

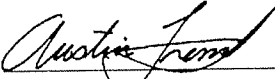


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**Heritage Advisory Committee
August 31, 2011**

TO: Chair and Members of the Heritage Advisory Committee

SUBMITTED BY: 
Austin French, Manager of Planning Services

DATE: August 16, 2011

SUBJECT: **Case H00356: Substantial Alteration of the Macara-Barnstead Building Located at 1798-1800 Granville Street, Halifax, a Registered Municipal Heritage Property**

ORIGIN

Application by Lydon Lynch Architects on behalf of TDB Halifax Holdings Ltd.

RECOMMENDATION

It is recommended that the Heritage Advisory Committee recommend that Regional Council approve the substantial alteration of the Macara-Barnstead Building, a registered heritage property, located at 1798-1800 Granville Street, as outlined in this report.

EXECUTIVE SUMMARY

The Macara-Barnstead building - a stone and timber-framed structure dating from the 1820s - is a registered heritage property. The entire structure has heritage value but its principal character-defining feature is its front façade which embodies alterations carried out in the 1860s, 1906, and 1922 and which, as such, expresses the way the building has evolved over its 190 year history.

The property is situated directly behind the existing TD bank tower on Barrington Street and beside the vacant lot on Granville Street where the Kelly Luggage building stood until it was demolished in 2006, (see Map 1). All three properties are owned by TDB Halifax Holdings Ltd., which has made application to enlarge the TD Centre to occupy the entire site. The expansion of the tower will require the removal of the bulk of the Macara-Barnstead building but its façade will be retained, restored, and incorporated into a new, revitalized streetwall along Granville Street, which will infill the vacant Kelly site and form a base for the tower extension. The new streetwall will be designed to complement and reinforce the character-defining features of the Macara-Barnstead façade, with similar cornice and roof lines, storefront configurations, and cladding materials. The tower addition would be stepped back 3 metres from the streetwall and the restored historic façade would remain visually prominent in the overall composition.

The proposed alteration of the registered heritage building meets HRM's Heritage Building Conservation Standards, conforms with the Downtown Plan's vision for this particular part of the Downtown, and conforms with the Land Use Bylaw Design Manual Heritage Design Guidelines for integration of heritage resources with new development. Staff therefore recommended that the substantial alterations be approved.

BACKGROUND

Proposed Development & Substantial Alteration (see Map 1 and Attachments A & B)

Existing Site: The existing TD Centre occupies the southern end of the block bounded by Barrington, George, and Granville Streets. It has an 'L' shaped footprint and consists of an 18-storey tower fronting on Barrington Street and a 5-storey 'podium' along the George Street frontage. The existing tower extends back 60ft. from Barrington to the mid-block property line abutting the Macara-Barnstead building and the vacant, 'L' shaped lot formerly occupied by the Kelly Luggage building, both of which front on Granville Street (see Map 1 and Attachment A).

Substantial Alteration to Heritage Building: The development would extend the existing tower towards Granville Street, building on the Macara-Barnstead and former Kelly sites. The bulk of the Macara-Barnstead building would be demolished to make way for the tower addition but its front façade and the front portions of its structural masonry walls would be retained, restored, and incorporated into the new structure. The original sandstone cladding on the façade would be restored in situ, while the wooden storefronts, windows, and copper clad roof structure would be replaced and reconstructed with new material in kind, matching the original design. The tower would be stepped back 3 metres behind the reconstructed/restored facade.

Infill Structure abutting Restored Facade: The infill structure on the former Kelly site would have a facade designed as a modern interpretation of the Macara-Barnstead façade, with similar cornice lines, storefronts, upper floor windows, Mansard-style roof, and materials (copper roof and sandstone cladding) but with simplified detailing. These elements would be extended around the George Street corner of the existing TD podium to create a cohesive streetwall along Granville Street. The new work would be separated from the historic façade by a recessed niche.

Tower Addition: Above the Granville streetwall and the retained Macara-Barnstead facade, the tower addition would be stepped back 3 metres and would rise to 22 storeys (just below the maximum permissible post-bonus height). There would be an additional step-back of 1.5 metres at the top of the 11th storey.

These elements are illustrated in detail in Attachments B (Renderings, Floor Plans & Elevations) and Attachment G (the full Site Plan Application document).

Regulatory Context and Approval Process

Under the Heritage Property Act, any substantial alteration to the exterior appearance of a municipal heritage property requires a recommendation from the Heritage Advisory Committee (HAC) and approval by Regional Council. The HAC recommendation and Council decision must be considered within the context of HRM's *Heritage Building Conservation Standards (Schedule B of the Heritage Property Bylaw)* (Attachment E), the *Heritage Design Guidelines of the Downtown Halifax Land Use Bylaw Design Manual* (Attachment F) and the required *Heritage Impact Statement* submitted by the applicant (which is included in Attachment G). These criteria replace the heritage-related development agreement policy criteria that were formerly in place under the Halifax Municipal Planning Strategy and Regional Plan prior to adoption of the Downtown Halifax Secondary Planning Strategy and Land Use Bylaw (SMPS & LUB) in October 2009.

The development is also subject to the *Site Plan Approval* process adopted under the Downtown Halifax SMPS & LUB, which requires approval by the Development Officer and Design Review Committee (DRC). The Development Officer determines whether the development meets the quantitative and prescriptive requirements of the LUB with respect to built form (height, streetwalls, setbacks and stepbacks). The DRC determines whether it meets the qualitative requirements of the Design Manual with respect to architectural and site design, heritage compatibility, and sustainable design. With regard to heritage compatibility, section 4(13)(b) of the LUB requires the DRC to consider the HAC's advice.

Decisions of the DRC are appealable to Regional Council. Therefore, staff advise that Council should defer its consideration of the HAC recommendation and its decision regarding the substantial alteration of the heritage property until after the expiration of the Site Plan approval appeal period. Should an appeal occur, Council will then be able to consider that appeal and the substantial alteration at the same time. This process is illustrated in chart form in Attachment C.

It should be noted that, under amendments to the *Heritage Property Act*, enacted December 10, 2010, should Council deny the substantial alteration, the statutory waiting period before the applicant has the right to proceed with the development is now three years.

History, Heritage Value & Character-Defining Elements of the Macara-Barnstead Building

Building History: The Macara-Barnstead building is a stone and timber-framed structure built in 1825 for William Macara, an early Halifax druggist. It was originally a 3-storey structure, 40 ft. wide by 35 ft. deep, heated by fireplaces, and built in simple Georgian style with a truncated gable roof and a front facade finished with dressed sandstone. One side housed Macara's apothecary shop and the other a doctor's office and residence. The original roof line can be seen in the stonework on the south side wall which has been exposed since 2006 when the adjacent Kelly building was demolished. The one remaining chimney stack can be seen above the north side wall. The building has undergone numerous alterations over its lifetime, which are described and illustrated in Attachment D.

Heritage Registration: The Macara-Barnstead building was registered as a heritage property in March, 1982. The adjacent Kelly building was registered at the same time, although it has since been de-registered.

Heritage Value: The registration file indicates that HAC acknowledged that the facade had been significantly altered over time, but still had heritage value as an expression of the way the building had evolved through changes in tenancy and use. The file also indicates that the building as a whole was valued as "*one of the few remaining stone commercial buildings remaining in the central business district dating from the 1820s*". A more recent statement of heritage value, included in a 'Statement of Significance' prepared in 2005 under the Canadian Historic Places Initiative, describes it as "*a four-storey Georgian building ... valued for its historical associations and architectural style ... and as a rare example of an adjoined Georgian shop and residential structure*".

Character Defining Elements: The 1977 *Evaluation and Protection System for Heritage Resources in Halifax*, on which the original heritage registration was based, described the Macara-Barnstead building as "*a wood and freestone structure with an unusual mansard front with two dormers ... six-over-six windows ... a string course between the second and third storeys ... [and a two-storey storefront which] ... although it has greatly altered the facade ... [has left the building] ... still attractive.*" The more recent 2005 HPI Statement of Significance, in its more specific list of character-defining elements, also made reference to the building's "*Georgian features, stone facade, stone string course, plain stone window sills, plain eave detail, two-storey storefront window, recessed storefront entrances, wood-trimmed storefront cornices and sign bands, six-over-six upper storey windows, dormers, and bell-cast mansard roof*".

These character descriptions focussed on the architectural features of the facade alone, perhaps because they were written at a time when the Kelly building stood next door and the bulk of the building behind the facade was hidden from view. But, with the Kelly building no longer standing, the Macara-Barnstead's Georgian-era, ironstone side wall is now revealed as a heritage attribute. At the same time, it is recognized that the sidewall is a party wall that was never intended to be exposed. The exterior character of the building has for most of its life been expressed only through its front facade, and this condition will return once a new building is constructed on the vacant Kelly site. Thus, it is the architectural features of the front facade that comprise the building's most important exterior character-defining elements.

DISCUSSION

Discussion is limited to Impact of Development on Façade Only

In reviewing this application it must first be noted that, under the *Heritage Property Act*, HRM only has authority to regulate alterations to the exterior appearance of registered heritage buildings. Internal elements, including structural walls between abutting row buildings (like the Macara-Barnstead building) and roof elements that are not part of the building's visible, exterior character-defining elements are not protected by the Act. This interpretation of the Act was recently upheld by the Nova Scotia Utility & Review Board¹ relative to the Armour Group Ltd.'s Waterside project on Hollis, Upper Water and Duke Streets. Council cannot prevent the replacement of the old historic structure behind the façade with a new structure; it can only regulate the conservation of the remaining facade in accordance with the applicable Conservation Standards and the design of the new structure relative to the remaining facade in accordance with applicable Heritage Design Guidelines.

Heritage Impact Statement

The required Heritage Impact Statement submitted by the applicant is contained in the Site Plan Approval application document (see Attachment G). The impact statement (see pages 3-8 in Attachment G) indicates the following:

- The Macara-Barnstead façade has heritage value and is worthy of being retained and incorporated into the new development; however, the removal of the remainder of the building is necessary to enable the new development to proceed.
- The front portions of the building's masonry bearing walls must also be retained as they are critical to the support of the façade. These will be retained to a 3 metre depth to coincide with the stepback of the proposed new office tower above.
- The remainder of the building behind the façade has never been visible from the street and only recently has been partially exposed due to the demolition of the Kelly Building. Therefore, its removal will not diminish the historic presence along Granville Street.
- The front portion of the mansard roof above the façade is badly deteriorated and will need to be replaced. The replacement roof will match the existing exterior appearance with new copper diamond-shaped shingles, new cornice and dormers, and new copper gutters and downspouts. The existing storefront windows and surrounding wood panelling also require replacement in order to meet current building standards. These will be replaced with new double glazed windows with wooden frames and wooden panelling, trims, and fascias with profiles that match the existing.
- The removal of the bulk of the building behind the façade is necessary due to the difficulty of aligning floor levels in the old and new construction and the need to achieve

¹ In NSUARB-PL-08-25 2009 NSUARB 35.

usable interior spaces with contiguous rentable floors, barrier free access, and workable mechanical, electrical, and heating systems. However, the façade can be retained and, by removing the existing floors, a 3 metre-wide, double-height space behind the façade can be created. This will provide an atrium-style entry into the commercial spaces on the ground floor while enabling the floor plates of the existing tower to be extended towards Granville Street, thus achieving the desired goal of heritage preservation (of the façade) and new development (the enlarged office tower above the façade).

Conservation of Façade relative to HRM Heritage Building Conservation Standards

HRM's Heritage Building Conservation Standards (see Attachment E) address two broad areas of concern. Standards 1-8 are concerned principally with protection of the material fabric and historic integrity of heritage buildings, whereas Standards 9 & 10 are concerned with the compatibility of additions or related new construction in terms of massing, size, scale, and architectural features. A note appended to the standards directs that "within the Downtown Halifax Secondary Planning Area ..., section 4 of the Design Manual of the Downtown Halifax Land Use Bylaw shall be considered in evaluating matters relating to compatibility of massing, size, scale and architectural features."

A staff review of the proposed development against the Standards (see Attachment E) indicates that, Standards 1-8 will be substantially met with respect to conservation of the material fabric of the façade, which as noted above, is the principal exterior character defining element of the building. Although the historic structure behind the facade will be demolished, the façade is proposed to be retained and restored through a combination of repair and selective replacement, which complies with Standards 1-8.

Design of New Structure relative to Historic Façade, under s.4 Heritage Design Guidelines

The applicable sections of the Heritage Design Guidelines are sections 4.1 and 4.4. Staff have evaluated the proposal against these Guidelines (see Attachment F) and advise that the proposal is reasonably consistent with them. Some of the guidelines are prescriptive. Others call for the exercise of discretion. These are discussed below.

Type of Development: The preamble to section 4.1 indicates that there are three conditions under which new development can be introduced into heritage contexts, namely 'infill', 'abutting', and 'integrated & additions'. At present the Macara-Barnstead, former Kelly, and TD Bank sites are on three separate lots. It is understood that the lots will be consolidated to facilitate the development. Once they are consolidated, the Macara Barnstead building will be on the same site as the new development and the development will be classed as 'Integrated and Additions' for which specific guidance is set forth in Section 4.4.

Vision and Built Form Requirements: The preamble to section 4.1 states that "*the design of buildings according to the heritage guidelines needs to be balanced with good urban design principles and the vision for the downtown*" (as articulated in the Downtown Halifax SMPS). The vision for this area - which is part of Precinct 4: Lower Downtown (SMPS s.2.3.4) - foresees a future of new mid and high-rise office towers, hotels, and residential complexes. The LUB, section 8 (Built Form Requirements) sets the height and massing for new buildings on this block

as follows: maximum pre-bonus height - 49 metres; minimum stepback above the streetwall - 3 metres; and maximum post-bonus height - Rampart Maximum. The proposed development clearly conforms with these basic prescriptive requirements.

Compatibility in Height and Massing: The preamble to 4.1 also states:

“As a principle of both heritage compatibility and sustainability, new additions, exterior alterations, or new construction should not destroy historic materials, features, or spatial relationships that characterize a property. The new work should be differentiated from the old and should be compatible with the historic materials, features, size, scale, height, proportion and massing to protect the integrity of the property and its environment.”

This principle is framed in similar language to Heritage Building Conservation Standard # 9 but covers a broader range of criteria. New work is encouraged to be compatible with the heritage building not only in terms of “*massing, size, scale and architectural features*” (as in Conservation Standard 9) but also in terms of “*materials, height and proportion*”.

In the proposed development, it is clear that the 22-storey tower addition will be differentiated from the Macara-Barnstead facade by virtue of being comprised of visually lighter materials (aluminum and glass curtain wall) and being stepped back 3 metres from the streetwall; but opinions may differ about whether it will be compatible with the size, scale, height, proportion, and massing of the remaining facade, given that it will be about six times higher than the historic facade. However, staff suggest that the great difference in height will be mitigated by several factors:

- As noted above and in the design rationale (see page 10, Attachment G), the historic façade will be integrated into a new, redeveloped streetwall along Granville Street that will extend the horizontal lines and character-defining features of the facade across the entire property frontage through to George Street, thus creating an emphatic, visually solid base for the tower. This will help to integrate the restored façade with the tower rather than making it appear to be visually consumed, dominated, or overpowered by it.
- The visual bulk and massing of the tower addition will be divided into several parts by a vertically proportioned ‘window box’ at the George Street corner and by differences in glazing pattern and glazing colour at the intermediate stepback at the 11th floor. These variations in massing will also soften the height difference and reduce any incompatibilities of size, scale, and proportion that might otherwise be present if the tower were designed as one mass.

Summary of Compliance with Applicable Standards and Guidelines

The proposed development conforms within the Downtown Plan’s vision for this particular area (new mid and hi-rise office towers, etc.) and conforms to the Downtown Land Use Bylaw’s minimum built form requirements for streetwall height and upper level stepbacks. It meets the HRM Heritage Building Conservation Standards with respect to the material fabric and historic integrity of the façade, and it conforms with the LUB Design Guidelines for New Development in Heritage Contexts. As such, staff recommend approval of the development.

Future De-registration of Rear Portion of Macara-Barnstead Site

At present, the Macara-Barnstead registered heritage property (1798-1800 Granville Street) is a separate property from the TD Centre site and the former Kelly site. However, in order for the proposed development to proceed and be constructed, and for a construction permit to be issued, it will be necessary for these three lots to be consolidated.

The established practice in HRM where a registered heritage property is consolidated with an adjacent non-registered property is for the heritage registration to 'expand' to include the non-registered lot. If this were to happen in the situation under discussion, the entire consolidated TD Centre property would become a registered heritage property. This would not be appropriate, as the only heritage attribute on the property would be the Macara-Barnstead façade and the 3 metre-deep sections of original masonry walls. Everything else on the consolidated property would be modern.

For this reason, and if Council and the DRC approve the proposed development, staff recommend that when the applicant consolidates the three lots to enable issuance of the necessary construction permit, Council commence the process for de-registration of everything but the Macara-Barnstead facade and the 3 metre-deep area behind the façade. This will make the heritage registration correspond with the remaining heritage resource on the property. This process will require a separate staff report to define the exact area to be de-registered, recommendation from the HAC, and the holding of a Public Hearing in accordance with section 16 of the *Heritage Property Act*.

Conclusion

Staff advise that the proposed development meets the applicable Heritage Conservation Standards and Design Guidelines, and recommend that Council approve the proposed substantial alteration to the Macara-Barnstead Building.

BUDGET IMPLICATIONS

The HRM costs associated with processing this application can be accommodated within the approved operating budget for C310.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing at a Public Information meeting conducted by the applicant, the placement of information kiosks at HRM

Customer Service Centres, and dissemination of information through the applicant's website, as required under the Downtown Halifax Site Plan Approval process.

ALTERNATIVES

1. The Heritage Advisory Committee may recommend that Council approve the proposed development. This is the recommended course of action.
2. The Heritage Advisory Committee may recommend that Council approve the proposed development with modifications and, in doing so, should provide reasons based on applicable conservation standards and guidelines.
3. The Heritage Advisory Committee may recommend that Council refuse the proposed development and, in doing so, should provide reasons based on conflict with applicable conservation standards and guidelines.

ATTACHMENTS

Map 1	Location Map
Attachment A	Photos of Existing Site and Buildings
Attachment B	Propose Development: Renderings, Floor Plans & Elevations
Attachment C	Site Plan Approval Process Chart.
Attachment D	Macara Barnstead Building: Origins, Alterations, and Present Condition
Attachment E	HRM Heritage Building Conservation Standards and Compliance Chart
Attachment F	Downtown Halifax LUB Design Manual: Heritage Design Guidelines Compliance Chart
Attachment G	Heritage Impact Statement and Site Plan Approval Application Document

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

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

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