



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

10.3.1

Halifax Regional Council
September 6, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Stephane Paus
for Tom Creighton, Chair
Heritage Advisory Committee

DATE: August 29, 2005

SUBJECT: Case H00171 - Review of Proposed Alterations to 1496 Hollis Street, (a
municipal heritage property), Halifax, NS

ORIGIN

Heritage Advisory Committee Meeting of August 24, 2005.

RECOMMENDATION

The Heritage Advisory Committee recommends that Regional Council:

1. Set the date of October 11, 2005 for a Heritage Hearing to consider the **de-registration** of a portion of land known as 1496 Hollis Street.
2. Approve the subdivision and de-registration of a portion of the lands known as 1496 Hollis Street, Halifax as shown on Map 1 of the August 10, 2005 staff report.

BACKGROUND

See staff report to Heritage Advisory Committee dated August 10, 2005.

BUDGET IMPLICATIONS

See Heritage Advisory Committee Staff Report dated August 10, 2005.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

ALTERNATIVES

1. Regional Council could approve portions of the proposal.
2. Regional Council could approve the proposal with conditions.
3. Regional Council could refuse the proposal.

These alternatives are not recommended for the reasons outlined in the August 10, 2005 Staff Report.

ATTACHMENTS

1. Heritage Advisory Committee Staff Report dated August 24, 2005.
2. Minute Extract Heritage Advisory Committee Meeting August 24, 2005.

<p>Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.</p> <p>Report Prepared by: Stephanie Parsons, Legislative Assistant, 490-6519.</p>



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Heritage Advisory Committee
August 24, 2005

TO: Heritage Advisory Committee

SUBMITTED BY: Sharon Bond for
Paul Dunphy, Director of Planning & Development Services

DATE: August 10, 2005

SUBJECT: **Heritage Case H00171 - Review of proposed alterations to 1496 Hollis Street,
(a municipal heritage property), Halifax, NS.**

ORIGIN

An application by William Campbell, representing the owners Salters Gate Development Limited, requesting consideration to subdivide and de-register a portion of the lands known as 1496 Hollis Street, Halifax.

RECOMMENDATION

It is recommended the Heritage Advisory Committee recommend to Regional Council that:

- (a) a public hearing be set to provide consideration for the de-registration of a portion of land known as 1496 Hollis Street; and**
- (b) that Regional Council approve the subdivision and de-registration of a portion of the lands known as 1496 Hollis Street, Halifax, as shown on Map 1.**

BACKGROUND

On August 2, 2005 Mr. Campbell made a subdivision application to have a portion of lands associated with Brewery Market subdivided and de-registered (Attachment A).

Lot A currently has an approved development agreement (signed June 14, 2005) for the creation of a mixed use building which will include commercial space and hotel use. The subdivision request arose after it was determined that the proposed building for Lot A-1 would have a minimal encroachment over Lot A-2. Therefore, a 83 sq foot area of land is requested to be subdivided from Lot A-2, and consolidated with Lot A-1 allowing the new building to remain entirely on its own lot. Additionally, the de-registration of Parcel A has been requested.

Under the Heritage Property Program, all applications for subdivision of land and/or deregistration must follow a Level 3 Design Review Process. This process requires the Heritage Advisory Committee (HAC) to review the application and make a recommendation to Regional Council. To provide a basis for the review, a staff report is developed that evaluates the proposal and provides a recommendation to the HAC.

As per Section 16(2) of the Nova Scotia Heritage Property Act, before Council can consider the de-registration request from the property owner, a public hearing shall be held not less than thirty (30) days after notice of the hearing is served on the registered owner of the municipal heritage property and published in a newspaper circulating in the area.

1496 Hollis Street, Halifax

Keith's Hall (1475-1489 Hollis Street)

Constructed in 1863, Keith's Hall was built in the Italianate style of architecture as the primary residence for the Honourable Alexander Keith (1795-1823). Alexander Keith was a local brewer, but was also known for being the Grand Master of the Masonic Fraternity for a decade, President of the Legislative Council, one time director of the Bank of Nova Scotia, and twice elected Mayor of the City of Halifax.

Keith's Hall was designed by Scottish-born architect William Hay, and was the model of an Italian Renaissance palazzo. The smooth, honey-coloured Wallace sandstone was decorated with expertly sculpted window surrounds, a pillared portico supporting a richly ornamented, and an urn-topped balustrade formed the grande entrance. The palatial theme was continued inside the building with marble fireplaces, intricate cornices and moulded doorways.

Keith's Brewery (1496 Lower Water Street)

This Georgian warehouse was erected by Alexander Keith between 1830 and 1840, with the original pitch altered in 1871 to raise the original three storey building to a full 4 storeys. While the exterior remains little changed, the interior has been thoroughly renovated.

Their granite sills and quoins make a dramatic, rhythmic contrast with the dark grey, coursed ironstone of the Lower Water Street facade. The ironstone was brought by ship from the old King's Quarries near Purcell's Cove, two miles away on the eastern shore of the North West Arm. Ironstone was a common building material throughout the nineteenth century for warehouses, walls, and the outer defences of the city such as the Citadel. This complex of buildings has been registered since January 17, 1985.

DISCUSSION

This application involves two aspects for consideration by Regional Council; the subdivision of a registered property, and the deregistration of a portion of a registered property. As defined in the Municipality's By-Law Number H-200, the Heritage Advisory Committee shall advise Council on the substantial alterations and deregistration of heritage properties.

Subdivision

Under HRM's Heritage Property Program, the subdivision of a registered heritage property is considered a substantial alteration. As such, proposals for substantial alteration should not negatively affect the significant features of a heritage property. As shown on the plan of subdivision (Attachments B&C), Parcel A is a triangular shaped piece of land measuring 83 square feet which is proposed to be subdivided and consolidated with Lot A-1. Lot A-1 is currently being re-developed through a development agreement, and the subdivision and consolidation will enable the new building to reside entirely on its own parcel of land. Staff do not believe the subdivision and consolidation of Parcel A will negatively affect the historic character of the Brewery Market.

Deregistration

Policy Analysis: Section 16, Heritage Property Act - Deregistration of Municipal Heritage Property

- 16 (1) On the application of an owner of a municipal heritage property or on its own motion, the council may deregister a municipal heritage property where:
- (a) the property has been destroyed or damaged by any cause; or
 - (b) the continued registration of the property appears to the council to be inappropriate, after holding a public hearing to consider the proposed de-registration.

The developer's intention is to consolidate Parcel A with Lot A-1, and have Parcel A de-registered. Parcel A does not contain any significant historic features and if removed from the historic Brewery Market lands (Lot A-2) will not negatively affect the Brewery Market. Should the proposed subdivision be approved, the continued registration of this portion of the property does not serve any historic means.

Summary

Given the proposal will maintain the majority of the registered lands which contain the Brewery Market, consideration of the subdivision and de-registration seems reasonable, and therefore staff recommend approval of the request.

BUDGET IMPLICATIONS

There are no budget implications for this application.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

ALTERNATIVES

Staff recommend the Heritage Advisory Committee provide a positive recommendation to Regional Council for the subdivision and de-registration of a portion of 1496 Hollis Street as outlined in this report. However, the Heritage Advisory Committee could approve portions of the proposal, or give a positive recommendation with conditions. These alternatives are not recommended for the reason outlined in this report.

ATTACHMENTS

Map 1: Location Map - 1496 Hollis Street, Halifax

Attachment A: Letter from developer dated June 10, 2005

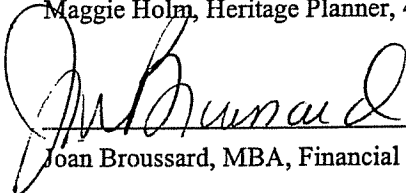
Attachment B: Plan of Survey for Lot A-1A and Lot A-2B

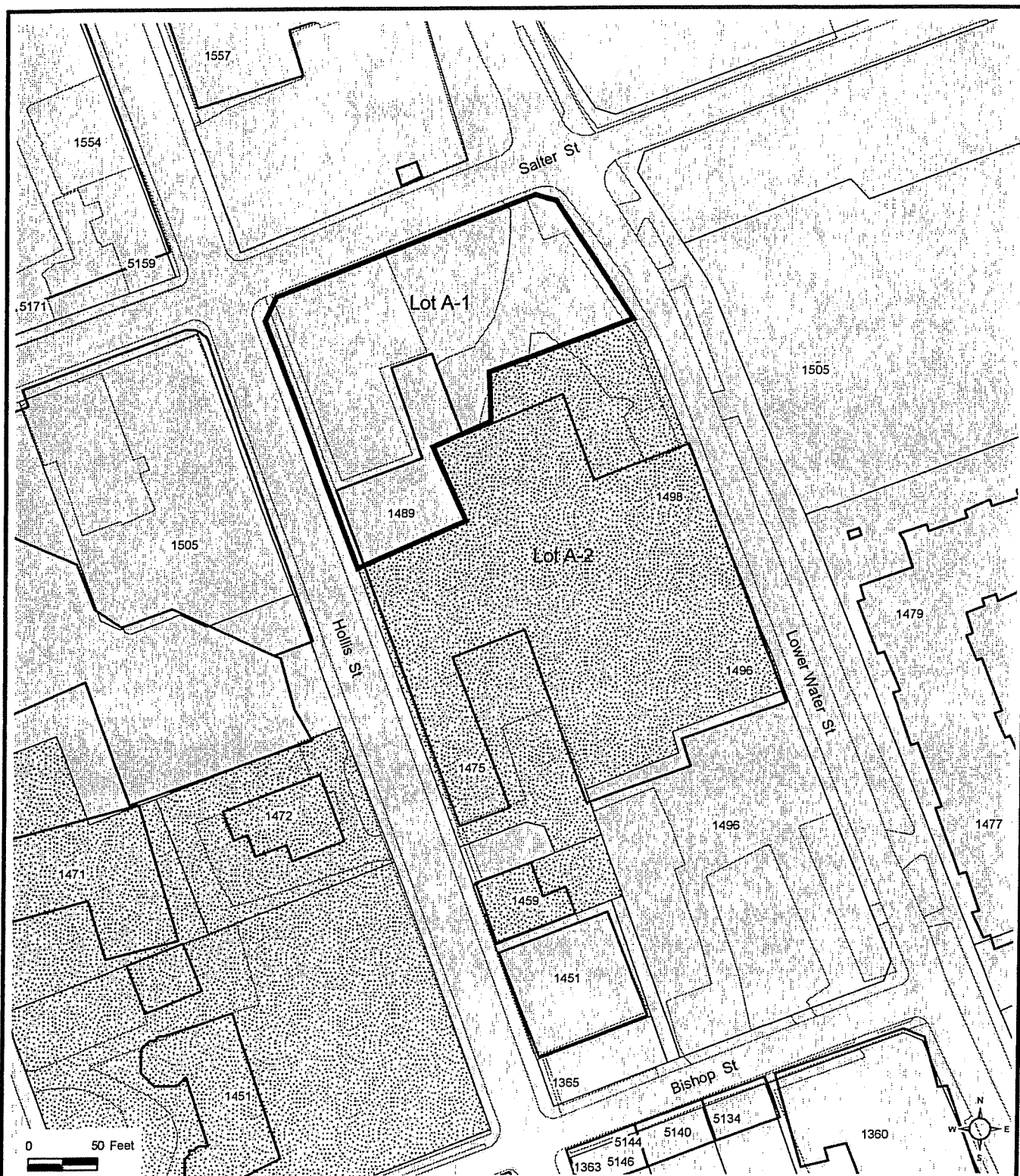
Attachment C: Enlarged portion of Plan of Survey, showing Parcel A

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.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: Maggie Holm, Heritage Planner, 490-4419

Financial Review:


Joan Broussard, MBA, Financial Consultant, 490-6267



Map 1 - Location Map

**1489 Hollis Street
Halifax**



Subject site of application for alterations



Municipally registered heritage property

HALIFAX
REGIONAL MUNICIPALITY
PLANNING AND
DEVELOPMENT SERVICES

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

Halkirk Properties Limited

1498 Lower Water Street
Halifax, Nova Scotia
B3J 1R9

June 10, 2005

Halifax Regional Municipality
West End Mall
Halifax Nova Scotia

Attention: Paul Sampson-Planner

RE: Halkirk Properties Limited/Salters Gate Developments Limited

Dear Mr. Sampson,

I wish to advise and confirm that Halkirk Properties Limited has been made aware of a potential encroachment by Salters Gate Developments Limited resulting from the proposed construction of the new hotel on its property on Salter Street. This small encroachment in the courtyard between the two properties as noted on the plans has been review by the principals of Hakirk Properties Limited.

Halkirk Properties Limited has been requested by Salters Gate Developments Limited to convey to it sufficient lands to accommodate the potential encroachment.

Halkirk Properties Limited is prepared to convey to Salters Gate Developments Limited after approval of the subdivision by Halifax Regional Municipality sufficient lands in the courtyard to accommodate what would otherwise be an encroachment on our property.

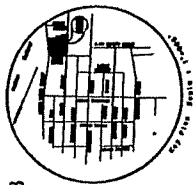
Trusting this letter confirms our company's position.

Yours truly,

HALKIRK PROPERTIES LIMITED


Stephen Lockyer
Secretary

ATTACHMENT B



PARCEL A

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL CORNERS ARE TO BE SET BY THE SURVEYOR.
3. ALL EASEMENTS ARE TO BE SHOWN BY DASHED LINES.
4. ALL UTILITIES ARE TO BE SHOWN BY DOTTED LINES.
5. ALL EXISTING STRUCTURES ARE TO BE SHOWN BY SOLID LINES.
6. ALL PROPOSED STRUCTURES ARE TO BE SHOWN BY THICK SOLID LINES.
7. ALL PROPOSED ROADS ARE TO BE SHOWN BY THIN SOLID LINES.
8. ALL PROPOSED UTILITIES ARE TO BE SHOWN BY THIN DOTTED LINES.
9. ALL PROPOSED EASEMENTS ARE TO BE SHOWN BY THIN DASHED LINES.
10. ALL PROPOSED CORNERS ARE TO BE SET BY THE SURVEYOR.



LEGEND:

- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- EXISTING ROAD
- PROPOSED ROAD
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING EASEMENT
- PROPOSED EASEMENT

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LOT A-623YY
LOT A-624ZZ
LOT A-625AA
LOT A-626BB
LOT A-627CC
LOT A-628DD
LOT A-629EE
LOT A-630FF
LOT A-631GG
LOT A-632HH
LOT A-633II
LOT A-634JJ
LOT A-635KK
LOT A-636LL
LOT A-637MM
LOT A-638NN
LOT A-639OO
LOT A-640PP
LOT A-641QQ
LOT A-642RR
LOT A-643SS
LOT A-644TT
LOT A-645UU
LOT A-646VV
LOT A-647WW
LOT A-648XX
LOT A-649YY
LOT A-650ZZ
LOT A-651AA
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LOT A-653CC
LOT A-654DD
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LOT A-659II
LOT A-660JJ
LOT A-661KK
LOT A-662LL
LOT A-663MM
LOT A-664NN
LOT A-665OO
LOT A-666PP
LOT A-667QQ
LOT A-668RR
LOT A-669SS
LOT A-670TT
LOT A-671UU
LOT A-672VV
LOT A-673WW
LOT A-674XX
LOT A-675YY
LOT A-676ZZ
LOT A-677AA
LOT A-678BB
LOT A-679CC
LOT A-680DD
LOT A-681EE
LOT A-682FF
LOT A-683GG
LOT A-684HH
LOT A-685II
LOT A-686JJ
LOT A-687KK
LOT A-688LL
LOT A-689MM
LOT A-690NN
LOT A-691OO
LOT A-692PP
LOT A-693QQ
LOT A-694RR
LOT A-695SS
LOT A-696TT
LOT A-697UU
LOT A-698VV
LOT A-699WW
LOT A-700XX
LOT A-701YY
LOT A-702ZZ
LOT A-703AA
LOT A-704BB
LOT A-705CC
LOT A-706DD
LOT A-707EE
LOT A-708FF
LOT A-709GG
LOT A-710HH
LOT A-711II
LOT A-712JJ
LOT A-713KK
LOT A-714LL
LOT A-715MM
LOT A-716NN
LOT A-717OO
LOT A-718PP
LOT A-719QQ
LOT A-720RR
LOT A-721SS
LOT A-722TT
LOT A-723UU
LOT A-724VV
LOT A-725WW
LOT A-726XX
LOT A-727YY
LOT A-728ZZ
LOT A-729AA
LOT A-730BB
LOT A-731CC
LOT A-732DD
LOT A-733EE
LOT A-734FF
LOT A-735GG
LOT A-736HH
LOT A-737II
LOT A-738JJ
LOT A-739KK
LOT A-740LL
LOT A-741MM
LOT A-742NN
LOT A-743OO
LOT A-744PP
LOT A-745QQ
LOT A-746RR
LOT A-747SS
LOT A-748TT
LOT A-749UU
LOT A-750VV
LOT A-751WW
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LOT A-769OO
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LOT A-772RR
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LOT A-774TT
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LOT A-776VV
LOT A-777WW
LOT A-778XX
LOT A-779YY
LOT A-780ZZ
LOT A-781AA
LOT A-782BB
LOT A-783CC
LOT A-784DD
LOT A-785EE
LOT A-786FF
LOT A-787GG
LOT A-788HH
LOT

VT TO
R KEITH

UNDERGROUND DUCT BANK FOR POWER LINES

Parcel CA-1
Mutual Service Right of Way
Book 3518 Page 507
(To be Released)

LOT A-1A
Area = 35,114 Sq. Ft.

S20°26'56"E
108.15'

97.77' (PARCEL CA-1)

N69°33'04"E

106.69'

Parcel CA-2
Mutual Service Right of Way
Book 3518 Page 507

—ASPHALT—
PARKING AREA

PLANTER

CONCRETE

S21°02'28"E

CONCRETE

Uninterrupted Vi
(Horizontal and
Book (PI

S20°26'56"E

28.56'

S20°57'35"E

14.82'

15.67'

8.17'

N69°13'45"E

17.99'

S02°00'20"E

3.08'

12.00'

8.92'

22.90'

S61°05'07"W

46.84'

S66°05'16"W

0.35'

S23°55'00"E

GLAZING

ENTRANCE

STONE WALL

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

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EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

EXCAVATED AREA—NO MARKER SET

Parcel A

AREA = 83 SQ. FT.

(The portion of Parcel CA-3
affected by Parcel A
is to be released.)

Parcel CA-3
Right of Way
and Access Easement
Book 3536 Page 70
(Plan attached)

P.I.D. No. 00471086
LOT A-1
Lands Conveyed to

SALTERS GATE DEVELOPMENTS LIMITED

Book 6702 Page 149

See plan certified by Robert A. Daniels, N.S.L.S. dated June 29, 1981, approved August 10, 1981. (Lots A1, A2, A

HALIFAX REGIONAL MUNICIPALITY

HERITAGE ADVISORY COMMITTEE August 24, 2005 DRAFT MINUTE EXTRACT

5.2 H00171 - Application for subdivision and de-registration of a portion of 1496 Hollis Street, Halifax

1. A staff report dated August 10, 2005 was before the Committee for discussion.
2. A report prepared by Davis Archaeological Consultants Ltd. and Duffus Romans Kundzins Rouncesfell Ltd. for Salters Gate Limited was circulated to the Committee for informational purposes.

Ms. Holm provided an overview of the staff report and noted that Salters Gate Development Limited is requesting consideration to subdivide and de-register a portion of the lands known as 1496 Hollis Street. Given that the proposal will maintain the majority of the registered lands which contain the Brewery Market, staff recommends approval of the request.

Mr. Roy Willwerth, Architect, Duffus Romans Kundzins Rouncesfell Ltd. advised the Committee that the subdivision request arose after it was determined that the proposed building for Lot A-1 would have a minimal encroachment over Lot A-2. Therefore, an 83 square foot area of land is requested to be subdivided from Lot A-2 and consolidated with Lot A-1 allowing the new building to remain entirely on its own lot.

MOVED BY Councillor Harvey, seconded by Ms. Andrea Arbic, that the Heritage Advisory Committee recommend that Regional Council:

1. **Set a public hearing to provide consideration for the de-registration of a portion of land known as 1496 Hollis Street.**
2. **Approve the subdivision and de-registration of a portion of the lands known as 1496 Hollis Street, Halifax as shown on Map 1.**

MOTION PUT AND PASSED UNANIMOUSLY.