

Halifax Regional Council
April 2, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: P. Halliday
for Allan MacLellan, Chair, Heritage Advisory Committee
Regional Heritage Advisory Committee

DATE: March 26, 2002

SUBJECT: **Heritage Case H00070 - Proposed Addition to 5133 Morris Street,
Halifax, NS**

ORIGIN

A permit application by Victor Syperek requesting an addition to a registered heritage property at 5133 Morris Street (known as the Almon-Black House).

RECOMMENDATION

The Heritage Advisory Committee **recommends** that Regional Council **NOT APPROVE** the proposed addition to 5133 Morris Street, Halifax, as the Committee does not find that there is substantial proof to warrant it based on the facts presented to the Heritage Advisory Committee at its meeting of November 28, 2001, and based on Guideline #6 of the Heritage Building Conservation Standards which states: *Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old design in colour, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*

BACKGROUND

See attachments.

DISCUSSION

This matter was discussed at the October 24, 2001 and November 28, 2001 meetings of the Heritage Advisory Committee (see attached minute extracts).

ATTACHMENTS

- 1) Minute Extract from the October 24, 2001 meeting of the Heritage Advisory Committee
- 2) Staff report to the Heritage Advisory Committee dated October 16, 2001
- 3) Minute Extract from the November 28, 2001 meeting of the Heritage Advisory Committee
- 4) Memorandum from staff to the Heritage Advisory Committee dated November 20, 2001 regarding additional information regarding deferred Heritage Case H00070 - Review of Proposed Addition of 5133 Morris Street, Halifax, NS

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: Patti Halliday, Assistant Municipal Clerk

Report Approved by: Allan MacLellan, Chair, Heritage Advisory Committee

EXTRACT FROM OCTOBER 24, 2001 HERITAGE ADVISORY COMMITTEE MINUTES:

3.3 Heritage Case H00070 - Review of Proposed Addition to 5133 Morris Street, Halifax, NS

- A staff report prepared for Austin French, Regional Coordinator, Planning and Development Services, regarding the above, was before the Committee for its consideration.

Mr. Barrett presented the staff report to the Committee, noting the addition will involve a permanent encroachment which is pending a positive recommendation to Regional Council from the Heritage Advisory Committee.

Mr. Brannen inquired if there was any effort made to find photographs of the original building. Mr. Barrett responded that the proponent advised that he was unable to find any photographs, only literature.

Mr. MacLellan inquired if there are any other properties that retained this original basement entrance. In response, Mr. Barrett stated there were not in this area, but there are in other areas of the city. Mr. Smith-Lamothe noted there is one on Bishop Street.

Mr. Brannen stated he has doubts that this entrance existed in the original building. He also expressed concern with some of the adornments on the building being out of context of the period.

Councillor Meade stated he believes that the opening was a coal chute and not an entrance. He also noted that HRM is experiencing problems with sidewalk cafes and encroachments, and, therefore, he was not sure that Council would approve this permanent encroachment.

Mr. Smith-Lamothe noted there are bird's-eye view maps of Halifax available at the Nova Scotia Archives that might provide some information on the original house. He suggested the item be deferred until more information can be obtained. Mr. MacLeod noted a display of bird's eye views are currently on display at the Art Gallery of Nova Scotia.

Mr. Smith-Lamothe cautioned the Committee on approving added features to registered buildings. He noted the building conservation guidelines state if a fixture did not originally exist, it should be not approved.

MOVED by Councillor Meade, seconded by Wallie Brannen, that this item be deferred. MOTION PUT AND PASSED UNANIMOUSLY.



Heritage Advisory Committee
October 24, 2001

TO: Heritage Advisory Committee

SUBMITTED BY:

A handwritten signature in cursive script, appearing to read "Austin French".

Austin French, Regional Coordinator, Planning & Development Services

A handwritten signature in cursive script, appearing to read "Kevin Barrett".

Kevin Barrett, Planner

DATE: October 16, 2001

SUBJECT: Heritage Case H00070 - Review of proposed addition to 5133 Morris Street,
Halifax, NS.

STAFF REPORT

ORIGIN:

A permit application by Victor Syperek requesting an addition to a registered heritage property at 5133 Morris Street (known as the Almon-Black House).

RECOMMENDATION:

It is recommended that the Heritage Advisory Committee recommend to Regional Council the addition to 5133 Morris Street, as proposed in this report, be approved.

BACKGROUND:

Mr. Syperek has made an application to obtain a permit for an addition to 5133 Morris Street. The purpose of this addition is to re-instate an exterior stairwell to the basement level of this historic home. The property is a municipal registered heritage property. Under the Heritage Property Program, all applications for additions to heritage properties are to follow the Level 3 Design Review Process. This process requires the proposal be reviewed by both staff and the Heritage Advisory Committee (HAC), with final approval by 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. The evaluation for these applications is based on the "*Building Conservation Standards*" (See Attachment 1).

5133 Morris Street

Built c.1869, this two and a half storey home is one of seven Georgian Row Houses found on Morris Street and has been registered since January 28, 1982 (see Attachment 2). While the majority of the facade is intact, missing trim features have been removed over time. The home is currently being restored, and one feature the new owner would like to re-instate is the basement access door on the front facade.

Addition and Alteration Proposal

The proposed addition will see an exterior stairwell built on the front facade of this home to gain access to the basement level doorway (that has been enclosed). The stairwell will have an iron railing and gate. The specifications are provided in Attachment 3 and will be reviewed in detail in the discussion portion of this report.

DISCUSSION:

Policy Analysis: Building Conservation Standards

Proposed Addition

1. **Historic purpose and changes to characteristics, site and environment:** The proposed additions will not affect the historic use of this single family home.
2. **Historic character and alteration of features and spaces:** There is evidence on the interior foundation wall that an exterior basement doorway existed on the front facade of this home. While little information is available to support how this door was accessed, the proposal is a reasonable design given its close proximity to the street.
3. **Sense of historical development:** As stated, there is evidence that an exterior basement doorway existed on the front facade of this home.

4. **Preservation of historical changes:** The only historical change that would be removed are the bricks that were used to enclose the original basement level doorway. Since this alteration would be to restore the original feature, staff feel it is a sensitive change.
5. **Preservation of distinctive features, finishes and techniques:** No historical features will be removed.
6. **Repair of deteriorated and missing features:** No major features have been identified for repair or reconstruction. Any incidental repairs will minimize removal of original material.
7. **Surface cleaning:** The exterior basement facade will be exposed and cleaned in a gentle manner.
8. **Significant archaeological resources:** No such resources have been identified. Appropriate measures will be taken should such resources be encountered during construction.
9. **Retention of characterizing materials, differentiation from historic structure and compatibility of massing, size, scale and features:** The exterior stairwell will be enclosed with a black iron rail and gate. This is a traditional material and will relate to the historic building.
10. **Reversibility to essential form and protection of historic integrity:** The proposal will see a stairwell constructed within the public sidewalk. Should this addition be removed in the future, the facade could easily be re-instated to the existing composition.

Summary

This proposal has been evaluated against the "Building Conservation Standards." The proposal involves new construction rather than significant removal or demolition. The planned addition will restore access to an original basement level doorway. The scale of the stairwell, with its placement and use of traditional iron railing, will compliment the original structure. Based on these considerations, staff are of the opinion that the proposal should be approved.

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 proposed addition to 5133 Morris Street as outlined in this report. However, should the Heritage Advisory Committee not recommend the proposal, the Report will be forwarded to Regional Council for review.

ATTACHMENTS:

- Attachment 1: "Building Conservation Standards".
- Attachment 2: Photo - 5133 Morris Street.
- Attachment 3: Specification for the Proposed Addition.

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: Kevin Barrett, Planner, 490-4419
Report approved by: Austin French, Regional Coordinator, Planning and Development Services,
490-6717

BUILDING CONSERVATION STANDARDS

The following standards will be used to assess all applications for property alteration and financial assistance. The historic character of a heritage resource is based on the assumptions that (a) the historic materials and features and their unique craftsmanship are of primary importance and that (b) in consequence, they are to be retained, and restored to the greatest extent possible, not removed and replaced with materials and features which appear to be historic, but which are in fact new.

- 1) The property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building, its site and environment.
- 2) The historic character of the property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize the property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding hypothetical features or architectural elements from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize the property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old design in colour, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7) The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials, shall not be used.
- 8) Significant archaeological resources affected by the project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9) New additions, exterior alterations, or related new construction shall not destroy materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The above-noted standards are based on the Conservation Standards used by the United States Secretary of the Interior (36 CFR 67) (1991). They are generally in keeping with most Conservation principles, including the Venice Charter (1964).



5133 Morris Street
(October 16, 2001)



3.1 HERITAGE CASE H00070 - REVIEW OF PROPOSED ADDITION TO 5133
MORRIS STREET, HALIFAX, NS

- A memorandum from Kevin Barrett, Heritage Property Program, to the Heritage Advisory Committee, dated November 20, 2001, regarding the above, was before the Committee for its consideration.
- A staff report prepared for Austin French, Regional Coordinator, Planning and Development Services, dated October 16, 2001, regarding the above, was previously circulated to the Committee on October 24, 2001.

Mr. Barrett presented the memo containing background information from the property owner to the Committee and circulated photographs for the Committee's review. With the use of overheads, Mr. Barrett illustrated the interior of the building, noting the original street was lower than the current one. Mr. Barrett advised the Committee that the property owner, Mr. Victor Syperek, has indicated there were wooden steps, which have been removed, leading straight up from the basement level to the street. Mr. Barrett noted Mr. Syperek was unavailable to attend this meeting, and Mr. David Henry was present to represent him.

Mr. Barrett noted Mr. Syperek has stated the opening in the front of the building matches one in the rear of the building, which is a doorway. Mr. Syperek is maintaining that the opening could have been a service entry and is not a coal chute. Responding to a question of Mr. MacLellan, Mr. Henry noted the original street was not as wide as the current one.

Mr. Brannen stated he has done some research on this issue, and it is his belief that Councillor Meade's suggestion at the last meeting that this opening was a coal chute is correct. Mr. Brannen stated he has some information to support this belief. He noted the original information provided to the Committee stated the building was built in 1869. However, Mr. Brannen noted the house was actually built in 1859 by William Findlay, a master carpenter and architect, as stated in *Architects of Nova Scotia* by M. Rosinski. Mr. Brannen stated the line of houses on Morris Street, commonly known as the Morris Street Terrace, was evaluated in *Heritage Resources in Halifax*, 1978, which includes a photograph of the building. Mr. Brannen quoted from the evaluation, noting it makes reference to the fact that the original facade details have not been altered beyond recognition. Mr. Brannen noted this was addressed again in 1987 by Elizabeth Pacey in *Georgian Halifax*. He advised the Committee that he spoke to Mr. Phil Pacey regarding the research of Morris Street Terrace, and Mr. Pacey stated he had been in at least one basement of this line of buildings and saw no evidence of a door. Mr. Brannen stated if there was, in fact, a door in that one house, it would have been a total anomaly. He noted that the six houses forming the line of buildings were built together as a building project.

Mr. Brannen noted the earliest photograph he was able to locate was taken in

approximately 1960, which does not indicate any such entrance. Mr. Brannen also referenced correspondence from Mr. Scott Robson, Nova Scotia Museum, who could not recall examples of any such access. Mr. Brannen noted he also spoke to Mr. Hal Forbes, who has gutted a lot of these old buildings, and his response was that this opening was a coal chute.

Mr. Brannen noted the best supporting document for the idea that this was a coal chute is the *1878 Hopkins Atlas* plan which shows that drawings for Bishop Street delineates that sunken entry area as set back from the sidewalk. Mr. Brannen stated if there had been such an entry system in these houses on Morris Street, it would not have occupied public space, and would have been set back. With respect to the service entry, Mr. Brannen stated he lives in a similar house and there is indeed a service entry, but it is located at the back of the building. In closing, Mr. Brannen stated there is ample information available regarding the exterior of these Morris Street buildings.

Mr. Smith-Lamothe stated one thing the Committee should consider is if remedial work could be done to return it to its original condition later on. Mr. Brannen stated from the outside it looks like a boarded up window.

(Ms. Raymond took her place at the meeting at 7:15 p.m.)

Mr. Barrett stated the Committee is being asked for a recommendation as to whether or not the addition to the property should be supported. If the Committee were to approve it, Mr. Barrett noted it would still need to go to Council as it involves a permanent encroachment. The issue is before the Committee as it is a substantial alteration to a heritage property, and the Committee needs to put forth a recommendation to Council.

Councillor Meade noted when staff closed off the coal chutes along Barrington Street 20-25 years ago, they extended out into the sidewalk. He noted there would be records in Engineering when these were all closed off.

Mr. Henry questioned when coal delivery was started in the former City of Halifax and how large was the street. Mr. Henry stated it is his opinion that there are a lot of unanswered questions. He noted if there was a plan of the service quarters, he did not think it would show the kitchen area of the service quarters having a coal chute dumping coal into the living area. Mr. Henry stated it is their belief that this entrance was a stairway.

Ms. Raymond stated, in looking at the photographs, it appears the brick wall was interrupted.

Mr. Brannen noted the research he undertook was not a tremendous amount, and if he were about to modify a heritage building, he would perform a lot more research than this.

Mr. Henry suggested perhaps the original owner of this particular building wanted an entrance at the basement level.

Mr. MacLellan stated he believes there is quite a bit of evidence that the opening was originally a coal chute, but suggested it could have been retrofitted to a stairwell sometime around 1920. Mr. Brannen suggested the kind of people who would have occupied these houses after the 1920-30s probably would not have been able to re-retrofit it.

Mr. Henry stated the owner is trying to restore this building as far back as he can and it will help to beautify the city. He asked that the Committee permit them to make at least one house on Morris Street a beautiful restored home.

Mr. Smith-Lamothe noted the Heritage Building Conservation Standards for alterations specifically state that the Committee is not to entertain fixtures or additions to the front of the building that are not in keeping with the historical character, except in the cases where it can be shown that the item was original. Therefore, Mr. Smith-Lamothe stated the Committee is looking for proof that this entrance is historically correct.

In terms of beautifying the building, Mr. Barrett clarified that the Committee is looking at historic restoration, as opposed to applied decoration, and whether or not it is authentic and appropriate. Mr. Barrett stated his opinion, from viewing the property with other staff, is that he has never seen a coal chute like this opening, and he was convinced it could have been a stairwell, and his recommendation is based on this. He noted that no drawings of this building, at the time of its construction, have been found.

Mr. Smith-Lamothe suggested it may be appropriate to defer this item to the next meeting. Mr. Henry stated he would be in favour of this as it would allow them time to gather additional information to support their position.

Mr. Brannen questioned the process being followed, noting the Committee has to substantiate its opinion with historic data, but nothing has been presented as a justification to approve this, other than speculation.

Councillor Meade expressed concern with the effect the permanent encroachment will have for disabled and sight impaired residents. Therefore, the Councillor stated he will speak against the encroachment if the matter goes before Regional Council. Mr. Barrett noted the accessibility issues would be addressed before the matter goes before Council.

MOVED by Wallace Brannen, seconded by Councillor Meade, that the Heritage Advisory Committee recommend to Council that it not approve the proposed addition to 5133 Morris Street, Halifax, as the Committee does not find that there is substantial proof to warrant it based on the facts presented to the Heritage Advisory Committee at its meeting of November 28, 2001, and based on Guideline #6 of the

Heritage Building Conservation Standards which states: Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old design in colour, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Mr. McLaughlin expressed concern with the motion noting the owner has indicated there were wooden steps at one time leading up to the sidewalk from the inside.

Mr. MacLellan stated he could support the stairwell if there was some substantial information to support it.

MOTION PUT AND PASSED. (5 in favour, 4 against)

Mr. Henry expressed disappointment in the Committee's decision, stating he would have appreciated a deferral to allow the owner the opportunity to prepare his case. He noted that if it has been deemed that the opening was, in fact, a coal chute, he will be back with a coal chute application.

Ms. Raymond expressed concern with the direction taken by the Committee, noting the owner is making an effort to save this particular building. She stated that she hopes the Committee is not developing two separate sets of standards for commercial and private landowners, noting Bishop's Landing as an example. Ms. Raymond stated she does not want to see the Committee antagonizing those who are true proponents of heritage preservation in this area. In response, Mr. Brannen stated the Committee should be responding to proposals based on facts, and, in this case, it was responding to a hypothetical suggestion with factual rebuttal. Ms. Raymond emphasized that the Committee needs to be equally strict with commercial development.



PLANNING & DEVELOPMENT SERVICES
Dutch Village Road Office

M E M O R A N D U M

TO: Heritage Advisory Committee

FROM: Kevin Barrett, Planner, Heritage Property Program

DATE: November 20, 2001

SUBJECT: **Additional information regarding deferred Heritage Case H00070 - Review of Proposed Addition to 5133 Morris Street, Halifax, NS.**

Attached is a copy of the additional information provided by the owner of 5133 Morris Street, Victor Syperek. As noted in the report, the application at this time is only for the stairwell. As shown in the photographs supplied, there is indication that a stairwell did exist. Please bring the original report (dated **October 16, 2001**) for discussion and recommendation.

Please note that while there was discussion regarding the amount of applied decoration proposed for the front facade of this building, to date **no** application for such work has been made by the owner. Should one be made, it will be reviewed against the Alteration Guidelines set out in the Heritage Property Program.

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To whom this may concern: ①

These are three pictures of the side
servants' entrance to 5133 Morris.

This was clearly a door way (not
a coal chute, as some one suggested) with
the first step clearly visible. This leads
on to an excavated area, at about 16 sq ft.
There were wooden steps leading straight
up towards the street. (The street
level was about 2 feet lower in
those days). As going straight across
the side walk is impracticable, I propose
to cut 90° along the building.





