

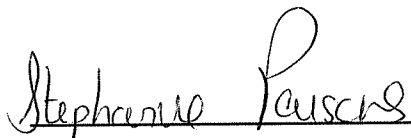
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P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
September 6, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
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.

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.


Report Prepared by: Stephanie Parsons, Legislative Assistant, 490-6519.



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Heritage Advisory Committee
August 24, 2005

TO: Heritage Advisory Committee

SUBMITTED BY: 
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.

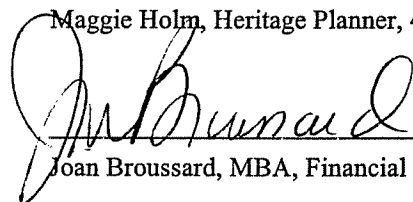
ATTACHMENTS

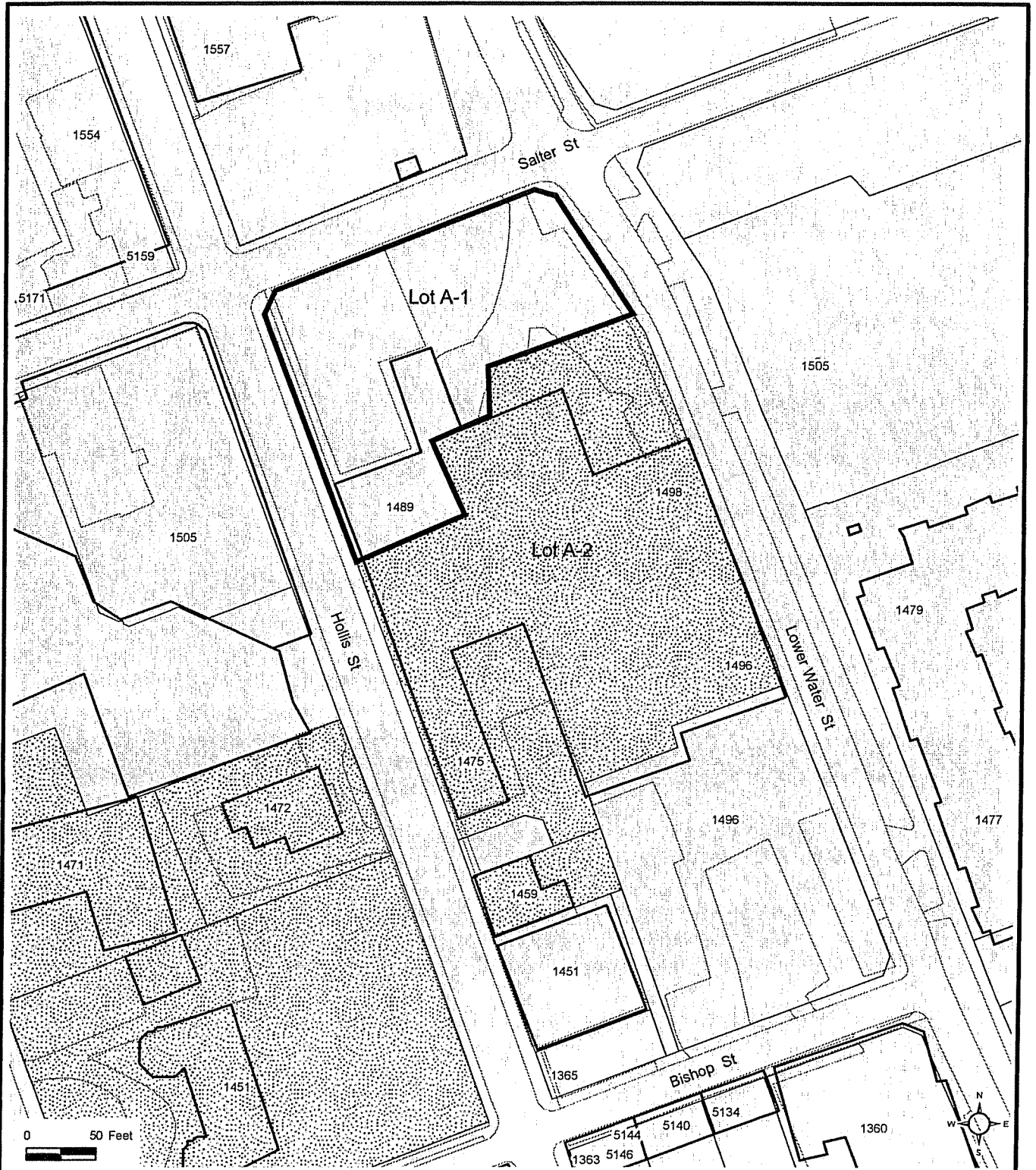
- Map 1: Location Map - 1496 Hollis Street, Halifax
- Attachment A: Letter from developer dated June 10, 2005
- Attachment B: Plan of Survey for Lot A-1A and Lot A-2B
- Attachment C: Enlarged portion of Plan of Survey, showing Parcel A

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

1406 Lower Water Sreet
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.

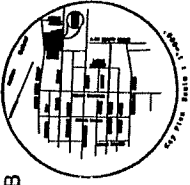
Halkirk Properties Limited is prepared to convey to Salters Gate Developments Limited after approval of the subdivision by Halifax Regional Municipality sufficient lands in the courtyard to accommodate what would otherwise be an encroachment on our property.

Trusting this letter confirms our company's position.

Yours truly,
HALKIRK PROPERTIES LIMITED


Stephen Lockyer
Secretary

ATTACHMENT B



1. The area shown on this plan is the same as the area shown on the plan of the site of the proposed development, as approved by the Council of the City of London on 12th July 1990.

2. The area shown on this plan is the same as the area shown on the plan of the site of the proposed development, as approved by the Council of the City of London on 12th July 1990.



3. The area shown on this plan is the same as the area shown on the plan of the site of the proposed development, as approved by the Council of the City of London on 12th July 1990.

PART OF THE SITE OF
 LOT A-1 AND LOT A-2, UNDER CONTROL OF
 SALTERS GATE DEVELOPMENTS LIMITED
 LOT A-2B
 HALMARK PROPOSALS TO
 REDEVELOP THE SITE OF
 LOT A-2B, SALTERS GATE, LONDON
 DATE: 12th July 1990



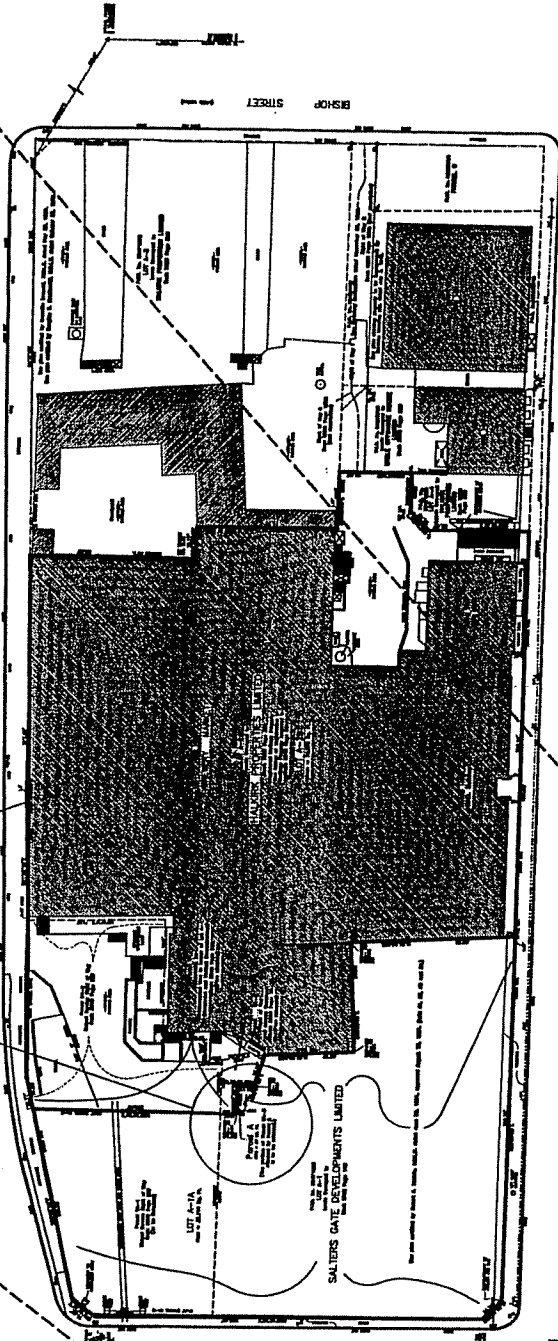
PARCEL A

LOWER WATER STREET

SALTER STREET

BISHOP STREET

HOLLIS STREET



ATTACHMENT C

Parcel CA-2
Mutual Service Right c
Book 3518 Page 5f

-ASPHALT-
PARKING AREA

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

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

NT TO
R KEITH

UNDERGROUND DUCT BANK FOR POWER LINES

97.77' (PARCEL CA-1)
N69°33'04"E
106.69'

PLANTER

CONCRETE

S21°02'28"E

CONCRETE

Uninterrupted Vi
(Horizontal and
Book
(PI

S20°26'56"E
108.15'

S20°26'56"E
28.56'

EXCAVATED
AREA- NO
MARKER
SET

S20°57'35"E
14.82'

N66°05'16"E
10.00'

S61°05'07"W
22.90'

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)

EXCAVATED
AREA- NO
MARKER
SET

S02°00'20"E
17.99'

S66°05'16"W
46.84'

STONE WALL

S23°55'00"E

EXCAVATED
AREA- NO
MARKER
SET

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

**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.