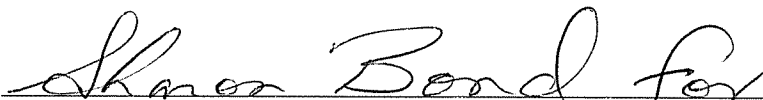




PO Box 1749
Halifax, Nova Scotia
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Heritage Advisory Committee
March 14, 2007

TO: Chair and Members of the Heritage Advisory Committee

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: February 20, 2007

SUBJECT: **H00198: De-registration of 1790 Granville Street, Halifax (a municipally registered heritage property)**

ORIGIN

This report originates from staff.

RECOMMENDATION

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

- (a) set a date for a public hearing to consider the de-registration of 1790 Granville Street, Halifax; and
- (b) approve the de-registration of 1790 Granville Street, as shown on Map 1.

BACKGROUND

The owners of the Kelly Building, TDB Halifax Holdings Ltd, applied for a demolition permit on April 17th, 2003. Council refused the application, triggering a one-year demolition delay which expired on April 17th, 2004.

Following this, Council approved three extensions of the demolition permit to allow time for further negotiations with the Nova Scotia College of Art and Design to explore the possibility of incorporating the Kelly Building facade into a new student residence, and avert demolition. Both HRM staff and members of the Nova Scotia Heritage Trust were involved in these negotiations. However, the negotiations ultimately failed and the demolition of the building occurred in September 2006. The lot is now vacant.

DISCUSSION

Section 16 of the *Nova Scotia Heritage Property Act* outlines the process for the de-registration of heritage properties.

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 deregistration.

The Act also outlines that a public hearing shall be held not less than thirty days after a notice of the hearing is served on the registered owner of the municipal heritage property and published in a newspaper circulating in the area.

Policy 6.8, section II of the Halifax MPS permits the owner of a registered heritage building, or any lot on which a registered heritage building is situated, to apply for a development agreement. If the heritage registration of the vacant lot is retained the owners may chose to take advantage of this policy.

This is problematic as policy 6.8 is predicated on the existence of a heritage building, and can permit alternative uses and building additions which encourage adaptive reuse and avert demolition. Once the building has been demolished this policy should not apply to the vacant site, and therefore the property should be de-registered.

Summary

It is regrettable that efforts to save the Kelly building from demolition were not successful. The building is now gone, and only a vacant lot remains. The heritage value of the site, specifically the building, no longer remains. Therefore staff believe that the continued heritage registration of the land is inappropriate, and are recommending that Council de-register the property on its own motion.

BUDGET IMPLICATIONS

There are no expected budget implications associated with this report.

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. Staff advocate that the Heritage Advisory Committee recommend that Regional Council set a public hearing date, and de-register 1790 Granville Street as a municipally registered heritage property.
2. The Heritage Advisory Committee may not support staff's recommendation to de-register 1790 Granville Street, Halifax. This is not recommended as the Kelly Building has been demolished, and the reasons for the heritage registration no longer exist.

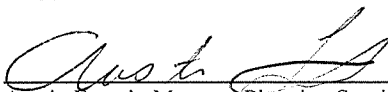
ATTACHMENTS

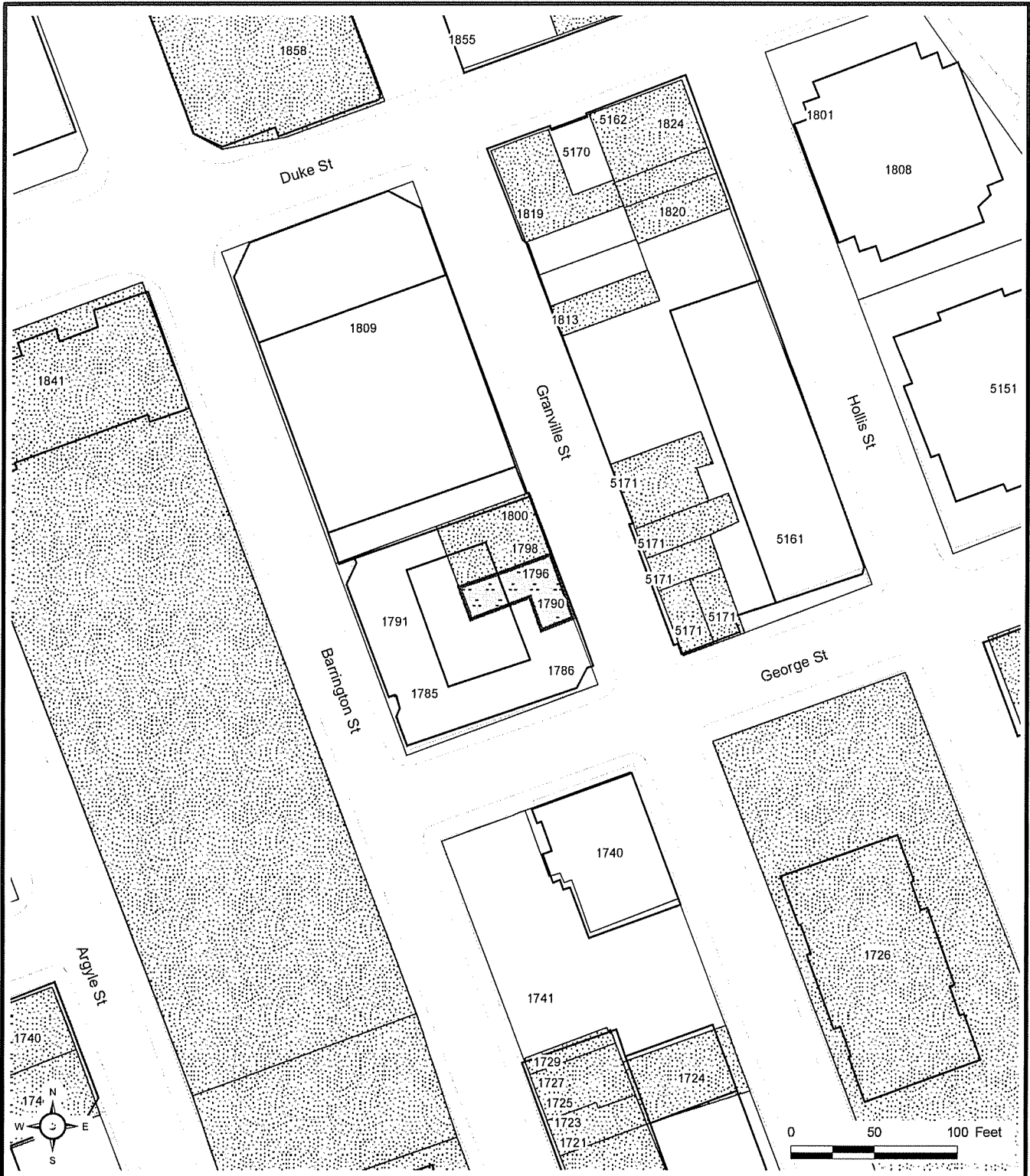
Map 1: Location Map - 1790 Granville Street, Halifax

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and 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)



Report Approved by:


Austin French, Manager Planning Services (490-6717)



Map 1 - Location Map
1790 Granville Street
Halifax

Halifax Plan Area

-  Heritage site under application for de-registration
-  Heritage property

HALIFAX
 REGIONAL MUNICIPALITY
 PLANNING AND
 DEVELOPMENT SERVICES

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