Jason Cooke, Vice Chair
Mr. Brent Ronayne
Ms. Janet Morris
Mr. Benjamin LeBlanc
Mr. Scott Smith
Ms. Shiva Nourpanah
Ms. Pascale van der Leest
Councillor David Hendsbee

REGRETS: Ms. Emma Sampson, Chair
Mr. Nathaniel Smith
Mr. Chris Kingston
Councillor Brad Johns

STAFF: Ms. Maggie Holm, Heritage Planner
Mr. Paul Sampson, Planner, Community & Recreation
Mr. Richard Harvey, Major Projects Planner
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Cathy Collett, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to the Heritage Advisory Committee are available online: <http://www.halifax.ca/boardscom/bccgrants/agenda.php>

The meeting was called to order at 2:01 p.m. and adjourned at 3:55 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 2:01 p.m. in Halifax Hall, City Hall.

2. APPROVAL OF MINUTES – NONE

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions:

8.1 Minor Edits to Background Study – Heritage Conservation District in Barrington South (Old South Suburb) – Case H00410

Councillor Hendsbee suggested that the items be dealt with in reverse order, beginning with 7.3. The Committee provided consensus.

MOVED by Ms. Pascale van der Leest, seconded by Councillor Hendsbee that the order of business be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS - NONE

7. REPORTS

7.3 Case H00409: Request to Deregister 2267 Brunswick Street, Halifax as a Municipal Heritage Property

The following was before the Committee:

- A Staff recommendation report dated February 4, 2015

Ms. Maggie Holm, Heritage Planner, gave a presentation on the staff report for Case H00409. She explained to the Committee that the St. Patrick's Parish, on behalf of the Roman Catholic Episcopal Corporation, has requested the deregistration of the St. Patrick's Rectory located at 2267 Brunswick Street, Halifax as a municipal heritage property.

The St. Patrick's Rectory (2267 Brunswick Street) is located beside St. Patrick's Roman Catholic Church (2263 Brunswick Street), near the intersection of Brunswick and Cornwallis Streets. On January 28, 1982 the former City of Halifax approved a heritage registration for "St. Patrick's Church, 2267 Brunswick Street". Due to a probable error in the civic address the heritage designation for the Church was registered on the Rectory property. HRM has determined that the effect of this is that the Rectory is considered a municipal heritage property. The registration of the Rectory property has only recently come to light and the Church is now requesting that it be deregistered.

As Ms. Holm outlined, the analysis provided in the staff report for this case determines that both buildings have sufficient heritage value to allow for municipal heritage registration. On this basis, staff do not support the Church's deregistration request. Rather, staff requests that two new heritage registrations be undertaken to evaluate the heritage value of each property separately. There are no provisions in the Heritage Property Act for correcting mistakes in Heritage registrations, and as such, a new registration is required to correct the situation.

Additionally, Ms. Holm explained that the provisions of the current MPS and LUB may act as a disincentive for the registration and conservation of heritage properties in the Brunswick Street Heritage Conservation Area (by prohibiting as-of-right internal conversions to other uses). Therefore, staff believes that this matter should be reviewed in more detail as a component of the Centre Plan process, and amendments to land use regulation could be recommended to Council to enable internal conversions for heritage properties.

Councillor David Hendsbee questioned if there was a process for addressing a clerical error and Ms. Holm assured him she had checked with Legal Services and there is not.

Ms. Janet Morris noted that the recommendation is contrary to the course of action sought by the church and questioned if registrations have ever passed without the owner's consent. Ms. Holm replied that she is aware of several times when this has been the case.

Ms. van der Leest questioned if removing the protection of the heritage registration could ultimately mean that the building is demolished. Ms. Holm informed the Committee that this is a possibility as the heritage registration is the only legislation protecting the building.

The Committee discussed the validity of the church's request, the justification for upholding the registration of the rectory as a heritage property, and the urgency of the matter in terms of the needs of the church. The Committee agreed to allow Mr. Blair Beed, a representative of the church, to address the Committee.

Mr. Beed explained to the Committee that the parish requires the sale of the rectory to keep their church open. The potential buyer for the rectory will only continue with the transaction if the heritage registration is removed, as he intends to convert the building into a 9 unit residence. Mr. Beed assured the Committee that he has great faith in the purchaser for the building and that losing the sale of the property will result in the closing of the parish.

Councillor Hendsbee questioned Mr. Beed on what he would like the Committee to do. Mr. Beed replied that he would like the Committee to recommend to Council that the rectory be deregistered as a heritage property.

Upon Mr. Smith's request, Ms. Holm outlined the alternative motions as presented in the staff report dated February 4, 2015.

MOVED by Councillor David Hendsbee, seconded by Mr. Brent Ronayne that the Heritage Advisory Committee recommend that Regional Council:

- 1. Refuse the request to deregister St. Patrick's Rectory located at 2267 Brunswick Street, Halifax;**
- 2. Direct Staff to begin a new registration process for the St. Patrick's Rectory located at 2267 Brunswick Street, Halifax as a municipal heritage property based on its own heritage value; and**
- 3. Direct staff to begin a new registration process for the registration for St. Patrick's Church located at 2263 Brunswick Street, Halifax as a municipal heritage property due to errors in the 1982 municipal heritage registration.**

Councillor Hendsbee requested that the recommendation be broken down and voted on separately.

Ms. van der Leest stated that as much as she would like to protect the building, it is not in good faith to hold the parish to a clerical error.

Councillor Hendsbee stated that would vote against the motion to uphold the registration in the good faith that the developer will not change the exterior of the building.

Mr. Jason Cooke, vice chair, called the Committee to vote on each motion separately:

- 1. Refuse the request to deregister St. Patrick's Rectory located at 2267 Brunswick Street, Halifax. MOTION PUT AND DEFEATED.**
- 2. Direct Staff to begin a new registration process for the St. Patrick's Rectory located at 2267 Brunswick Street, Halifax as a municipal heritage property based on its own heritage value MOTION PUT AND DEFEATED.**
- 3. Direct staff to begin a new registration process for the registration for St. Patrick's Church located at 2263 Brunswick Street, Halifax as a municipal heritage property due to errors in the 1982 municipal heritage registration. MOTION PUT AND PASSED.**

MOVED by Councillor Hendsbee seconded by Ms. Janet Morris that the Heritage Advisory Committee recommend that Regional Council commence the deregistration process by:

- a) Setting a public hearing date to consider the deregistration of St. Patrick's Rectory located at 2267 Brunswick Street, Halifax; and**
- b) Deregister St. Patrick's Rectory located at 2267 Brunswick Street, Halifax as a municipal heritage property due to the error in the 1982 municipal heritage registration.**

MOTION PUT AND PASSED.

7.2 Case 19516: Rezoning and LUB Amendments – St. David's Church Hall (1537 Brunswick Street) and portion of the former Halifax Memorial Library site, Halifax

The following was before the Committee:

- A staff recommendation report dated February 2, 2015

Ms. Nourpanah left the meeting.

Mr. Paul Sampson, Planner, gave a presentation to the Committee addressing the staff report dated February 2, 2015. As he explained, the application is to rezone the area at the rear St. David's church as well as the adjoining former library driveway portion and to reduce the street wall setback. Mr. Sampson showed a number of maps and diagrams demonstrating the area proposed to be re-zoned from ICO to DH-1. The ICO zone allows for Industrial, Cultural, and Open Space uses while the DH-1 zone (Downtown Halifax – 1) allows for Industrial, Cultural, Open Space, Residential, Commercial, Marine, and Transportation uses.

Mr. Sampson informed the Committee that the DH-1 zone is required because of a proposal for a new building to be connected to the Church that would include residential units as well as a new church hall. Staff believes the proposed LUB (Land Use Bylaw) changes to be appropriate, as they would add consistency to the existing DH-1 zone in the surrounding areas.

Mr. Sampson responded to questions and informed the Committee that drawings of the proposed building would be decided upon at future meeting and that the Church is in the midst of discussions with the Province about the issue of access.

MOVED by Ms. van der Leest, seconded by Mr. Benjamin LeBlanc that the Heritage Advisory Committee recommend that Halifax Regional Council:

1. **Give First Reading to the proposed amendments to the Downtown Halifax Land Use By-law to rezone the western portion of 1537 Brunswick Street and the northern portion of 5381 Spring Garden Road, Halifax from the ICO (Institutional, Cultural and Open Space) Zone to DH-1 (Downtown Halifax) Zone and amend the streetwall setback for 1537 Brunswick Street from 4 metres to between 0-1.5 metres, as contained in Attachment A of the staff report dated February 2, 2015, and schedule a public hearing; and**
2. **Approve the proposed amendments to the Downtown Halifax Land Use By-law, as contained in Attachment A of the staff report dated February 2, 2015.**

MOTION PUT AND PASSED.

7.1 Case 19725: Substantial Site Plan Approval, Mixed-use Development, 5161-5175 South Street, Halifax

The following was before the Committee:

- A staff recommendation report dated February 5, 2015

Mr. Richard Harvey, Major Projects Planner, provided the Committee with an overview of the staff report dated February 5, 2015. As he explained, the application is for a substantive site plan approval for a mixed use development at 5151-5175 South Street in Halifax and the Heritage Advisory Committee is being asked to provide advice to the Design Review Committee on whether the project is consistent with the Heritage Guidelines of the Design Manual of the Downtown Halifax Land Use By-law.

5161-5175 South Street is located at the corner of Hollis Street in the South End of Halifax and is comprised of a single building, with the remainder of the site being vacant. The vacant portions of the site were until recently, comprised of a row of Victorian brick townhomes with ground floor commercial uses. They were demolished following a fire.

Directly beside the vacant lot is The Honourable William Annand House, a two and a half story Heritage building in house form with a commercial addition upon its front. Mr. Harvey informed the Committee that W.M. Fares Group has proposed to develop a six-storey building with a penthouse upon the subject site. The proposed building is to have underground parking, ground level commercial uses, and upper storey residential dwelling units.

As Mr. Harvey explained, the application is considered a substantive site plan approval application. This is the system of development approvals that applies in the Downtown Halifax Plan Area and under this system, the Land Use By-law is divided into two main parts: The land use and built-form requirements; and, Design Guidelines. The land use and built-form requirements specify permitted land uses and building envelopes through maximum height requirements, setbacks, and other regulations and it is determined by HRM's Development Officer whether a building complies with these requirements. The design elements of a building, such its materials, fenestration patterns, and other similar matters, along with any requested variances to the built-form requirements are regulated under the Design Guidelines and approval is required by HRM's Design Review Committee. Mr. Harvey informed the Committee that where a proposal directly involves a heritage property or an abutting heritage property, the Design Review Committee is required to seek the input of the Heritage Advisory Committee on the heritage guidelines that are contained in the Design Manual.

The Development Officer has approved the land use and built-form elements of the project and The Design Review Committee is to consider the proposal's design elements along with three proposed variances, at its March 12, 2015 meeting.

Mr. Harvey informed the Committee that the Heritage Guidelines focuses on the relationship of the proposal with the adjoining heritage properties and it is the Committee's role to decide if it is not applicable, complies, or warrants discussion. From the review of the Heritage Guidelines, four areas have

been highlighted as warranting discussion: fit of the building with heritage context, cornice line, grade level height and articulation, and height transition. Staff finds that the proposal is reasonably consistent with the intent of the Heritage Guidelines as the vertical fenestration pattern of the proposed building and the presence of large ground floor windows will relate well to the commercial element of the Honourable William Annand House.

Mr. Harvey responded to questions from the Committee. The Committee members commented on the proposed cornice lines and noted that they exceeded the 45-degree angle outlined in the Heritage Design guidelines. Ms. van der Leest questioned how often this design suggestion is overlooked and Mr. Harvey replied that he is not aware on any situations where this has been the case.

Councillor Hendsbee questioned if the wiring for the building would be underground and commented that, if this is the case, it is important that there is adequate lighting of the sidewalk.

Ms. van der Leest noted that the redbrick of the proposed building provides consistency with the red brick of the Westin Hotel across the street.

Ms. Morris raised the issue of street setbacks and questioned the proposed setback for the side of the building on South Street. Mr. Harvey replied that it would be consistent with the required 4 meter setback on South Street but that it would be closer to the sidewalk on Hollis Street. Councillor Hendsbee suggested that the Hollis Street setback should be consistent with that of South Street as it would add consistency to the sidewalk around the corner lot.

Councillor Hendsbee also commented that he would like to see consistency with the 2 and a half storey height of the Heritage building, perhaps through a change in building materials.

MOVED by Councillor David Hendsbee, seconded by Mr. Brent Ronayne that the Heritage Advisory Committee advise the Design Review Committee that the design of the proposed mixed-use development at 5161-5175 South Street, Halifax, as shown on Attachment A of the staff report dated February 5, 2015, is consistent with the Heritage Design Guidelines of the Downtown Halifax Land Use By-law Design Manual. MOTION PUT AND PASSED.

8. ADDED ITEMS

8.1 Minor Edits to Background Study – Heritage Conservation District in Barrington South (Old South Suburb).

The following was before the Committee:

- A document entitled `Suggested Minor Changes to Background Study on Old South Suburb Heritage Conservation District

The Chair pointed out that when Mr. McGreal provided his presentation to the Committee`s February 25, 2015 meeting on the Background Study for the Heritage Conservation District in Barrington South (Old South Suburb) he indicated that it recently came to his attention that some minor edits were required to the Study. The Chair added that Mr. McGreal advised that the revisions should be made prior to the Background Study`s submission to Regional Council, and that he would submit the minor edits to the Committee for the Committee`s information.

The Chair advised that if there were no concerns, then a motion to approve the minor edits would be in order.

MOVED by Councillor Hendsbee, seconded by Ms. Janet Morris that the Heritage Advisory Committee approves the minor edits of the Background Study of Barrington South (Old South Suburb) as submitted to the March 4, 2015 meeting. MOTION PUT AND PAST.

9. DATE OF NEXT MEETING – March 25, 2015

10. ADJOURNMENT

The meeting adjourned at 3:55 p.m.

Cathy Collett
Legislative Support