



**HERITAGE ADVISORY COMMITTEE
MINUTES
April 1, 2015**

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

REGRETS: Mr. Chris Kingston

STAFF: Mr. Seamus McGreal, Heritage 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/hac/Agendas.php>

The meeting was called to order at 2:02 p.m. and adjourned at 3:18 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 2:02 p.m. in Halifax Hall, City Hall.

2. APPROVAL OF MINUTES – February 25, 2015 and March 4, 2015

Ms. Janet Morris identified a typographical error on page 4 of the March 4, 2015 minutes.

Ms. Morris requested that the Committee consider having the “for” and “against” votes identified in the minutes. Ms. Sheilagh Edmonds, Legislative Assistant, agreed to look into this further.

MOVED by Councillor Hendsbee, seconded by Ms. Morris that the minutes of February 25, 2015 and March 4, 2015 be accepted as corrected. MOTION PUT AND PASSED.

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

Councillor David Hendsbee requested that item 7.1 be moved to the end of agenda as items 7.2 and 7.3 would likely yield a less lengthy discussion.

MOVED by Councillor Hendsbee, seconded by Mr. Benjamin LeBlanc 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

7.2 Case 18270: Development Agreement – 5885 Spring Garden Road, Halifax

The following was before the Committee:

- A Staff report dated March 12, 2015

Ms. Jillian MacLellan, Planner, gave a presentation regarding the staff report dated March 12, 2015. She explained to the Committee that the WSP Group, on behalf of the property owner, Killam Properties, has applied for a development agreement to construct an eighteen-storey addition at the rear of the existing eleven-storey building. The proposed building would be a slender tower constructed of glass and metal building materials with a single storey podium. The subject property, located at the corner of Spring Garden Road and Carlton Street, allows for the development of an eleven storey residential building with office space on the ground floor, and is currently a parking lot. The area is under the Halifax Peninsula Land Use By-law (LUB) and there are a wide range of uses in this area including a variety of commercial uses and residential dwellings. While the height of the proposed building exceeds the requirements of the LUB for this area, the Halifax Municipal Planning Strategy (MPS) allows for variances from this through the process of a development agreement.

The development agreement (DA) has come before the Heritage Advisory Committee because the subject property abuts the Garden Crest apartment building, a municipally registered Heritage property located at 1544 Summer Street. The property is registered on the basis of a three-and-a-half storey residential building that was designed by Halifax architect George Henry Jost, constructed in 1898, and originally developed to provide housing for low income residents. The property was registered as a

municipal heritage property in 1986 as the building is representative of an Edwardian Resort style of architecture and is the only pre-WW1 building of its type between Spring Garden Road and Jubilee Road. Ms. MacLellan informed the Committee that, according to the Municipal Heritage Review, the eleven-storey building that stands directly behind the heritage property acts as a buffer and limits the effect that the proposed development would have on the heritage property.

As Ms. MacLellan described, the site is also in close proximity to public open spaces including Camp Hill Cemetery, Public Gardens and Victoria Park, and thus shadow studies were conducted to ascertain the effect of the building on these greenspaces. The shadow study determined that there would be minimal effect to the Public Gardens in the fall, spring, and summer and that the amount of shadow cast of the Camp Hill Cemetery would not affect the tree health or general use.

Ms. MacLellan answered questions from Committee members, assuring the Committee that an archeological study will also be conducted as required, and that the results of the shadow and wind studies would be posted on the website for the application. Ms. MacLellan agreed to pass along the web address to the Legislative Assistant following the meeting.

Mr. Scott Smith advised that he felt he did not have enough time to review the report and, therefore, would abstain from voting.

MOVED by Councillor Brad Johns, seconded by Mr. Nathaniel Smith that the Heritage Advisory Committee recommend that Halifax and West Community Council:

- 1. Give Notice of Motion to consider the development agreement, as contained in Attachment A of the staff report dated March 12, 2015, to allow for a multiple until residential building and office use at 5885 Spring Garden Road and schedule a public hearing;**
- 2. Approve the proposed development agreement contained in Attachment A of the staff report dated March 12, 2015.**
- 3. Require the development agreement be signed by the property owner within 120 days or any extension thereof granted by Council on request of the property owner, from the date of final approval of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods; otherwise this approval shall be void and any obligations arising hereunder shall be at an end;**
- 4. Approve, by resolution, the discharging agreement contained in Attachment B of the staff report dated March 12, 2015, to discharge two development agreements that apply to 5885 Spring Garden Road, Halifax, to take effect upon the registration of the new development agreement; and**
- 5. Require the discharge agreement be signed by the property owner not later than 120 days from the date the new development agreement has been approved by Council, or any extension thereof granted by the Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including any applicable appeal period for the new development agreement, whichever is late, otherwise this discharge agreement shall be void.**

MOTION PUT AND PASSED.

7.3 Case 19050: Development Agreement 5881 & 5883 Spring Garden Road, Halifax

The following was before the Committee:

- A Staff report dated March 4, 2015
- Schedule F, circulated at the beginning of the meeting

Mr. Miles Agar, Planner, gave a presentation on the staff report dated March 4, 2015. As Mr. Agar explained, an application has been submitted by Westwood Developments Limited to extend the ground floor commercial and second floor office portions of the existing twelve-storey commercial building at 5881 and 5883 Spring Garden Road. The proposal can be considered through a substantive amendment to the existing development agreement under the policies of the Halifax Municipal Planning Strategy (MPS) and the Regional Municipal Planning Strategy (RMPS). The proposed twenty foot bump out would contain a high level of detail in design and would be constructed using a substantial amount of glass as the building material.

The development agreement has come before the Heritage Advisory Committee because the proposed site abuts Garden Crest, a municipally registered heritage property. The Municipal Heritage Review has determined that there is no negative impact on the heritage property located on Summer Street.

MOVED by Councillor Johns, seconded by Mr. Benjamin LeBlanc that the Heritage Advisory Committee recommend that Halifax and West Community Council:

- 1. Give Notice of Motion to consider the development agreement, as contained in Attachment A of the staff report dated March 4, 2015, to allow for an addition to the ground floor commercial and second floor office portions of the existing 12 storey building at 5881 and 5883 Spring Garden Road, Halifax and schedule a public hearing;**
- 2. Approve the proposed development agreement contained in Attachment A of the staff report dated March 4, 2015; and**
- 3. Require the development agreement be signed by the property owner within 120 days or any extension thereof granted by Council on request of the property owner, from the date of final approval of said agreement by Council and any other bodies as necessary, whichever is later, including applicable appeal periods; otherwise this approval shall be void and any obligations arising hereunder shall be at an end.**

Ms. van der Leest commented that it is important that the development does not impede the sidewalk because of proximity to the Public Gardens.

Councillor Hendsbee commented that the proposed development is a creative use of space.

MOTION PUT AND PASSED.

7.1 Case H00411: Background Study toward the Establishment of a Heritage Conservation District in Schmidville

The following was before the Committee:

- A Staff report dated February 6, 2015

Mr. Seamus McGreal, Heritage Planner, gave a presentation explaining the details and implications of the staff recommendation that Schmidville be established as a Heritage Conservation District.

In his presentation Mr. McGreal explained that the establishment of a Heritage Conservation District serves to protect a defined area of historic or architectural value through a number of methods:

- A process to control demolition and exterior alternation
- Guidelines for new development
- Financial incentives for improvements to established structures
- Public amenities
- MPS/LUB amendments

The Halifax Regional Municipality has already established the Barrington Street Heritage Conservation District and has recently initiated the process of establishing Barrington Street South as a Heritage District. The process for establishing a Heritage Conservation District includes three distinct three phases:

1. Definition and Initiation; this includes a background study, the Heritage Advisory Committee's Recommendation to Regional Council, Regional Council's Discussion of the Background Study, and Ministerial Discretion on the Background Study
2. Community Engagement; this includes the Heritage Advisory Committee's appointment of members to a Stakeholder Steering Committee, several meetings of the Stakeholder Steering Committee, a Public Meeting, Additional Community Engagement, a Draft of the Heritage Conservation District Plan and By Law, a second Public Meeting, and a second Draft of the Heritage Conservation District Plan & By-Law
3. Adoption and Implementation; this includes Council's Notice of Intention to adopt the Heritage Conservation District Plan and By Law, a Public Hearing, Council's adoption of the Heritage Conservation District Plan and By Law, the submission of the Heritage Conservation District Plan and By Law to the Minister, the approval of the Heritage Conservation District Plan and By Law by the Minister, and the development of programs to support the plan.

After explaining the process and implications of establishing a Heritage Conservation District, Mr. McGreal outlined the significance of the proposed area of Schmidville by providing an overview of the historical background of the area as one of Nova Scotia's earliest settlements and one of Halifax's first suburbs outside the fortified fences. He informed the Committee that half of the houses in the area were demolished during the "urban renewal" of the 1960's, but that a government-funded Neighbourhood Improvement Scheme rescued the remaining area.

As Mr. McGreal described, the heritage value of the buildings is characterized by distinctly Georgian style containing wood construction, one-and-a-half storey urban cottages and two-and-a-half storey mirror image cottages. Between the Georgian buildings are Victorian infill buildings that are more ornate in their construction and feature Mansard roofs, decorated bracketed cornices and window details. There are two street sections south of Morris Street that are outside of the planned development of Schmidville in 1831, but that evolved to become a significant part of the neighbourhood and are lined with Late Victorian and Edwardian architecture-style houses that are cohesive with the rest of the proposed Heritage Conservation District, and thus are included in the plan.

Mr. McGreal explained that the rationale for heritage conservation measures and for establishing district boundaries are:

- Heritage value and character
- Area larger than one block
- High concentration of heritage buildings
- Cohesive atmosphere of a past era
- Continued development pressure
- Existing policy and regulations are insufficient

Mr. Nathaniel Smith left the meeting at 2:47 p.m.

Mr. McGreal concluded his presentation by explaining that the main objective of establishing a Heritage Conservation District is to protect and conserve historic properties through the governance of demolition, exterior alternation, and financial incentives. The heritage conservation plan will support other civic priorities including the protection and rehabilitation of affordable housing near the downtown. The Land Use By Law amendments and design guidelines will support a setting that inspires an understanding of cultural heritage. The plan will employ public amenities to highlight the social, educational, and cultural values inherent in Schmidville that will ultimately serve to protect and conserve the traditional character of the district.

Mr. McGreal responded to questions from the Committee members.

Mr. Scott Smith questioned what the rationale behind extending Schmidville? Mr. McGreal responded that because of its location in the Peninsula Planning Strategy, one of the evaluating criteria that should be used is cohesiveness in scale, and the buildings in the proposed extension are considered both cohesive and contiguous to the ones in Schmidville.

Ms. Nourpanah questioned if there will there be an initiative to promote Schmidville? Mr. McGreal informed the Committee that staff is currently working with the Friends of Schmidville and Councillor Mason to put up signage such as interpretative panels. There will also be street-way signage.

At this point, with the agreement of the Chair a member of the Friends of Schmidville distributed a pamphlet regarding a seven-minute film about Schmidville.

Councillor Hendsbee questioned what impact the plan will have for the Liquor Commission property that is within the area? Mr. McGreal replied that he is not sure if it will affect provincially owned property and that the Minister will have to work with the municipality to figure this out.

Councillor Hendsbee questioned why was the cemetery not included? Mr. McGreal answered that the cemetery is associated with historic Irishtown, which is from a different cultural tradition. Staff determined that the cohesiveness of the district did not extend here.

MOVED by Mr. Jason Cooke, seconded by Councillor Brad Johns that the Heritage Advisory Committee recommend that Regional Council:

- 1. Accept the background studies contained in Attachments A and B to initiate the process to establish a Heritage Conservation District in Schmidville;**
- 2. Assign the Design Review Committee to review the final Heritage Conservation District plan and bylaw, as it relates to potential amendments to the Downtown Halifax Secondary Municipal Planning Strategy and Land Use By Law, and submit its recommendation to Regional Council in addition to the recommendation of the Heritage Advisory Committee.**

The Chair suggested that the Committee add a third recommendation to the motion that would seek protection for the identified area during the process of establishing it as a Heritage Conservation District, in the same manner that the Committee had done when it considered the Barrington South Old South Suburb recommendation. The Committee provided consensus to add a third recommendation as follows:

- 3. That the Heritage Advisory Committee request Regional Council consider asking the appropriate Minister for the legislative authority to suspend any potential development in the Schmidville district while undergoing the process of establishing Schmidville as a Heritage Conservation District.**

MOTION PUT AND PASSED.

- 8. ADDED ITEMS - None**
- 9. DATE OF NEXT MEETING – April 22, 2015**
- 10. ADJOURNMENT**

The meeting adjourned at 3:18 p.m.

Cathy Collett
Legislative Support