



**Heritage Trust of Nova Scotia**  
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September 18, 2013

Chair Dale Godsoe and Members of the  
Community Design Advisory Committee  
Halifax Regional Municipality

Dear Committee Members:

Thanks you for your efforts on the Regional Plan.

First request: We have learned that **a document from the Heritage Trust was not included** in the staff Feedback Response Tables submitted to your committee. The missed document contains our suggestions for Chapters 1 and 3, and appeared as submission 4.18 in the web listing of documents. We cannot find any reference to this submission in the Feedback Response Tables.

We ask you to carefully consider this submission, which is attached again. We hope you will find the suggestions in the document constructive. The suggestions in the section called Existing Housing and Neighbourhoods are quoted from existing Council policy, so they should not be controversial. We ask you to recommend that that these suggestions be included in the Regional Plan.

Second request: In the case of Chapter 7 (Submission 3.34), the Feedback Response Tables recommended that a number of our recommendations be deferred to a proposed Culture and Heritage Priorities Plan (CHPP). We had suggested that heritage policies in a number of existing Secondary Planning Strategies (SPSs) should be included in the Regional Plan. We feel that **all heritage resources in HRM should be treated equally**, irrespective of their location. Again, these policies are already Council policy for some heritage properties; we feel they should apply to all heritage properties. We would like to see them promoted to be Regional Plan policies, not deferred to a CHPP. We ask the committee to recommend that these policies be included in the Regional Plan. An abbreviated listing is attached.

As you can imagine, the Trust put considerable effort into these concordances of policies, and we ask you to consider them. It is possible that staff has incorporated some of these ideas in draft 3 of the Plan, which we have not seen.

We request an opportunity to speak to the committee when you meet.

Yours sincerely,

Phil Pacey, Chair,  
HRM Committee  
902 237 1375

## Comments on Chapter 3, Housing, of the Regional Plan Review

### Affordability:

The Heritage Trust supports the provision of affordable housing. We encourage HRM to adopt an experience-based and science-based approach to housing affordability. The Trust has studied the costs of housing in HRM; we attach the results of this study.

There are two important lessons to be learned:

1. **Existing housing is affordable; new housing is not.** The average monthly rent for a two-bedroom apartment in a building built since 2000 is \$1,289, which is 54% greater than the rent for an apartment built before 1960, and 64% more costly than an apartment built between 1960 and 1974. Developers cannot produce new housing at costs comparable to existing housing. Families with average incomes can only afford to rent existing housing.
2. **Housing in medium-sized buildings is affordable; most housing in large buildings is not.** Two-bedroom apartments in buildings with 50 to 99 and more than 100 units are most expensive, with average monthly rents of \$1,019 and \$1,016, respectively. These are 35 % higher than the rents for two-bedroom apartments in buildings with six to 19 units. We believe that it is mathematically impossible to provide affordable housing in a new concrete high rise.

To address the first lesson, a new clause (h) could be introduced in Policy S-33, as follows: “(h) identifying existing affordable housing and taking measures to protect it, including ensuring that building envelopes allowed in the Land Use By-law support and encourage the retention of the existing housing.”

To address the second lesson, we note that the current draft of clause (f) in Policy S-33 encourages incentive or bonus zoning. If this encourages buildings of more than 20 units, the housing is likely to be more expensive. This could be amended to read:

“(f) introducing incentive or bonus zoning for buildings of up to 20 residential units.”

### Existing Housing and Neighbourhoods:

The projections in the introduction show that at least 80% of HRM residents will be living in presently existing housing in 20 years. A chapter on housing should emphasize the existing housing and existing neighbourhoods. Objective 3 does contain the phrase, “protect neighbourhood stability and support neighbourhood revitalization,” but this is not backed up by any policy.

HRM has neighbourhood planning and zoning rules that protect this housing. It is important that planning and zoning rules continue to protect existing housing.

One of the provisions in Chapter 6 of the draft Regional Plan Review would rescind these neighbourhood planning and zoning rules. The draft Plan Review thus constitutes a threat to this housing.

The Trust requests that a new Section 3.6 be added to the draft chapter to carry out Objective 3 and to carry on and generalize some of the policies of the existing neighbourhood plans. We have selected policies from the existing neighbourhood plans, which are already Council policy. Adoption of these policies will extend the protections enjoyed by some

neighbourhoods to the other neighbourhoods in HRM. Here is some draft content for that section:

“Section 3.6, Existing Housing and Neighbourhoods:

“Policy S-38: The Municipality shall encourage the retention and rehabilitation of existing structurally-sound housing units in order to maintain the stability of residential neighbourhoods. (From Bedford Highway Secondary Planning Strategy, Policy 1.1)

“Policy S-39: The Municipality shall ensure that new construction in residential neighbourhoods is compatible with the existing scale and character of the area. (From Bedford Highway Secondary Planning Strategy, Policy 1.2)

“Policy S-40: The Municipality shall encourage the retention and creation of dwelling units suitable for families with children. (From Peninsula Centre Area Plan Policy 1.1.1)

“Policy S-41: Residential uses should be buffered from non-residential uses which are inappropriate to a stable, healthy, enjoyable living environment. (South End Area Plan Policy 1.2)

“Policy S-42: When disposing of municipally-owned lands in residential areas, consideration will be given first to recreational uses; second, to residential uses; and third, to any other use compatible with the residential areas that meet the needs of the residents of the area. (From South End Area Plan Policy 1.6.1)

“Policy S-43: The Municipality shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the Municipality will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped.) (From Halifax Municipal Planning Strategy Policy 2.8)”

### **Comments on Chapter 1, Introduction, of Draft 2 of the Regional Plan Review**

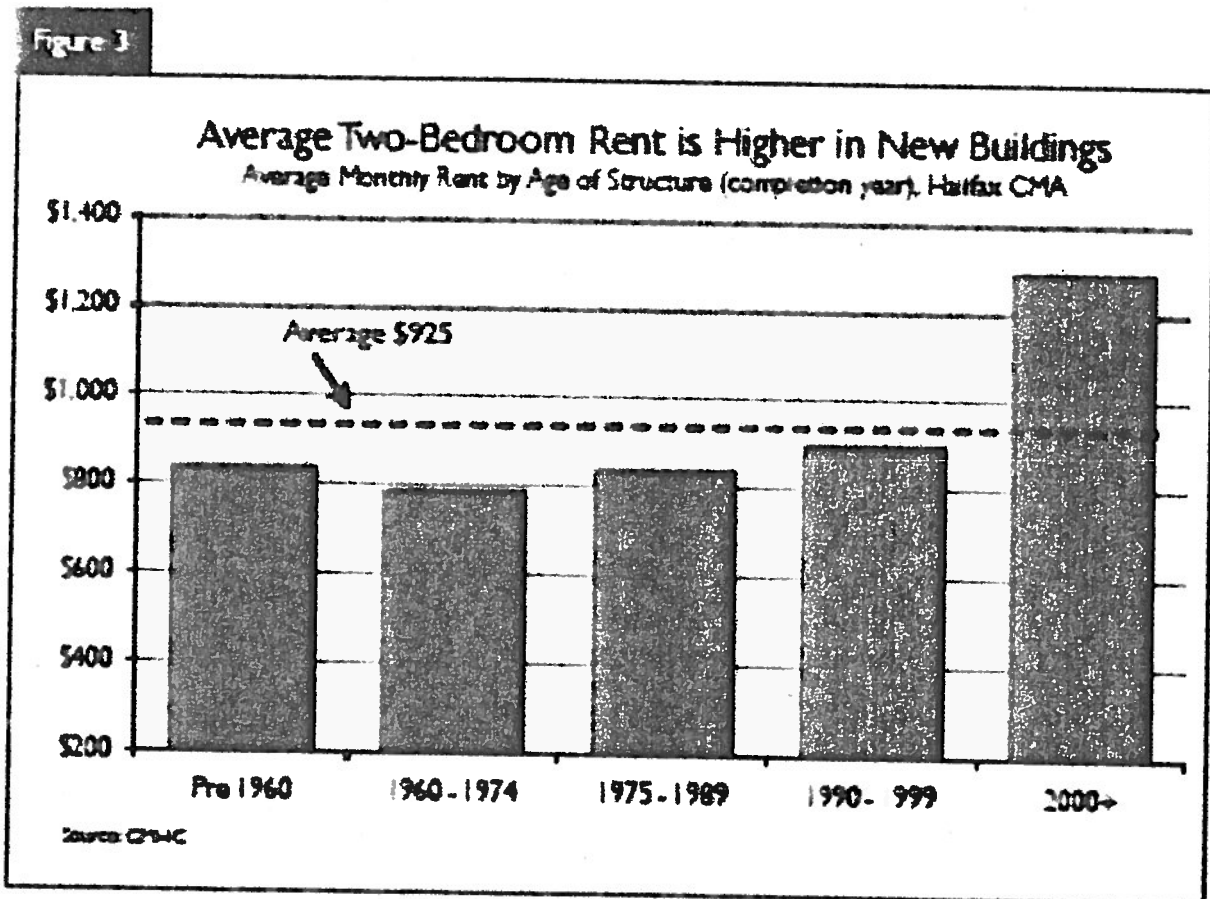
On page 9 the chapter says 11,960 jobs are likely to be created by 2031, but that 60,825 new dwelling units would be required. There is a mis-match here, which is not explained.

The population given of 409,510 in 2011 does not match the Census figure of 390,096. This is not explained.

## How to Provide Affordable Housing

Providing affordable housing is a good objective for any planning strategy. We can learn how to provide affordable housing by considering what works in Halifax. There is a reliable source of information, the Rental Market Report for the Halifax Census Metropolitan Area prepared by Canada Mortgage and Housing Corporation (CMHC) ([www.cmhc.gc.ca](http://www.cmhc.gc.ca)) in October, 2011.

The first factor noted in comparing rents is the age of the building. The graph below shows that two-bedroom apartments in buildings constructed since 2000 are considerably more expensive than older apartments. The average monthly rent for a two-bedroom apartment in a newer building is \$1,289, which is 54% greater than the rent for an apartment built before 1960, and 64% more costly than an apartment built between 1960 and 1974.



Similar trends were found for units of other sizes. Post-2000 bachelor apartments are 49% more expensive than those built before 1960; one-bedroom apartments are 42% more costly, and three-bedroom apartments, 22% more costly.

Housing in older buildings is more affordable. This is understandable. First, the cost of construction increases each year, increasing the cost of new housing. Secondly, older housing may have paid off its mortgage; the owners may be able to rent these properties for the cost of utilities, heat, maintenance and taxes.

**The most affordable housing is the housing that is already built.** To ensure that housing in HRM remains affordable, we need to ensure that the existing stock of housing is kept. Demolition of existing housing is not good public policy.

**A family with an average income in HRM can afford to spend about \$800 a month on rent. This family can afford to rent a two-bedroom apartment built before 1990, but cannot afford to rent most apartments being built today.**

This lesson has already been learned in the United States. "All new American dwellings are too costly for low-income people to occupy without direct subsidies", according to Anthony Downs in *New Visions for Metropolitan America*. The report of the Bipartisan Millennial Housing Commission of Congress concluded in 2002: "U.S housing policy must recognize that preservation is cheaper than new construction, that the rehabilitation and preservation of units returns the units to low-income families faster than new construction can provide the units."

The lesson was learned in Halifax in the 1970's and 1980's. This is the reason that the existing planning strategies place the priority on the protection of existing neighbourhoods. It would be foolish to forget this lesson today.

The Heritage Trust supported the existing planning strategies for good reason. Some of those inexpensive, pre-1960 apartments are located in heritage buildings, or potential heritage buildings, or are located in potential heritage conservation districts. Saving heritage buildings is a good way to provide affordable housing.

Now some are suggesting that the height limits should be increased in areas of the Regional Centre where affordable housing exists. Some claim this would encourage the replacement of affordable housing by more affordable housing. The CMHC data show that this could not work. If there is a change in zoning, there is a risk that the affordable housing will be torn down and replaced by a vacant lot or by commercial space, or by expensive housing. Developers cannot produce new housing at costs comparable to existing housing. We believe that it is mathematically impossible to provide affordable housing in a new high rise. Increasing height limits would give incentives to destroy affordable housing and replace it by new, higher-cost housing.

Some suggest that increasing height limits would reduce per unit costs. CMHC does not have data on heights of buildings, but it does have data on the number of units in a building. Two-bedroom apartments in buildings with 50 to 99 and more than 100 units are most expensive, with average monthly rents of \$1,019 and \$1,016, respectively. These are 35 % higher than the rents for two-bedroom apartments in buildings with six to 19 units. They are 19% higher than such apartments in duplex, semi-detached or row houses, 30% higher than in buildings with three to five units, and 17% higher than in buildings with 20 to 49 units.

There is no evidence of “economies of scale” in apartment rents in Halifax, except for buildings with less than 20 units. Buildings with more than 20 units have higher unit rents. The Committee should not be misled by any claim that extra height is needed to make projects viable. Most new construction in the areas considered is low and medium rise. Land costs are a small fraction of the cost of development in these areas.

To encourage affordable housing in the Regional Centre, HRM should identify every existing housing unit in the area, and protect it by ensuring that the building envelope allowed in the future is similar to the envelope of the existing building. This can be done by zoning regulations or by establishing heritage conservation districts.

## **Abbreviated Comments on Draft 2 of Chapter 7, Culture and Heritage, of the Regional Plan Review:**

The Heritage Trust has examined the second draft of the revised chapter on Culture and Heritage, and has compared it with the aims of the Heritage Property Act, and with the heritage policies in the various Secondary Planning Strategies in the Municipality. We find that the chapter could be substantially improved by including ideas and policies from these other documents. We see two significant benefits from including these policies in the Regional Plan. First, it is important that all heritage and cultural resources in the municipality have the same protections and be treated equally. Second, Chapter 6, as currently drafted, proposes to rescind the Secondary Planning Strategies, including their heritage policies, in the Regional Centre. It is urgent that these policies be moved into the Regional Plan, so that these valuable concepts and practices will continue to serve the Municipality.

Accordingly, we have gone through the various Secondary Planning Strategies. We have grouped the heritage policies according to their purpose. We have combined similar policies, deleted local references, and paraphrased the policies so that they apply to the entire municipality. The objective is to have a concordance of the best practices from the various areas of the Municipality. We are not seeking to make new policy here; we simply wish to have current Council policy protect all of the heritage properties in HRM.

The Culture and Heritage Chapter should address each of the aims of the Heritage Property Act: "identification", "designation" and "preservation, conservation, protection and rehabilitation". We have organized our comments under each of these aims, as follows.

### **1. Identification:**

"Identification" is mentioned in draft Policy CH-2, but this just refers to a little-known and very general document from 2005. There should be a clearly stated policy to seek out potential heritage and cultural resources. The following is a draft policy combining and paraphrasing Policy HR-1 from the Chebucto Peninsula Secondary Planning Strategy and Policy 37 from the Downtown Halifax Secondary Planning Strategy (DHSPS):

"It shall be the intention of Council to develop, in conjunction with local heritage groups, the Heritage Advisory Committee, and Nova Scotia Department of Tourism and Culture, an inventory of properties that have potential for registration as municipal heritage properties or inclusion in municipal heritage conservation districts, and to evaluate these properties for registration with a municipal heritage designation."

### **2. Designation:**

"Designation" is not dealt with in the current draft of Chapter 7. There are four steps needed for designation. A set of criteria is needed so that all properties can be compared fairly. The Heritage Advisory Committee needs to evaluate each identified property against the criteria. The municipality needs to work with the owners of the properties to explain the



implications of registration. In some cases, this step will occur earlier, particularly if the owners have nominated the property for registration. Finally, Council must consider the property for designation.

A suitable policy on criteria and evaluation may be obtained by paraphrasing Policy H-3 from the Downtown Dartmouth Secondary Planning Strategy (DDSPS), as follows:

“Appropriate criteria shall be maintained by which the municipality shall continue to evaluate properties or districts in the inventory, as well as properties or districts nominated by members of the public, for designation as municipal heritage properties or heritage conservation districts.”

Policy 38 from the DHSPS deals with contact with property owners, and may be extended to the whole Municipality:

“HRM may proactively encourage new heritage property registrations by means of public education through publications, workshops, registration campaigns, and direct contact with potential heritage property owners.”

Policy H-4 of the DDSPS and Policy 6.2 in the Halifax Municipal Planning Strategy (HMPS) deal with designation, and may be combined as follows:

“The Municipality should designate those properties which meet the adopted criteria as registered heritage properties or registered heritage conservation districts.”

### **3. Preservation, conservation, protection and rehabilitation:**

There is no clear policy in the current draft of Chapter 7 calling for the “preservation, conservation, protection and rehabilitation” of the resources that are designated. Such a policy should be added and should be the core of the chapter. Policy H-1 in the DDSPS and Policy 6.1 in the HMPS would be good models to follow. Here is a paraphrase of these policies:

“The Municipality shall seek the retention, preservation, rehabilitation and/or restoration of those areas, sites, streetscapes, structures, and conditions such as views which impart a sense of the community’s heritage, particularly those which are relevant to important occasions, eras, or personages, or which are architecturally significant, or are of a significant age.”

### **4. Encouragement and Inducements:**

Once there is a clear statement, as above, favouring conservation, then the means to achieve conservation need to be considered. There are two sides to this. One is encouragement or inducement, several aspects of which are discussed in this section.

The communities in HRM have had many good ways of protecting heritage resources. Many of the good ideas from Secondary Planning Strategies should be shared with the whole municipality by adopting them in the Regional Plan. This is particularly important as HRM is considering rescinding many of the Secondary Planning Strategies and replacing them by a Centre Plan. They are paraphrased below:

**a. Budget:**

The Municipality has various programs that support retention of heritage properties and buildings in heritage conservation districts. These programs need budgetary support. A policy favouring such support is desirable. Here is a paraphrase of Policy 6.5 from the HMPS:

“The Municipality should budget an annual amount to ensure that a fund is available should purchase or other financial involvement be considered by the Municipality for a registered heritage property.”

**b. Financial Incentives:**

The DHSPS contains Policy 41 regarding financial incentives. Incentives are currently available in other areas. This should be indicated in the Regional Plan by including the policy in the plan, as follows:

“It shall be the intention of HRM to provide financial incentives for the restoration and renovation of municipally registered heritage properties and properties in heritage conservation districts subject to availability of funds and the annual budget process.”

**c. Acquisition:**

The Heritage Property Act gives municipalities the power to purchase heritage properties in order to protect them. The former Town of Bedford bought the Fort Sackville Manor House in order to protect it. A paraphrase of Policy 6.4.3 from the HMPS follows:

“The Municipality shall consider acquisition of registered heritage properties whenever acquisition is the most appropriate means to ensure their preservation.”

**d. Municipal use:**

Conservation of a heritage property requires that it have a use. HRM occupies a substantial amount of floor space for its own uses. HRM can set a good example by using space in heritage buildings for its own use. Here is a paraphrase of Policy 6.6 in the HMPS:

“In the purchase or lease of space for its own use, the Municipality shall first consider accommodation in designated heritage structures.”

**e. Disposal:**

Sometimes the Municipality may consider selling a property, such as a surplus school. In such cases, the Municipality should set a good example by considering the heritage value of the property. Policy H-9 of the DDSPS could be extended to the whole municipality:

“Prior to selling or otherwise disposing of any surplus municipal property which may have heritage significance, an evaluation of the property shall be carried out to determine the level of significance, if any. Where the surplus property is of significance, measures shall be

undertaken to ensure the retention of the building to the greatest reasonable extent through heritage registration, restrictive covenants or other appropriate means.”

**f. Development Agreements:**

Owners of heritage properties in Halifax and Dartmouth are currently permitted to apply for a development agreement to change the use, where this will assist in the preservation of the building. It is desirable to extend this right to the owners of heritage properties in the rest of the Municipality. This can be accomplished by adding a policy to the Regional Plan, by paraphrasing and combining Policy H-10 from the DDSPS, Policy IP-15 from the Dartmouth Municipal Planning Strategy (DMPS) and Policy 6.8 from the HMPS, as follows:

“Council may encourage the reuse, restoration and retention of registered heritage properties by allowing for an increase in development rights for registered heritage properties, where it can be demonstrated that the limits on the uses allowed by the land use by-law are an impediment to retention of the property. Internal conversions of registered heritage properties to accommodate uses not otherwise permitted may be considered through the development agreement process. In considering any requests, the following criteria shall be satisfied:

- a) the limits on the uses allowed by the land use by-law are shown to be an impediment to the building’s retention;
- b) the building is suitable for conversion, in terms of building size, and the nature of the proposed use;
- c) adequate measures are proposed to ensure the continued protection of the building as a registered heritage property, and that alterations and additions to the building are consistent with the intent of the Heritage Building Conservation Standards, and that any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;
- d) no additions of greater than ten percent (10%) of the footprint area of the building are proposed; and that all additions including wheelchair ramps, fire escapes and emergency exits are designed to be as compatible as possible with the exterior of the building;
- e) adequate measures are proposed to minimize impacts on abutting properties and the streetscape as a whole as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be generated as part of a development;
- f) the placement and design of parking areas, lighting and signs, and landscaping is in keeping with the heritage character of the building; and
- g) where applicable, the proposal should include an assessment and strategy to protect significant on-site archeological resources which may be impacted by the proposed development.”

**g. Provincial protection:**

The Province can be a valuable partner in protection of heritage. The following policy combines Policy HC-4 from the Bedford Secondary Planning Strategy and Policy 36 from the DHSPS:

“HRM shall pursue opportunities to work co-operatively with the Province of Nova Scotia in accordance with the strategic directions and key initiatives identified in the Heritage Strategy for Nova Scotia, and in particular to secure provincial designation of heritage properties in the Municipality, strengthened legislative heritage protection and improved funding for heritage, including tax incentives.

**h. Interpretation:**

Policy H-14 in the DDSPS proposes a heritage walk in Downtown Dartmouth. This would assist with public education, and could be extended to the rest of the Municipality, as in the following paraphrase of that policy:

“Heritage walks should be developed to provide appropriate directional and interpretive signs and promotional materials pertaining to the built heritage, and the cultural, industrial and natural histories of the community.”

**7. Museums:**

Museums are an important resource for the heritage and culture of the municipality. In many cases the museums have been established and operated by dedicated groups of volunteers. The Downtown Dartmouth Secondary Planning Strategy includes Policy H-13, which encourages protection of local museums. This policy should be extended to the other museums in the Municipality:

“In order to ensure the presence of a continued heritage display and interpretation programs in the community, all possible means to maintain existing museums shall be explored.”

**8. Abutting Development:**

Downtown Dartmouth Policy H-7 should be extended to the rest of the Municipality:

“All proposals for development agreements involving exterior alterations on properties adjacent to registered heritage properties shall be forwarded to the Heritage Advisory Committee for review and comment on how the proposal impacts on local heritage resources.”