

Item No. 9.3 (v)
Halifax Regional Council
February 11, 2014
February 25, 2014
Committee of the Whole
May 20, 2014
Halifax Regional Council
June 24, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed
Emma Sampson, Vice Chair, Heritage Advisory Committee

DATE: January 31, 2014

SUBJECT: RP+5: HRM Regional Municipal Planning Strategy

ORIGIN

Motion passed at a meeting of the Heritage Advisory Committee on January 29, 2014.

LEGISLATIVE AUTHORITY

Section 21 of the Halifax Charter regarding Standing, Special and Advisory Committees.

By-law H-200 Respecting the Establishment of a Heritage Advisory Committee and a Civic Registry of Heritage Property.

RECOMMENDATION

The Heritage Advisory Committee recommends Halifax Regional Council give First Reading and schedule a public hearing to consider:

1. repealing the existing HRM *Regional Municipal Planning Strategy*;
2. adopting the proposed HRM *Regional Municipal Planning Strategy* as contained in Attachment A of the January 14, 2014 staff report;
3. adopting the amendments to the *Downtown Halifax Secondary Municipal Planning Strategy* as contained in Attachment C of the January 14, 2014 staff report;
4. adopting the amendments to By-law H-200, the *Heritage Property By-Law*, as contained in Attachment F of the January 14, 2014 staff report;
5. adopting the amendments to the *Barrington Street Heritage Conservation District Revitalization Plan*, as contained in Attachment G of the January 14, 2014 staff report; and
6. adopting the amendments to By-law H-500, the *Heritage Conservation District (Barrington Street) By-law*, as contained in Attachment H of the January 14, 2014 staff report.

... recommendations continued on page

The Heritage Advisory Committee further recommends that Halifax Regional Council:

1. a) amend the proposed amendments to By-laws H-200 and H-500 to allow consideration of applications to substantially alter a heritage property which were on file on or before the date of the first publication of the notice of intention to adopt the amendments and which were being considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received; and
- b) that where any application is withdrawn, significantly altered, or rejected by Council, any new development proposal shall be subject to all applicable requirements;
2. a) amend the proposed amendments to the Barrington Street Heritage Conservation District Plan and the Downtown Halifax Secondary Municipal Planning Strategy to allow consideration of applications to substantially alter a heritage property which were on file on or before the date of the first publication of the notice of intention to adopt the amendments and which were being considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received; and
- b) that where any application is withdrawn, significantly altered, or rejected by Council, any new development proposal shall be subject to all applicable requirements.
3. amend the *Downtown Halifax Land Use By-law*, Schedule S-1, Design Manual, section 4.5.6 to replace the name "*Federal Standards and Guidelines for Conservation of Historic Buildings in Canada*" with the "*Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition*".

BACKGROUND

At the Heritage Advisory Committee meeting of April 24, 2013 staff presented Draft 1 of Chapter 7, Culture & Heritage of the Draft Regional Plan, and at the Committee's meetings of May 22, 2013 and June 26, 2013 staff presented Draft 2 for the Committee's review. The Heritage Advisory Committee and the Design Advisory Committee met on January 29, 2014 for a joint presentation from staff on the Draft 4 Regional Municipal Planning Strategy, as contained in the January 14, 2014 staff report.

DISCUSSION

At the January 29, 2014 meeting, staff's presentation outlined the role of the Heritage Advisory Committee in Heritage Policy Development and in the RP+5 Process and Heritage Policy. At the meeting staff circulated additional amendments for the Committee to consider. The additional amendments which are 'housekeeping' in nature were not included in the staff report but have been attached to this report. Staff reviewed the recommendations pertaining to the Heritage Advisory Committee in the RP+5 HRM Regional Municipal Planning Strategy and after consideration, the Heritage Advisory Committee approved the staff recommendation.

FINANCIAL IMPLICATIONS

None associated with this report. The attached staff report addresses financial implications associated with process the application.

COMMUNITY ENGAGEMENT

The Heritage Advisory Committee is an Advisory Committee to Regional Council comprised of 10 volunteer members of the public and two Councillors. The meetings are open to the public and the agendas and minutes are posted at www.Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

None.

ALTERNATIVES

No Alternatives were provided.

ATTACHMENTS

1. Amendments

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: Sheilagh Edmonds, Legislative Assistant

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ADDITIONAL AMENDMENTS TO

DOWNTOWN HALIFAX SECONDARY MUNICIPAL PLANNING STRATEGY

AS RECOMMENDED BY HAC AND DRC

In Chapter 8, Implementation, section 8.6A Transition to this Plan, after Policy 90E, inserting text shown as **bold** as follows:

In 2014, as part of the revised Regional Plan, HRM adopted the *Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Edition* in place of its earlier Heritage Building Conservation Standards. References to these *Standards and Guidelines* were incorporated into Section 4.6 and Policies 39 and 40 of this Plan by amendment in parallel with the adoption of the new Regional Plan. Similar amendments were made at the same time to the Heritage Property By-law and the Barrington Street Heritage Conservation District Revitalization Plan and By-law.

During the course of preparation of the new Regional Plan and the accompanying amendments to this Plan, applications for substantial alteration of registered heritage properties and properties in the Barrington Street Heritage Conservation District continued to be made and considered subject to the previous Heritage Building Conservation Standards. In consideration of the fact that these projects were designed within the parameters of the previous Heritage Building Conservation Standards, the investment made in the preparation of such applications and that they were submitted in advance of the amendments to this Plan being given first reading by Council, provision will be made to allow Council to consider them after the effective date of this Plan under the previous Heritage Building Conservation Standards.

Policy 90F Complete applications to substantially alter a registered heritage property or property in a heritage conservation district within the Downtown Plan Area which were on file on or before the date of first publication of the notice of intention to adopt this policy shall be considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received. Where any complete application is withdrawn, significantly altered, or refused by Council after the date of first publication of the notice of intention to adopt this policy any new or significantly altered application shall be subject to the *Standards for the Conservation of Historic Places in Canada, 2nd Edition*.

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**ADDITIONAL AMENDMENTS TO
DOWNTOWN HALIFAX LAND USE BYAW, SCHEDULE S-1: DESIGN MANUAL
AS RECOMMENDED BY HAC AND DRC**

In Schedule S-1: Design Manual, section 4.5.6, after the words `good conservation techniques`, deleting text shown as ~~strikeout~~ and inserting text shown as **bold**, as follows:

Detailed recommendations for conservation of materials can be found in the ~~Federal~~ *Standards and Guidelines for Conservation of Historic ~~Buildings~~ Places in Canada, 2nd Edition.*

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ADDITIONAL AMENDMENTS TO
BY-LAW H-200
HERITAGE PROPERTY BY-LAW
AS RECOMMENDED BY HAC

After Section 12, Conservation Standards, inserting text shown as **bold**, as follows:

- 12A (i) Notwithstanding section 12, any complete application for alteration of a registered heritage property on file before the date of first publication of the notice of intention to adopt By-law H-202 shall be considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received.**
- (ii) Where any complete application is withdrawn, significantly altered, or refused by Council after the date of first publication of the notice of intention to adopt By-law H-202, any new or significantly altered application shall be subject to the Standards for the Conservation of Historic Places in Canada, 2nd Edition.**

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ADDITIONAL AMENDMENTS TO
BY-LAW H-500
HERITAGE CONSERVATION DISTRICT (BARRINGTON STREET) BY-LAW
AS RECOMMENDED BY HAC

In Subsection 6 of Section 5, adding the following subclauses (iii) and (iv) after the newly added subclause (ii), as shown in text shown as **bold**, as follows:

- (iii) **Notwithstanding subsection (i), any complete application for a Certificate of Appropriateness on file before the date of first publication of the notice of intention to adopt By-law H-502 shall be considered subject to the Conservation Standards that were in effect at the time the complete application was received.**
- (iv) **Where any complete application is withdrawn, significantly altered, or refused by Council before the date of first publication of the notice of intention to adopt By-law H-502, any new or significantly altered application for a Certificate of Appropriateness shall be subject to the *Standards for the Conservation of Historic Places in Canada, 2nd Edition*.**

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ADDITIONAL AMENDMENTS TO
BARRINGTON STREET HERITAGE CONSERVATION DISTRICT REVITLIZATION
PLAN
AS RECOMMENDED BY HAC

In Section 8 (Implementation Policies), sub-section 8.3 Transition to this Plan, after Policy 27, inserting text shown as **bold** as follows:

In 2014, as part of the revised Regional Plan, HRM adopted the *Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Edition* in place of its earlier Heritage Building Conservation Standards. References to these *Standards and Guidelines* were incorporated into Section 4.2 and Policy 4 of this Plan by amendment in parallel with the adoption of the new Regional Plan. Similar amendments were made at the same time to By-law H-500 [*Heritage Conservation District (Barrington Street) By-law*], By-law H-200 [*Heritage Property By-law*] and the Downtown Halifax Secondary Municipal Planning Strategy.

During the course of preparation of the new Regional Plan and the accompanying amendments to this Plan, applications for substantial alteration of properties in the Barrington Street Heritage Conservation District continued to be made and considered subject to the previous Heritage Building Conservation Standards. In consideration of the fact that these projects were designed within the parameters of the previous Heritage Building Conservation Standards, the investment made in the preparation of such applications and that they were submitted in advance of the amendments to this Plan being given first reading by Council, provision will be made to allow Council to consider them after the effective date of this Plan under the previous Heritage Building Conservation Standards.

Policy 28 Complete applications to substantially alter a property in the Barrington Street Heritage Conservation District which were on file on or before the date of first publication of the notice of intention to adopt this policy shall be considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received. Where any complete application is withdrawn, significantly altered, or refused by Council after the date of first publication of the notice of intention to adopt this policy, any new or significantly altered application shall be subject to the *Standards for the Conservation of Historic Places in Canada, 2nd Edition*.