

Item No. 7.1
Heritage Advisory Committee
February 25, 2015

TO: Chair and Members of the Heritage Advisory Committee

SUBMITTED BY: Original signed
Bob Bjerke, Chief Planner and Director, Planning and Development

DATE: February 13, 2015

SUBJECT: **Case H00410: Background Study toward the Establishment of a Heritage Conservation District in Barrington South (Old South Suburb)**

ORIGIN

The Downtown Halifax Secondary Municipal Planning Strategy includes Policy 34:

HRM shall consider undertaking background studies and developing policies, strategies, and programs for potential heritage conservation districts in the Historic Properties area and the Barrington Street South area as shown on Map 7

LEGISLATIVE AUTHORITY

Heritage Property Act and Heritage Conservation Districts Regulations

RECOMMENDATIONS

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

1. Accept the background studies contained in Attachment A to initiate the process to establish a Heritage Conservation District in Barrington South (Old South Suburb);
2. Assign the Design Review Committee to review the final Heritage Conservation District plan and bylaw and submit its recommendation to Regional Council.

EXECUTIVE SUMMARY

The Barrington Street South area (the “Old South Suburb”) is an important candidate for a Heritage Conservation District due to its significant heritage values associated with the early settlement, economic life and traditional architectural character of the city. As part of downtown Halifax, it continues to experience pressures for new development. Therefore, heritage conservation measures are justified within the entire area identified as Barrington Street South (Precinct 2) in the Downtown Halifax Secondary Municipal Planning Strategy. There is currently a high concentration of registered municipal heritage properties that are protected from demolition or exterior alteration within the Old South Suburb. However, there is also a high concentration of historic buildings that contribute to the character of the area that are not protected.

The Old South Suburb Heritage Conservation District plan and bylaw will protect and conserve the traditional character of the area. It will establish the District as an historic destination by supporting the traditional setting through a built form framework that requires new construction to be visually consistent with the traditional architecture. Furthermore, the plan will capitalize on this unique community identity through investments in public amenities that will promote the district as an area of heritage value and character.

Conservation measures for the proposed Old South Suburb Heritage Conservation District will advance the Downtown Halifax Municipal Planning Strategy’s vision for Precinct 2 to serve as a renewed community focus area while providing for a transition in scale and intensity between the downtown and surrounding neighbourhoods. These conservation measures will provide many cultural and social benefits while boosting both community interest and cultural heritage tourism activity in the area.

BACKGROUND

A Heritage Conservation District is a defined area of historic or architectural value that is protected by regulations governing such things as demolition, exterior alteration and new development. Incentives may apply within the District to encourage private architectural conservation and programs can enhance public amenities. A conservation plan and bylaw may be adopted alongside other development control mechanisms, such as municipal planning strategy and land use bylaw amendments.

The Halifax Regional Municipality currently has one Heritage Conservation District in place, the Barrington Street Heritage Conservation District. There are concentrations of heritage resources in many areas throughout the region. The municipality has formally identified three of these areas that warrant consideration for formal designation as heritage conservation districts: Barrington Street South, Historic Properties and Schmidville (Appendix 1 of Attachment A).

Nova Scotia Heritage Property Act and Heritage Conservation Districts Regulations

The purpose of the background study in Attachment A is to initiate the preparation of a Heritage Conservation District plan and bylaw for the Barrington South area within the framework of the Nova Scotia *Heritage Property Act* and its accompanying *Heritage Conservation Districts Regulations* as well as the *Downtown Halifax Secondary Planning Strategy & Land Use Bylaw*. The attached background study is submitted to both HRM Regional Council and the Minister responsible for the *Heritage Property Act* for their endorsement and initiation of the process to develop a Heritage Conservation District.

In particular, this background study seeks to address the following *Heritage Conservation Districts Regulations* requirements in the preparation of a conservation plan and by-law:

- a) *the rationale or justification for heritage conservation measures in the district;*
- b) *the rationale for the boundaries of the district;*

- c) *the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and*
- d) *an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).*

Process for Establishing a Heritage Conservation District

The statutory procedure for establishing a Heritage Conservation District under the *Heritage Property Act* and *Heritage Conservation District Regulations* is outlined in Appendix 2 of Attachment A. For Barrington South, this process will be carried out in three separate phases: 1) Background Study; 2) Community Engagement and Heritage Conservation District Plan & By Law Preparation; and 3) Adoption and Implementation of Heritage Conservation District Plan & By Law.

Policy in the Heritage Conservation District plan may result in changes to the Downtown Halifax MPS and LUB, including its heights framework. Involving the Design Review Committee would be appropriate due diligence during the development of the HCD plan and bylaw.

Public Participation Program

In 2003, HRM Regional Council adopted a Public Participation Program for the Adoption of a Municipal Heritage Conservation Plan and By-law (Appendix 3 of Attachment A). The goal of this Public Participation Program is to ensure that the public has full opportunities to be actively involved in the Heritage Conservation District planning process and to ensure that the proposed Heritage Conservation District plan and by law are understood and supported by the community. A Stakeholder Steering Committee will be established to represent broader stakeholder interests within the proposed Heritage Conservation District (Appendix 4 in Attachment A).

DISCUSSION

Precinct 2, Barrington Street South is envisioned in the Downtown Halifax Municipal Planning Strategy as an area that “will serve as a renewed community focus for the surrounding neighbourhoods, while providing for a transition in scale and intensity between the downtown and the established low-rise residential areas to the south and west.” Policy 34 of the Downtown Halifax Municipal Planning Strategy also identifies a proposed Heritage Conservation District to be established in Precinct 2 based on the historic significance of this area (Map 1 of Attachment A). A discussion about the historic significance of the Barrington South area begins with an understanding of its historical context.

Historical Context

Concerns in Massachusetts about the possibility of a French invasion of Acadia persuaded the British Government to create a fortified town in the colony of Nova Scotia in 1749. Charles Morris laid out a plan for the town, confined within a fortified palisade fence. He surveyed land that was to become the north and south suburbs of Halifax. Early settlers constructed Georgian style wooden-framed dwellings to the south of the fortified town where lots were much larger. In the 1830s, the demand for labour intensive waterfront jobs and immigration, especially from Ireland, led to more concentrated residential growth beyond the confined slope between the Citadel and harbour.

The Old South Suburb extended the town to the south between Pleasant Street (now Barrington Street) and the harbour. Later in the 19th century, the area had lost much of its general residential population as the area converted from residential to commercial and professional uses and many residential buildings, especially wooden-framed buildings, were demolished. In the 1930s, Canadian National Railways constructed the Canadian National Railways Station (Via Rail Station) and Hotel Nova Scotian (Westin Hotel) in the Beaux-Arts architectural style and created Cornwallis Park in the railway garden tradition to provide an engaging civic space for railway passengers arriving at a key tourist destination.

The name “Old South Suburb” will be used instead of “Barrington South” because it is more appropriate when discussing the significance of this area.

Statement of Significance for the Proposed Heritage Conservation District

A Statement of Significance identifies the key heritage values assigned to a historic place and lists its principal character-defining elements.

The Old South Suburb's values as a proposed Heritage Conservation District are:

- Historic association with the early settlement of Nova Scotia as one of the first contiguous suburbs of the fortified town of Halifax;
- Historic association with the social and economic life of the waterfront, including historic Irishtown;
- An area of early traditional architectural character and interest;
- Setting associated with the vibrant railway industry of the 1920s and 30s.

Some of the principal character-defining elements of the Old South Suburb that relate to its heritage values include the traditional buildings in wood, masonry and brick construction. The traditional buildings are two-and-a-half-storey height, which is remarkably consistent throughout the area. Roofs are either pitched, truncated-pitched or Mansard roofs, with a few flat roofs and dormers are plentiful, with the five-sided Scottish dormer being particularly characteristic of the area. The unobstructed setting of the monumental railway destination including the presence of the Via Rail Station and the dominant presence of the Westin Hotel with their Beaux-Arts architecture constructed with stone, stucco as well as bricks. Cornwallis Park is also an important civic space with its grassed areas, trees, shrubs, formal path layout, and monuments.

Rationale for Heritage Conservation Measures and for District Boundaries

The reason for establishing heritage conservation measures in the Old South Suburb is based on its significance as identified in the Statement of Significance, above. The Barrington Street South area has witnessed the loss of many of its historic buildings which has resulted in several large empty spaces throughout the area. However, there is also a high concentration of registered and non-registered properties with heritage value in the area together with a continued pressure for development. Existing policy and regulations, pertaining to this area, are insufficient in protecting and conserving the heritage values and character defining elements of the district. Therefore, conservation measures are required to supplement and amend the existing legislation.

Refer to Map 3 in Appendix A to review the proposed Heritage Conservation District boundaries. These boundaries will encompass the entire area of Precinct 2 and extend to encompass several significant properties that delineate the natural outer limits of the District outside of the Precinct boundaries including Keith's Hall (1475 Hollis Street), Black Binney House (1472 Hollis Street), Sarah Moren and Jairus Hart Houses (1334 and 1340 Barrington Street) and the small house at 5134 Bishop Street.

Consideration of Heritage District Boundaries

A policy of voluntary inclusion includes only those properties whose owners wish to be included and excludes the properties of possible objectors. While this may be expedient in the short term, it is not advisable because it weakens the integrity and cohesiveness of the District. Objectors to Heritage Conservation District designation can voice their concerns and present objecting arguments throughout the community engagement process and at the public hearing. A municipality should then balance these objecting arguments against supporting arguments and designate (or refuse to designate) a Heritage Conservation District in its entirety based on the best interests of the community as a whole.

Proposed Approach to Heritage Conservation Measures

The proposed Old South Suburb Heritage Conservation District plan and by law will protect and conserve this area of historic and architectural value and govern such things as demolition, exterior alteration and appropriate new development. It will call for programs to encourage private architectural conservation and to enhance public amenities.

1. *Protecting and Conserving Traditional Character*

First, as a foundation to the proposed Heritage Conservation District plan, conservation measures will protect all significant registered and non-registered heritage resources using an appropriate process to consider applications for demolition and substantial exterior alteration. Other specific measures include Downtown Halifax Land Use By-law amendments to maintain unobstructed views of the Via Rail Station/Westin Hotel and to adjust existing maximum heights where properties with heritage value are located to match the existing heights of these historic buildings so that there is no incentive to demolish or alter these buildings for the purpose of constructing new taller buildings.

A new financial incentives program will encourage property owners to invest in the maintenance and conservation of their historic properties. The governance of demolition and substantial alteration will secure public investments in private properties. Investments in property maintenance and heritage conservation will revitalize the district and encourage new development in the area.

2. *Supporting a Setting Consistent with Traditional Character*

Secondly, the plan will seek to further protect heritage resources and establish the district as an historic destination by supporting the traditional setting through a built form framework that requires new construction to be visually consistent with the traditional architecture.

Some specific measures include Downtown Halifax Land Use By-law amendments to adjust streetwall heights to reflect the scale of the 2.5 storey traditional buildings. Existing Heritage Design Guidelines of the Downtown Halifax Design Manual will extend to all new construction within the proposed Heritage Conservation District. A new financial incentives program may support aspects of new construction that contribute to the heritage character of the District. Appropriate new development will fill in the gaps created by the empty spaces of the district and, in turn, contribute to the unique community identity.

3. *Capitalizing on a Unique Community Identity*

Finally, the plan will promote the area as an historic destination and capitalize on its unique community identity through the introduction of streetscape elements including interpretive programs and landscape features. Investments in public amenities will promote the District as an area of heritage value and character which will encourage the conservation of its traditional character.

Social and Economic Implications

The Downtown Halifax Secondary Municipal Planning Strategy includes Policy 34 which states that the municipality shall consider undertaking background studies and developing policies, strategies, and programs for a potential Heritage Conservation District in the Barrington Street South area. As such, economic considerations must be considered within the framework of a Heritage Conservation District, recognizing the intrinsic heritage values and character of the historic neighbourhood and giving weight to the social values associated with a Heritage Conservation District such as sustainable development, community education and identity, quality of life and community confidence.

Economic considerations also account for the potential economic benefits of a Heritage Conservation District including the stabilization of property values and the encouragement of cultural heritage tourism. An appropriate scale and design of new construction will protect the property values of properties adjacent to the new construction while establishing a greater sense of visual consistency throughout the neighbourhood that will better support the Old South Suburb as a destination for residents and cultural heritage travellers arriving by cruise ship, train, or from elsewhere in the downtown or waterfront.

Insurance rates should not be affected by the Heritage Conservation District designation. There are no provisions within the *Heritage Property Act* to require that property owners restore a registered heritage property or a property within a heritage conservation district if it is accidentally destroyed or damaged. Furthermore, the *Heritage Property Act* allows the council of a municipality to provide financial assistance in respect of municipal heritage property or property located in a heritage conservation district to any

person to assist in the restoration or renovation of such property upon such terms and conditions as it deems fit.

FINANCIAL IMPLICATIONS

The HRM costs associated with the process to establish a Heritage Conservation District (HCD) in Barrington South (Old South Suburb) can be accommodated within the approved 2014/15 operating budget for C310 Planning & Applications. When the HCD Plan & By Law are brought to Regional Council, during the Adoption Phase in 2016, a description of planned HCD programs, their estimated costs and funding sources will be provided.

COMMUNITY ENGAGEMENT

The community engagement process associated with the review of the Background Study in Attachment A is consistent with the intent of the Public Participation Program for the Adoption of a Municipal Heritage Conservation Plan and By-law and the HRM Community Engagement Strategy. The level of community engagement was information sharing and consultation achieved through public accessibility to the required Heritage Advisory Committee meeting and consultation with the Committee.

ENVIRONMENTAL IMPLICATIONS

No concerns identified.

ALTERNATIVE

1. The Heritage Advisory Committee may recommend that Council accept the background studies as outlined in this report with conditions or modifications and in doing so should provide reasons for the conditions or modifications.
2. The Heritage Advisory Committee may recommend that Council refuse to accept the background studies as outlined in this report. If Regional Council does not accept the background studies, the process to establish a Heritage Conservation District in Barrington South (Old South Suburb) will not proceed. This is not staff's recommendation.

ATTACHMENTS

Attachment A: Barrington South (Old South Suburb) Background Study (including Appendices)

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 902-490-4210, or Fax 902-490-4208.

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ATTACHMENT A

**Barrington South (Old South Suburb) Background Study
(including Appendices)**

Barrington South (Old South Suburb) Background Study

A Discussion Paper

**TOWARD THE ESTABLISHMENT OF A
HERITAGE CONSERVATION DISTRICT
IN BARRINGTON SOUTH (OLD SOUTH SUBURB)**

Prepared by:

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Planning & Development
February 13, 2015

Table of Contents

- 1. Introduction 3**
 - 1.1 A Heritage Conservation District for Barrington South..... 3
 - 1.2 Purpose of this Background Study 5
 - 1.3 Process for Establishing a Heritage Conservation District..... 5
 - 1.4 Public Participation Program..... 6
 - 1.5 Historical Context..... 7

- 2. Statement of Significance..... 8**
 - 2.1 Description of Historic Place 8
 - 2.2 Heritage Value 9
 - 2.3 Character Defining Elements 11
 - 2.4 Rationale for Heritage Conservation Measures and for District Boundaries 13
 - 2.5 Historic Significance and Character of Individual Properties 14

- 3. Provincial and Federal Heritage Legislation 15**
 - 3.1 Establishment of a Heritage Conservation District..... 15
 - 3.2 Registered Municipal Heritage Properties 16
 - 3.3 Registered Provincial Heritage Properties and Archaeological Resources 19
 - 3.4 Federal Heritage Legislation 20

- 4. Municipal Policy Discussion 21**
 - 4.1 Heritage Conservation: Protecting and Conserving Traditional Character 23
 - 4.2 Built Form: Supporting a Setting Consistent with Traditional Character..... 27
 - 4.3 Public Realm: Capitalizing on a Unique Community Identity 33
 - 4.4 Summary and Analysis of Approach to Potential Conservation Measures 39

- 5. Social and Economic Implications..... 40**
 - 5.1 Social Implications 40
 - 5.2 Economic Implications 41

- 6. Conclusion..... 44**

- 7. Maps & Appendices 45**

- 8. Works Cited 45**

1. Introduction

1.1 A Heritage Conservation District for Barrington South

A Heritage Conservation District is a defined area of historic or architectural value that is protected by regulations governing such things as demolition, exterior alteration and new development, and where incentives may apply to encourage private architectural conservation and programs that enhance public amenities. A conservation plan and bylaw may be adopted alongside other development control mechanisms, such as municipal planning strategy and land use bylaw amendments.

The Halifax Regional Municipality currently has one Heritage Conservation District in place, the Barrington Street Heritage Conservation District, which is valued for its character and evolution as Halifax's principal downtown commercial street. In addition to Barrington Street, there are concentrations of heritage resources in many areas throughout the region. The municipality has formally identified three of these areas that warrant consideration for formal designation as heritage conservation districts: Barrington Street South, Historic Properties and Schmidtville (Appendix 1, Map1).

The Barrington Street South area not as visually cohesive as it once was but it is still characterized in the overall cohesive architectural character of the many Georgian and Victorian buildings that continue to frame its streets. It is also characterized in the monumental railway setting and civic space that was established around Cornwallis Park, c. 1930. This area is envisioned in the Downtown Halifax Municipal Planning Strategy as a district that “will serve as a renewed community focus for the surrounding neighbourhoods, while providing for a transition in scale and intensity between the downtown and the established low-rise residential areas to the south and west.”

Given its proximity to the downtown core, this area is under pressure for development. There are many registered and non-registered properties with heritage value in the area and there has been much heritage activity in the past decades, refer to Table 1 below. A new multi-unit development, Vic Suites, was constructed at Morris and Hollis Street in 2011 and two non-registered historic buildings were removed from this location including the Morris House, one of the oldest buildings in Halifax. The area recently lost several non-registered historic buildings to fire at the former Café Chianti location on the corner of Hollis and South Street and at the former South End Diner location on the corner of Barrington and Kent Street. In this context, it is important that planning policy ensures that new development supports the existing character in this significant area through Heritage Conservation District designation.

The Downtown Halifax Secondary Municipal Planning Strategy includes Policy 34:

HRM shall consider undertaking background studies and developing policies, strategies, and programs for potential heritage conservation districts in the Historic Properties area and the Barrington Street South area as shown on Map 7

Table 1: Heritage Status and Activity within the Proposed Barrington Street South (Old South Suburb) Heritage Conservation District

<p>104 Total Number of Properties</p>	<p>32.8 Total Area in Acres</p>
<p>50 Properties in Commercial Use (Based on Tax Assessment)</p> <p>50 Properties in Residential Use (Based on Tax Assessment)</p> <p>19 Properties in Mixed Use (Commercial/Residential)</p> <p>4 Properties in Institutional Use</p>	<p>41 Registered Municipal Heritage Properties</p> <p>30 Properties with Heritage Value Not Registered under the <i>Heritage Property Act</i></p> <p>3 Registered Provincial Heritage Properties</p> <p>1 National Historic Site</p> <p>1 Federal Heritage Railway Station</p>
<p>22 Heritage Applications Completed for Municipal Heritage Properties between 2000 and 2014</p>	<p>11 Applications for Substantial Alteration to 7 Heritage Properties on Barrington Street</p> <p>12 Applications for Substantial Alteration to 8 Heritage Properties on Morris Street and 2 on Hollis Street</p> <p>1 Application for Demolition of Heritage Property on Barrington Street (Never Carried Out)</p>
<p>39 Total Grant Applications Made to the HRM Heritage Incentives Program between 2005 and 2014</p>	<p>19 Applications Successfully Issued Grant Awards for Conservation Work on 15 Municipal Heritage Properties</p> <p>\$112,608 Total Municipal Contribution in Support of 50% of Costs for Conservation Projects before HST on Privately Owned Commercial or Residential Properties</p>

1.2 Purpose of this Background Study

The purpose of this background study is to initiate the process to prepare a Heritage Conservation District plan and bylaw for the Barrington South area within the framework of the Nova Scotia *Heritage Property Act* and its accompanying *Heritage Conservation Districts Regulations* as well as the *Downtown Halifax Secondary Planning Strategy & Land Use Bylaw*. This background study is submitted to both HRM Regional Council and the Minister responsible for the *Heritage Property Act* for their endorsement and initiation of the process to develop a Heritage Conservation District.

In particular, this background study seeks to address Section 7 of the *Heritage Conservation Districts Regulations* which states that in the preparation of a conservation plan and by-law, the council as a minimum shall undertake studies relating to the following:

(a) the rationale or justification for heritage conservation measures in the district;

(b) the rationale for the boundaries of the district;

(c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and

(d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

In this background study, the rationale for heritage conservation measures in the Barrington South area and for its boundaries is supported by the Statement of Significance which articulates heritage values of the district and identifies its character defining elements. Existing legislation, relevant to the proposed Heritage Conservation District, is then discussed in relation to the need for conservation measures required to preserve and enhance heritage values and character defining elements. Such conservation measures may supplement or amend the existing legislation. Finally, this background study provides an analysis of the social and economic implications of the establishment of the district, as these relate to the potential conservation measures.

1.3 Process for Establishing a Heritage Conservation District

The statutory procedure for establishing a Heritage Conservation District under the *Heritage Property Act* and *Heritage Conservation District Regulations* is outlined in Appendix 2. For Barrington South, this process is divided into three phases:

Background Study

- Complete background study including the information contained in this report;
- Report to Heritage Advisory Committee and Regional Council to endorse the background study and to initiate the Public Participation Program;

- Submit the background study to the Minister (required by *Heritage Property Act*).

Community Engagement and Heritage Conservation District Plan & By Law Preparation

- Background study is made available to the public and invite public comment;
- Establish Stakeholder Steering Committee (including property owners, business owners/tenants, members of the HRM Heritage Advisory Committee, and a member of the NS Heritage Trust);
- Launch Heritage Conservation District planning process with Stakeholder Steering Committee;
- Public Meeting #1;
- Complete draft Heritage Conservation District plan and by law and make available to the public for public input;
- Public Meeting #2;
- Complete final Heritage Conservation District plan and by law based on public input and steering committee direction;
- Steering committee makes a recommendation to the Heritage Advisory Committee (HAC) and, tentatively, the Design Review Committee (DRC) concerning the final Heritage Conservation District plan and by law
- HAC (and, perhaps, the DRC) make a recommendation to Regional Council.

Adoption and Implementation of Heritage Conservation District Plan & By Law

- Council gives Notice of Intention to adopt the Heritage Conservation District plan and by law and holds a Public Hearing;
- Council adopts Heritage Conservation District plan and by law
- Submit the Heritage Conservation District plan and by law to the Minister for approval;
- District is established when Heritage Conservation District plan and by law are approved by Minister;
- Develop programs to support the plan.

1.4 Public Participation Program

In 2003, HRM Regional Council adopted a Public Participation Program for the Adoption of a Municipal Heritage Conservation Plan and By-law, refer to Appendix 3. The goal of this public participation program is to ensure that the public has full opportunities to be actively involved in the heritage conservation district planning process and to ensure that the proposed Heritage Conservation District plan and by law are understood and supported by the community.

In accordance with the Public Participation Process, a Stakeholder Steering Committee will be established to represent broader stakeholder interests within the proposed Heritage Conservation District (Appendix 4 in Attachment B). Policy in the Heritage Conservation District plan may result in changes to the Downtown Halifax MPS and LUB, including its heights framework. As such, involving the Design Review Committee in the Public Participation

Program would be appropriate due diligence during the development of the HCD plan and bylaw.

1.5 Historical Context

Concerns in Massachusetts about the possibility of a French invasion of Acadia persuaded the British Government to create a fortified town in the colony of Nova Scotia. In 1749, the town of Halifax was established between Citadel Hill and the harbour in the Mi'kma'ki territory of Eskikewa'kik. Charles Morris laid out a plan for the town, confined within a palisade fence and he surveyed the land that was to become the north and south suburbs.

Settlers, primarily Irish fishermen, extended the town south of the Old Burying Ground near the south palisade gate while foreign Protestant farmers, primarily German speaking, established north of the palisade. But neither group stayed long, the Irish re-established along the coast of the Chebucto Peninsula. The Germans moved to Lunenburg where they acquired new skills as fishermen.

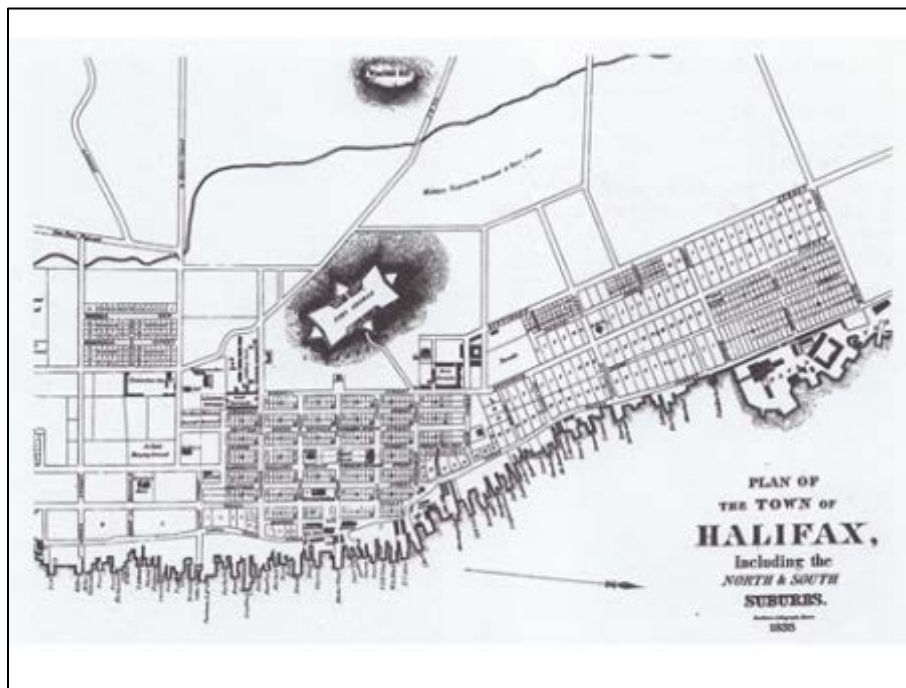


Figure 1: a map depicting the original town of Halifax in 1835, between Citadel and the harbour, including the Old South Suburb to the south (bottom left) of the original town and Schmidville to the southwest (top left) (Library of Congress)

During the first half of the 19th century, early settlers constructed Georgian style wood framed dwellings to the south of the fortified town where lots were much larger. Many of these early dwellings are still standing today, especially along Hollis Street. After fluctuating economic fortunes, the 1830's saw another period of expansion and immigration, mostly concentrated along the waterfront and dockyard. There was a great demand for labour intensive jobs including the loading of cargo, warehousing and delivery of goods. Immigration, especially from

Ireland, led to residential growth beyond the confined slope between the Citadel and harbour (Punch, 2009). A suburb bounded by the Commons, North Street, Gottingen Street and the Citadel extended the town to the north. A similar southern suburb developed in Schmidville, bounded by Spring Garden Road, Dresden Row, Morris Street, and Queen Street. East of Schmidville and south of the original town and Old Burying Ground, the Old South Suburb extended the town to the south between Pleasant Street (now part of Barrington Street) and the harbour. This general area was known locally as Irishtown, especially between 1860 and 1890, due to the significant Irish presence and influence in the area (McGuigan, 2007).

Until late in the 19th century, Halifax had no regular public transit system and most labourers did not own horses or carriages. As such, those who lived near the harbour in the north and south suburbs did so to live within walking distance of their workplace (McGuigan, 2007). This is the reason why these areas included largely working class residences except for a few wealthy estates such as Benjamin Wier's Italianate villa on Hollis Street. By 1890, downtown Halifax, and its south suburb, had lost much of its general residential population as the area converted from residential to commercial and professional uses. Many residential buildings of brick and stone masonry were put to commercial uses and many of the wooden-framed buildings were demolished.

The Canadian National Railways Station (Via Rail Station) was constructed in c. 1930 on the site of the former Halifax Gas Lights Co. Hollis Street was extended around Cornwallis Park merging with Barrington Street, and modifying the original grid, to facilitate streetcar traffic to and from the railway station. The railway industry constructed the Hotel Nova Scotian (Westin Hotel) and created Cornwallis Park, on the former estate of previous Mayor Stephen Tobin. This park was conceived in the railway garden tradition similar to other railway destinations across the country to provide an engaging civic space for railway passengers arriving at key tourist destinations.

2. Statement of Significance

A Statement of Significance is a succinct way of expressing heritage value. It ensures that heritage values are communicated in an effective and consistent manner. The Statement of Significance has three parts: 1) a brief description of the historic place; 2) an identification of the key heritage values assigned to the historic place; and 3) a list of its principal character-defining elements.

Name of Historic Place

The "Old South Suburb" will be used instead of Barrington South because it is more appropriate when discussing the significance of this area.

2.1 Description of Historic Place

The Old South Suburb is an historic suburb of Halifax and proposed Heritage Conservation District. It is located in downtown Halifax, Nova Scotia, uphill from waterfront lands along Lower Water Street, overlooking Halifax Harbour to the east. The Heritage Conservation District encompasses historic residential buildings extending south along Hollis Street from the historic

Benjamin Wier House to the Atlantic Superstore, south of Cornwallis Park. It includes the Via Rail Station and Westin Nova Scotian Hotel around Cornwallis Park as well as properties further south, along Barrington Street. From Green Street the district extends north, along Barrington Street, to Bishop Street. All streets in the historic suburb run on a grid with three north-south streets intersected by seven east-west streets.

2.2 Heritage Value

The Old South Suburb's value as a proposed Heritage Conservation District lies in its historic associations with the early settlement of Nova Scotia as one of the first contiguous suburbs of the fortified town of Halifax and as an area of early traditional architectural character and interest. Its heritage value also lies in its historic association with the social and economic life of the waterfront and the vibrant railway industry of the 1920s and 30s.

The area is valued for its association with early settlement during the late 18th century and into the 19th century as a series of settlers acquired parcels of land south of the original town and built dwellings. Most of the built heritage of the Old South Suburb dates from the Georgian era to the mid-Victorian era. The heritage value of the district is characterized in the prominent Scottish Georgian architectural style, with the distinctive, Scottish, five-sided dormers on pitched or truncated pitched roofs. The configuration is most often a two-and-a-half-storey, three-bay townhouse, with a side-hall plan inside. In essence, the Scottish Georgian domestic architectural style is probably more prevalent in the Old South Suburb than anywhere else outside of Scotland (Heritage Trust of Nova Scotia, 2014). Further Georgian styles include the large square mansions with hipped roofs and the Palladian style with a triangular pediment.



Figure 2: one of the older buildings in the Old South Suburb, constructed between 1796 and 1805, the Alexander McLean House is a good example of the Georgian style of architecture with two central entrances, three-bays wide, and it is deep from front to back.

The heritage value is also characterized in its overall cohesive architectural character. The architectural styles evolved gradually, rather than dramatically, from Georgian to Victorian styles. This gradual evolution gives the area an overall cohesive architectural character. Architectural styles changed gradually during the mid-Victorian years of the 1860s and 1870s.

This gradual shift or evolution in styles also gives the Old South Suburb a cohesive historic character rather than a jarring jumble of heritage styles. As the Mansard roof gained in popularity, the familiar two-and-a-half-storey, three-bay, side-hall-plan townhouses were built with curvaceous Mansard roofs, often with attractive arched-roof dormers and tall chimneys. Aside from its architectural value, the area was home to many dockyard labourers and a high percentage of Irish residents, especially between 1860 and 1890. As such, the area is valued for its association with the area formerly known as Irishtown.

Hollis Street, and the lower sections of its cross streets, are characterized by mainly Georgian architecture from the first half of the 19th century. Barrington Street, and the adjacent sections of its cross streets, are also characterized by Georgian architecture, however, with substantial Victorian influences including vernacular expressions of Late Victorian eclectic, Second Empire, Italianate and Renaissance Revival from the second half of the 19th century. South of South Street is mainly characterized by Victorian and modern architecture.

This traditional residential architecture provides a sense of entering the historic suburb, from the north, past Keith's Hall, Black-Binney House, Benjamin Wier House, Old Government House and Old Burying Ground, and from the east, past Keith's Brewery and Old Government House. The traditional residential character of the district complements the character of the historic suburbs to the south and west and it is a clear break from the traditional commercial and institutional buildings that line Barrington Street to the north and the steel and glass construction that line Hollis Street to the north.

The Old South Suburb is also valued for its association with Halifax's once prominent role as the great eastern terminus of transcontinental rail passenger service in Canada and for its civic heritage as a monumental railway destination. The Canadian National Railways Station (Via Rail Station) and Hotel Nova Scotian (Westin Hotel) were constructed c. 1930, creating a southern access point into downtown Halifax by rail. The railway station's proximity to the hotel speaks of railway affairs during the 1920s with its emphasis on passenger traffic and tourism. These buildings, the railway station in particular, were designed in the Beaux-Arts architectural style with its symmetry, monumentality and classically inspired detailing. With its terra cotta ornamentation and richly textured and patterned red brick, the Hotel Nova Scotian alludes to the hotels and apartment houses of pre-eminent architect Emery Roth in Manhattan and resonates with the character of 1930s New York City. The scale and Beaux-Arts style of these buildings and their relationship with the adjoining Cornwallis Park and the Old South Suburb create a monumental destination and define southern boundaries for Halifax's downtown core. The character of the monumental railway destination is also expressed through Cornwallis Park and the statue of Edward Cornwallis which were part of the railway industry's plan to create railway gardens that add to the public realm at key railway destinations across the nation. Today, both the name of the park and the statue have initiated a public dialogue among the residents of Halifax, many of whom disagree with the commemoration of Edward Cornwallis in a public space.

2.3 Character Defining Elements

The proposed Old South Suburb Heritage Conservation District has many defining elements that relate to its value including:

- all elements of Old South Suburb's original rectangular grid layout including all existing street alignments and widths, in particular, Bishop Street with its narrow width. The extension of Hollis Street to the south of South Street to connect with Barrington Street around Cornwallis Park, via the former Gas Lane. The two north-south streets are intersected at right angles by seven east-west streets with the exception of Kent Street and Green Street both of which intersect with Barrington Street at acute/obtuse angles as Barrington Street veers to the west, south of Cornwallis Park.

2.3.1 Historic Suburb's defining elements of the area as a whole

- traditional buildings in wood, masonry and brick construction;
- two-and-a-half-storey height, which is remarkably consistent throughout the area;
- buildings are close to the street with no setback or just enough setback to allow for stairway entrance;
- street elevations are two storeys high;
- roofs are either pitched, truncated-pitched or Mansard roofs, with a few flat roofs;
- dormers are plentiful, with the five-sided Scottish dormer being particularly characteristic of the area;
- three-bay building width is most common, and the side-hall plan is also prevalent;
- doors frequently have transoms and side-lights;
- windows are higher than they are wide and have over-and-under sashes;
- building widths are between 6 and 16 metres and depths are between 10 and 35 metres;
- buildings are set back from the sidewalk to allow for front steps;
- wood buildings are finished with shingles;
- stone buildings frequently have stringcourses and corner quoins;
- brick buildings usually have the bricks exposed, and sometimes the bricks are covered with stucco;
- the tops of street elevations have prominent cornices, usually supported by brackets or dentils.

(Heritage Trust of Nova Scotia, 2014)

2.3.2 Monumental Railway Destination



Figure 3: the Hotel Nova Scotian (Westin) and its Beaux Arts architecture frame Cornwallis Park to create a monumental downtown destination

- the setting of the monumental railway destination as a civic space including the presence of the Via Rail Station and the dominant presence of the Westin Hotel setback from the right of way, with 8 to 11 storey height;
- all defining elements of the modern Beaux-Arts architecture of the Westin Hotel and Via Rail Station with its symmetry and classical detailing using columns, wings, and a portico. Constructed with stone and stucco as well as bricks. The frieze and supporting pilasters of the Via Rail Building continue across to the front of the Westin Hotel visually tying the two buildings together.
- twelve storey addition to the Westin Hotel with complementary materials and design.
- all elements within the entirety of Cornwallis Park, including grassed areas, trees, shrubs, formal path layout, and monuments. The statue of Edward Cornwallis is a defining element erected in 1931 and constructed by renowned sculptor, J. Massey Rhind, who created many monumental sculptures in Manhattan;
- monumental public art at the centre of Cornwallis Park;
- unobstructed views of the Via Rail Station and Westin Hotel including looking eastward and southward across Cornwallis Park from all streets and from along Hollis Street;
- unobstructed views of Cornwallis Park from the public space in front of the railway station and hotel.

2.4 Rationale for Heritage Conservation Measures and for District Boundaries

The heritage value of the Old South Suburb is characterized in the many registered and non-registered historic buildings, streets, and formal open spaces. Although the area currently lacks some visual consistency due to the many empty spaces and contemporary buildings, the heritage value of the district is still characterized in its overall cohesive architectural character as styles shifted gradually between the Georgian and Victorian periods. The heritage value is also characterized in the monumental railway destination established by the Westin Hotel, Via Rail Station, and Cornwallis Park. There is currently a high concentration of registered municipal heritage properties that are protected from demolition or exterior alteration within the Old South Suburb. However, there is also a high concentration of historic buildings that contribute to the character of the area that are not protected. As a result of the historical significance and the continued pressure for redevelopment in this area, several heritage conservation measures are justified including policies for demolition, exterior alteration, appropriate scale and character of new development and conservation of setting. There is also much residential and commercial interest in this area. As such, there is a need to support private sector confidence and create an environment which encourages private investment and to expand commercial activity by promoting and marketing the area as a commercial destination. A comprehensive strategy, such as a Heritage Conservation District plan and bylaw, will serve to coordinate municipal and private interests in the protection, conservation and revitalization of the District.

Policy 34 of the Downtown Halifax Municipal Planning Strategy (DHMPS) establishes that HRM shall consider undertaking a Heritage Conservation District in the Barrington Street South area identified as Precinct 2 (Map 1). As such, it is the intent of the DHMPS that the proposed Heritage Conservation District boundaries should be established in the Precinct. Based on the following rationale, the boundaries of the proposed Heritage Conservation District will encompass the entire area of Precinct 2 and several key properties outside of the Precinct boundaries (Maps 2 and 3).

2.4.1 Historic Suburb

a) *Hollis Street and its Cross Streets*

The prominent Italianate villa, Benjamin Wier House provincial heritage property, is within the proposed Heritage Conservation District boundaries. Along with a small vacant lot to the north, it marks the northern boundaries of the district as an important architectural asset. From the Benjamin Wier House, the district boundaries extend south along Hollis Street and its cross streets encompassing another registered provincial heritage property, registered municipal heritage properties, properties that contribute to the heritage value and character of the Old South Suburb as well as properties that visually impact the character of the Old South Suburb.

b) *Barrington Street and its Cross Streets*

From Green Street, the district boundaries extend north along Barrington Street and its cross streets to the boundaries of the existing Barrington Street Heritage Conservation District at Bishop Street, south of the Old Government House and Old Burying Grounds. The boundaries encompass a national historic site, a provincial registered heritage property, registered municipal heritage properties, properties that contribute to the heritage value and character of the Old South Suburb as well as properties that visually impact the character of the Old South Suburb.

2.4.2 Monumental Railway Destination

In the area of Cornwallis Park, the district boundaries encompasses the Via Rail Station, a federal heritage railway station. It also encompasses the Westin Hotel and park as important character defining elements of the district. The Atlantic Superstore, its gas station, and other properties are included within the boundaries due to their proximity and potential visual impact on the setting of the monumental railway destination. The boundaries also encompasses properties of the monumental railway destination around Cornwallis Park in the Old South Suburb that contribute to the heritage value and character of the district and that visually impact the character of the Old South Suburb.

2.4.3 Additional Properties for Inclusion

The properties identified below are outside of the Barrington Street South precinct (Precinct 2) or outside of the boundaries of the Downtown Halifax Municipal Planning Strategy. However, these properties are abutting the boundaries of the proposed Old South Suburb and are prominently visible. Their architecture is coherent with the historic buildings within the Old South Suburb and they delineate the natural outer limits of the District. As such, their exclusion from the District would seem arbitrary, whereas their inclusion within the boundaries of the District will add greatly to its heritage value and character. It is reasonable to extend the boundaries of the District to include these properties while still serving the intent of Policy 34 in the DHMPS.

- The District boundaries will encompass Keith's Hall at 1475 Hollis Street and the Black Binney House at 1472 Hollis Street to the immediate north and across the street from the Benjamin Wier House.
- The District boundaries will encompass the Sarah Moren and Jairus Hart Houses, 1334 and 1340 Barrington Street, immediately to the north of the Lithgow House at 1326 Barrington Street. All three buildings of similar scale and character and are visibly prominent on the northern approach into the District
- The District boundaries will encompass the small house at 5134 Bishop Street

2.4.4 Policies for Heritage District Boundaries

A policy of voluntary inclusion includes only those properties whose owners wish to be included and excludes the properties of possible objectors. While this may be expedient in the short term, it is not advisable because it weakens the integrity and cohesiveness of the District. Objectors to Heritage Conservation District designation can voice their concerns and present objecting arguments throughout the community engagement process and at the public hearing. A municipality should then balance these against supporting arguments and designate (or refuse to designate) a Heritage Conservation District in its entirety based on the best interests of the community as a whole.

2.5 Historic Significance and Character of Individual Properties

Details on the history and architecture of all buildings in the District are included in Appendix 5. These inventory sheets identify the distinct built form qualities that define the character of the District.

3. Provincial and Federal Heritage Legislation

3.1 Establishment of a Heritage Conservation District

Amendments to the *Heritage Property Act* introduced in 1991 and accompanying *Heritage Conservation Districts Regulations* adopted in 1992 enable municipalities to establish heritage conservation districts.

Under the *Heritage Property Act* and *Heritage Conservation District Regulations*, a Heritage Conservation District is established by adoption of a Heritage Conservation District plan and bylaw by municipal council. A conservation plan establishes the council's rationale for the adoption of conservation measures and articulates its policies on pertinent conservation issues and opportunities. A conservation bylaw establishes the administrative framework for implementation of the plan, includes design guidelines for building alterations and new development, and lays out procedures for the issuance of permits (certificates of appropriateness) based on the guidelines.

The conservation plan and bylaw can apply to all buildings in a district, whether registered or not. There may be different conservation plans and bylaws for different parts of a municipality. A conservation plan and bylaw may be adopted alongside other development control mechanisms, such as Downtown Halifax Municipal Planning Strategy and land use bylaw, or may stand alone.

Establishment of a Heritage Conservation District is appropriate in communities where there is a concentration of heritage buildings, a tangible historic atmosphere, and a strong community commitment to protect and enhance the historic environment.

3.1.1 Heritage Officer

A council that has adopted a Heritage Conservation District plan and by-law shall designate a person employed by the municipality as the heritage officer and the heritage officer shall be responsible for the administration of the conservation plan and by-law and the issuance of certificates.

3.2 Registered Municipal Heritage Properties



Figure 4: the Henry House on Barrington Street is designated as a municipal heritage property, provincial heritage property and national historic site

3.2.1 Heritage Registry

There are a variety of registered municipal heritage properties within downtown Halifax (Map 3). Individual municipal heritage properties are registered when properties are deemed to have a local or community level of heritage value. Heritage value may include architecture, historical associations, or settings and provide important representations of municipality's history.

There are currently a total of 104 properties within the proposed Old South Suburb Heritage Conservation District including 41 registered municipal heritage properties, three registered provincial heritage properties and two national historic sites, see Table 2 below. The District includes four properties outside of the Barrington Street South Precinct including four registered municipal heritage properties: the Sarah Moren and Jairus Hart Houses on Barrington Street and Keith's Hall and the Black-Binney House, also a national historic site, on Hollis Street. In addition, thirty properties contribute to the heritage value of the District but are not registered as heritage properties. These properties are referred to as contributing resources (Map 3).

Table 2: List of Registered Municipal Heritage Properties in the Old South Suburb

Civic Address			Property Name	Construction Date
1475	Hollis Street		Keith's Hall	1863
1472	Hollis Street	*	Black-Binney House	c. 1815
1459	Hollis Street	+	Benjamin Wier House	c. 1863
1350-54	Hollis Street		Pryor Terrace	1825
1346	Hollis Street		Pryor Terrace	1825
1348	Hollis Street		Pryor Terrace	1825
1335	Hollis Street	+	Rupert George House	c. 1869

1328-32	Hollis Street		Alexander Mclean House	c. 1799
1325	Hollis Street		Gate-Young House	1841
1300	Hollis Street		William Pryor House	c. 1864
1240-46	Hollis Street		Forman-Uniacke House	1826
1226	Hollis Street		Hon. William Annand House	1870
1334	Barrington Street		Sarah Moren House	c. 1864
1340	Barrington Street		Jairus Hart House	c. 1864
1359-61	Barrington Street		Stoddard House	1828
1355	Barrington Street		St. Matthews Manse	1891
1349-53	Barrington Street		Renner-Carney House	1892
1333-35	Barrington Street		T. N. Jeffery House	c. 1816
1326	Barrington Street		Lithgow House	1885
1265-71	Barrington Street		Reuban Hart House/H.P. Burton House	c. 1864
1261-63	Barrington Street		James Thompson House	1865
1259	Barrington Street		William House	1864
1253	Barrington Street		Joseph Seeton House	1864
1234	Barrington Street		Gerrard Lodge	c. 1865
1226-30	Barrington Street		Gerrard Lodge	c. 1865
1222	Barrington Street	+	Henry House	1834
5182-84	Bishop Street		W.M. Fraser House	c. 1862
5178-80	Bishop Street		C.H. Willis House	c. 1862
5174-76	Bishop Street		L.W. Travis House	c. 1862
5170-72	Bishop Street		Ed Gorham House	c. 1862
5188-90	Morris Street		Mathers & Doull Building	1909
5184	Morris Street		Halliburton House	1823
5178	Morris Street		Pryor-Binney House	1831
5172	Morris Street		Lithgow House	1870
5168-70	Morris Street		Lithgow-Blackadar House	1868
5147-49	Morris Street		J.B. Young House	c. 1869
5145	Morris Street		E.B. Strickland House	c. 1869
5139	Morris Street		William Donaldson House	c. 1875
5137	Morris Street		Vass-Taylor House	c. 1869
5133	Morris Street		Almon-Black House	c. 1869
5131	Morris Street		Andrew King House	c. 1875

+ Provincial Heritage Property

* National Historic Site

The *Heritage Property Act* establishes three processes dealing with municipal registered heritage properties:

- Registration
- Substantial Alteration and Demolition
- Deregistration

In order to process applications under the *Heritage Property Act*, a heritage by law, heritage registry and Heritage Advisory Committee must be established. HRM Heritage By-Law H-200 establishes the municipal heritage registry and the Heritage Advisory Committee and identifies its powers which are, in general terms, to advise Regional Council on all matters relating to heritage.

Since 2000, the municipal Heritage Property Program processed 22 heritage applications for registered municipal heritage properties within Old South Suburb. These include 11 applications for substantial alteration of heritage properties on Barrington Street and 10 more on Morris Street. These substantial alterations were mainly for new rear additions and window and façade treatments. An application for demolition of an accessory building at the Gerrard Lodge was also made but never carried out.

3.2.2 Heritage Advisory Committee

The Heritage Advisory Committee, formed under By-Law H-200, may provide advice to Regional Council with respect to the establishment and administration of a Heritage Conservation District. The role of this committee is to advise the municipality respecting: 1) the preparation, amendment, revision or repeal of a conservation plan and conservation bylaw; 2) the administration of heritage conservation districts; 3) an application for a certificate that is required by the act or the conservation plan and bylaw to go to a public hearing.

3.2.3 Registration

There are several properties within Old South Suburb that are historically significant but are not registered as municipal heritage properties. However, in accordance with the *Heritage Property Act*, where a Heritage Conservation District is established, no further building, streetscape or area in the District shall be registered as a municipal heritage property. Existing municipal heritage properties, within a Heritage Conservation District, will continue to be registered and subject to the established provisions of the *Heritage Property Act* in addition to the Heritage Conservation District plan and by law.

3.2.4 Substantial Alteration and Demolition

An application for a substantial alteration or demolition of a municipal heritage property is dealt with using the same process under the *Heritage Property Act*. To substantially alter or demolish a municipal heritage property, within or outside of a Heritage Conservation District, an application must be submitted to the municipality. Municipal staff prepare a report for the Heritage Advisory Committee (HAC) who evaluate the alteration or demolition using the conservation standards prescribed under By-Law H-200 and any other relevant Heritage Conservation District plan and bylaw or municipal policies, such as the heritage design guidelines in the Downtown Halifax Design Manual. If the Heritage Advisory Committee is satisfied that the application meets the conservation standards and other provisions, it may pass a positive recommendation to Regional Council. No hearing is required. Regional Council makes a decision based on the staff and heritage advisory committee recommendations.

There is one difference between the process for substantial alteration and the process for demolition. Municipal policy establishes that the HAC must hold a Public Information Meeting before staff submits a report for a demolition application. A PIM is not required for a substantial alteration application.

Registered municipal heritage properties within a Heritage Conservation District are protected by stronger development controls than registered municipal heritage properties outside of a

Heritage Conservation District because the so-called “three-year delay clause” does not apply. If permission for demolition or alteration in a Heritage Conservation District is refused, the refusal does not expire after three years. However, the Heritage Conservation District plan must include provisions to allow for a process to consider demolition and substantial alteration, such as the issuance of a certificate of appropriateness.

3.2.5 Deregistration

To deregister a municipal heritage property, within or outside of a Heritage Conservation District, an application must be submitted to the municipality along with an associated fee. The *Heritage Property Act* identifies specific provisions under which Regional Council may consider an application for deregistration: 1) the property has been destroyed or damaged by any cause; or 2) the continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value. According to By-Law H-200, deregistration applications must be reviewed by the heritage advisory committee. If the Heritage Advisory Committee is satisfied that the application meets one of these provisions, it may pass a positive recommendation to Regional Council. If Regional Council wishes to consider deregistration of a heritage property, it must hold a Public Hearing to consider it prior to making its decision.

3.2.6 Heritage Agreements

Under Section 20 of the *Heritage Property Act*, Regional Council may enter into an agreement with the owner of municipal heritage property or property located in a Heritage Conservation District, whereby the owner grants to the council a right or incurs an obligation respecting the use, preservation or protection of the heritage property or property located in a Heritage Conservation District.

3.3 Registered Provincial Heritage Properties and Archaeological Resources

3.3.1 Registered Provincial Heritage Properties

There are three registered provincial heritage properties within Old South Suburb, refer to Table 2 above. These include the Benjamin Wier House, the Rupert George House, and the Henry House (Appendix 6). Individual registered provincial heritage properties can occur when they are deemed to have a provincial level of heritage value. Heritage value may include architecture, historical associations or settings, and provides important representations of Nova Scotia's history.

The extent to which a conservation plan and bylaw may apply to any registered provincial heritage property in a Heritage Conservation District is determined by the Provincial Heritage Advisory Council and the Minister responsible for the *Heritage Property Act* and *Heritage Conservation District Regulations* on a case by case basis.

All applications to alter or demolish a provincial heritage property require the approval of the Governor in Council on recommendation of the Advisory Council. The Minister may consider applications to deregister a provincial heritage property. Registered provincial heritage

properties are protected by stronger development controls than registered municipal heritage properties because the so-called “three-year delay clause” does not apply. If permission for demolition or alteration of a provincial heritage property is refused, the refusal does not expire after three years.

3.3.2 Archaeological Resources

The Downtown Halifax Land Use By-law includes a provision that where excavation is required for a development on any area in downtown Halifax, a development permit may be issued and the application may be referred to the Nova Scotia Department of Communities, Culture and Heritage for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

3.4 Federal Heritage Legislation

3.4.1 National Historic Site and National Historic Person

The Henry House is the only property within Old South Suburb designated as a national historic site under the *Historic Sites and Monuments Act*. It is recommended that the boundaries of the District be extended to include the Black-Binney House, another national historic site north of the Old Government House on Hollis Street. National historic sites contribute a sense of time, identity, and place to our understanding of Canada as a whole. Designation as a national historic site provides no legal protection for the historic elements of a site. However, many national historic sites are owned and administered by Parks Canada and, in this way, are protected. The Henry House is privately owned and operated as a restaurant.

A national historic person, Edward Cornwallis, is also designated under the *Historic Sites and Monuments Act*. This designation is also purely commemorative and affords no legal protection. A Historic Sites and Monuments Board of Canada plaque is attached to the podium of a statue of Edward Cornwallis in Cornwallis Park. It recognizes this historical figure as the “Founder of Halifax”.

3.4.2 Federal Heritage Railway Station



Figure 5: Via Rail Station on Hollis Street was constructed in the Beaux Arts architectural style

The Via Rail Station is afforded a level of protection under the federal *Heritage Railway Stations Protection Act*. According to the Act, no railway company may in any way alter, demolish, or transfer ownership of a designated heritage railway station without the authorization of the Governor in Council. The Act provides a clear process through which proposed changes must be reviewed and approved.

The effectiveness of the *Heritage Railway Stations Protection Act* ultimately depends on the railway companies who manage and care for the stations daily, and on the private citizens who continue to express concern for the protection of these resources. Each designated station is an important part of the history of a railway corporation and of the heritage of the Canadian people.

4. Municipal Policy Discussion

The boundaries for the proposed Old South Suburb Heritage Conservation District are entirely within the boundaries of the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By Law. The Heritage Conservation District boundaries encompass the boundaries identified as Precinct 2, Barrington Street South (Map 1). The Downtown Halifax Municipal Planning Strategy identifies vision statements for nine downtown precincts. The following vision is identified for Precinct 2:

Centred on the historic south Barrington Street spine and anchored by Cornwallis Park, this precinct serves as downtown's southern gateway comprised of an eclectic mix of small to mid-sized specialty retail, restaurant and professional office uses. This precinct will serve as a renewed community focus for the surrounding neighbourhoods, while providing for a transition in scale and intensity

between the downtown and the established low-rise residential areas to the south and west. The low to mid-rise heights, concentration of impressive historic buildings and the formal public square are defining qualities that lend to this precinct's traditional 'European' charm and character.

Improvements to Cornwallis Park and its framing streetscapes will enhance the image and prestige of the park and serve as a catalyst for revitalizing the area. This will occur through the creation of a traditional urban square framed by continuous at-grade commercial uses, cafes, hotels and key civic destinations, including the train station. Speciality shops, restaurants and services will be drawn to the distinct architectural character of south Barrington and Hollis Streets, providing the local and surrounding residential population with convenience and complementary amenities.

Infilling of vacant lots combined with streetscape improvements will greatly strengthen the precinct's role as a link between the south end, the Spring Garden Road area, the waterfront and the central downtown.

Defining landmark developments and improvements will include the enhancement of Cornwallis Park to establish and formalize its civic function as the third anchor point in the triangle of downtown public squares, which includes the Grand Parade and Public Gardens. The park's signature paving and landscape treatments will extend onto the surrounding streets and to the fronts of the framing buildings. The framing of Cornwallis Park will be completed with a signature development at its south face, which can integrate the existing grocery store function while providing a compelling architectural landmark and public art installations to terminate the Barrington and Hollis view corridors.

Further to this vision, the Design Manual section of the land use by law includes criteria for each of the nine precincts to strengthen their unique role in contributing to the assets and successes of the downtown. The following general criteria are identified for Precinct 2, Barrington Street South:

- *Retain, and to respect in future development, the small to mid-size types of buildings, or the effect achieved by buildings of that size range, and their relationship to the street, that currently exists along Barrington Street. Buildings that occupy larger floorplates and frontages should have design elements that replicate the existing rhythm of individual storefronts along the street.*
- *Ensure that buildings create an animated streetscape through active ground floor uses and pedestrian scaled design features.*

- *Infill development along Hollis Street should be of a similar scale and type as that found on Barrington Street.*
- *New development shall appropriately frame Cornwallis Park and respect the train station as a historic landmark.*
- *To permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and Design Manual.*
- *Improve the pedestrian environment in the public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).*
- *Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.*

4.1 Heritage Conservation: Protecting and Conserving Traditional Character

4.1.1 Existing Heritage Conservation Policy

Conservation Standards

In 2014, Halifax Regional Municipality adopted the *Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition* (Appendix 7). These standards replace a former set of building conservation standards. The Standards are used to evaluate any proposed alteration to any registered heritage property or to any property in a Heritage Conservation District. The Guidelines set out in the Standards & Guidelines are used to interpret and apply the standards.

According to these Standards & Guidelines, the overarching term for protecting historic places in Canada is Conservation, which is described as: all actions or processes aimed at safeguarding the character-defining elements of an historic place to retain its heritage value and extend its physical life. This may involve Preservation, Rehabilitation, Restoration, or a combination of these actions or processes. Reconstruction, or reconstitution of a disappeared historic place, is not considered conservation and is therefore not addressed in this document.

In heritage conservation districts, these Standards & Guidelines may be supplemented by additional area-specific design criteria which respond to particular heritage values or character-defining features of the district.

Alternate Building Code Compliance Methods & Performance Based Equivalencies

The establishment of a Heritage Conservation District enables the alternate compliance methods and performance based equivalencies of the Nova Scotia Building Code Regulations to be used on all buildings that contribute to the heritage value of the District, where previously

they were only applicable to individually registered heritage buildings. Under the regulations a property owner may request that the alternate compliance provisions be used. The alternate compliance provisions make it easier for old buildings to meet code requirements for fire safety, fire escapes, spatial separations, height and area of rooms, window areas, washroom facilities, etc., and can make a great difference in the economic viability of heritage buildings. They are particularly useful when a building is undergoing change of occupancy, such as conversion of upper floors to residential use. A number of buildings in the District have this potential and could benefit from use of alternate compliance methods.

Heritage Impact Statements

A heritage impact statement determines how a specific proposed development will impact a heritage resource. It can also demonstrate how the heritage resource will be conserved in the context of redevelopment or site alteration. The municipality may require applicants for development to provide a heritage Impact statement for applications relating to any addition to a registered heritage property or to a building within a Heritage Conservation District.

Financial Incentives

The Downtown Halifax Municipal Planning Strategy maintains a policy that it is the intention of the municipality to provide financial incentives for the restoration and renovation of registered municipal heritage properties and properties within heritage conservation districts, subject to the availability of funds and the annual budget process.

The Halifax Regional Municipality has a Heritage Incentives Program that provides grants to residential and commercial heritage properties throughout the region on a 50 per cent cost-shared basis. As part of this program, there is a requirement for successful applicants to sign a document waiving the “three-year delay clause” if the cumulative grants received for a single property surmount \$10,000. The municipality also provides grants to churches and other registered heritage properties, owned by non-profit organizations, through the Community Grants program. In addition, the Barrington Street Heritage Incentives Program encourages the restoration and renovation of any buildings located within the existing Barrington Street Heritage Conservation District boundaries. This was a five year program that was recently extended by two years in 2014.

In addition to the municipal grant opportunities, two different departments within the provincial government have programs to assist owners of provincial heritage properties, municipal heritage properties or properties within a Heritage Conservation District in maintaining and conserving their heritage buildings. The Department of Communities, Culture & Heritage offers Conservation Advice Grants and Conservation Work Grants. The Department of Service Nova Scotia and Municipal Affairs offers a provincial tax rebate (under the Sales Tax Act). Owners of provincial or municipal registered heritage properties are eligible for a full rebate of the provincial sales tax paid for materials used on the exterior of the building.

4.1.2 Heritage Conservation Discussion

Protecting and Conserving Traditional Architectural Character and Cohesiveness

The dense concentration of historic architecture in cohesive styles defines the character of the Old South Suburb. In establishing a Heritage Conservation District, the municipality seeks to strengthen the protection of registered municipal heritage properties and to extend protection from demolition and inappropriate exterior alteration to all properties in the district that contribute to its heritage value and character. The purpose of conservation measures for demolition and substantial alteration is to ensure that significant changes to the character of the District do not occur without consideration of their impact on the heritage value and character of the District. The Old South Suburb Heritage Conservation District plan will include a process to consider the demolition and substantial alteration of all significant properties within its boundaries, such as the issuance of a certificate of appropriateness. However, standard maintenance of significant properties and alterations that are not substantial will not require the certificate.

Best management practices maintain that heritage policies should include an obligation to maintain properties to avoid demolition by neglect (DBN) and temporary stop orders should be employed as emergency measures of protection against actions that may damage or destroy a heritage resource (Denhez, 1997). It is uncertain whether the Nova Scotia *Heritage Property Act* or *Heritage Conservation District Regulations* are designed to support these two conservation measures. However, the feasibility of adopting these conservation measures will be explored through the process to develop the proposed Heritage Conservation District plan and by law, perhaps the certificate of appropriateness can be employed to this effect.

The *Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition*, will apply to all properties within the Old South Suburb Heritage Conservation District, once established. The Standards & Guidelines will be used to evaluate any proposed alteration to a property within the Heritage Conservation District that contributes to heritage value. Halifax Regional Municipality may continue to require applicants for substantial development to provide a heritage impact statement for applications relating to any addition to a registered heritage property or to a property within the Old South Suburb Heritage Conservation District that contributes to heritage value. The Heritage Conservation District will have the additional benefit of considering alternate building code compliance methods and performance based equivalencies on historic buildings to facilitate conservation measures that contribute to the character of the Heritage Conservation District. Also, the existing requirement to include only one main building per lot in downtown Halifax may be reviewed.

Best management practices maintain that any policy for protection of historic resources must be accompanied by a policy for revitalization (Denhez, 1997). If private property owners are required to protect their properties, for example, then tax incentives or other financial incentives must be available to encourage them to conserve their properties. Since 2005, at least one registered municipal heritage property within the Old South Suburb made a grant application each year to the municipality's Heritage Incentives Program. A total of 39 applications were made to this grant program within the proposed Heritage Conservation District boundaries. 19 of

these applications were successfully issued grant awards for a total contribution of \$112,608 in support of conservation work on 10 registered heritage properties. Since this is a cost-shared program, this figure represents a total public-private partnership contribution of more than \$225,216 in the exterior conservation of the registered heritage buildings within the Old South Suburb. Most of these grants were issued for window repair and replacement followed by roofing, cladding, painting and cleaning. There were twice as many applicants interested in carrying out conservation work than there were applicants who received grants through the program to actually carry out the work.

A new financial incentives program dedicated to heritage conservation districts will encourage more successful applications for maintenance and conservation work on significant historic properties. Additional funds should be allocated to a new program to ensure that sufficient grant awards are available to private property owners and non-profit organizations interested in carrying out work on their significant historic properties within the proposed Heritage Conservation District boundaries. Conservation work will include preservation and rehabilitation projects. The proposed Old South Suburb Heritage Conservation plan will also explore the potential of using the financial incentives program to prioritize restoration projects that will preserve and enhance the heritage value and character of the district. Restoration projects accurately reveal, recover, or represent the state of a historic place, or a component of a historic place, as it appeared at a particular period in its history.



Figure 6: a c. 1866 Italianate building on Hollis Street as it appeared in the background of a 1947 photograph (NS Archives)



Figure 7: based on photographic evidence (Figure 6), a financial incentives program could support a restoration project to return the brick cladding and lintels on the second storey of this Italianate building on Hollis Street

As a conservation measure, the building heights currently permitted in areas of the proposed Heritage Conservation District where registered heritage properties and contributing resources are located (Map 3) will be changed to match the existing height of these historic buildings so that there is no incentive to demolish for the purpose of constructing new taller buildings.

There are three existing lots that could be developed to a maximum height of 22 meters (six to seven storeys) directly in front of the Via Rail Station and Westin Hotel. Such development would negatively impact the character of the proposed Heritage Conservation District by obstructing views of the Via Rail Station and Westin Hotel and by completely eliminating the dominant presence of the hotel and railway station in the monumental railway destination area, refer to Figure 9, below. Section 19D of the *Heritage Property Act* states that “a restriction in a conservation by-law that does not permit a building of any kind on a lot is ultra vires”. Since the Heritage Conservation District by-law cannot restrict development completely, methods to discourage development on the lots in front of the hotel and railway station will be explored including heritage agreements and amendments to the Downtown Halifax Land Use By-law.



Figure 8: Westin Hotel near Cornwallis Park



Figure 9: Concept prepared for this background study showing a 22 meter building in front of the Westin Hotel

4.2 Built Form: Supporting a Setting Consistent with Traditional Character

4.2.1 Existing Built Form Policy

Land Use

The entirety of the Old South Suburb is within the Downtown Halifax Zone (DH-1) with the exception of Cornwallis Park which is within the Institutional, Cultural & Open Space Zone (ICO). The ICO Zone is reserved for institutional, cultural, and open space uses as well as eating establishments or retail uses accessory to these principal uses.

A broad range of residential, commercial, and cultural uses are permitted and encouraged within the DH-1 Zone, with few restrictions, in support of the diverse urban character of downtown Halifax. Within the Old South Suburb, the land use by law identifies the following streets as Pedestrian-Oriented Commercial Streets: the length of Barrington Street (to Kent Street), a portion of South Street (along the block north of Cornwallis Park), and a portion of Hollis Street (along the block south of Cornwallis Park). Among other provisions, within these commercial streets, only commercial or cultural uses are permitted on the ground floor.

Furthermore, the DH-1 Zone includes provisions to increase the number of dwellings with two or more bedrooms within multi-unit buildings. This provision intends to increase housing opportunities for households with two or more people since downtown housing is dominated by studio apartments and one-bedroom units.

Building Height, Massing & Character

The maximum heights framework provides height patterns to downtown Halifax. The Downtown Land Use By Law (DHLUB) identifies the heights allowed in Barrington Street South, Precinct 2 (Halifax, Downtown Halifax Secondary Municipal Planning Strategy, 2014). Under the land use by law, every lot must have frontage on a street and there can only be one main building per lot. According to the maximum heights framework, only smaller low-rise buildings (defined as less than 18.5 meters in height) and smaller mid-rise buildings (defined as between 18.5 meters and 33.5 meters in height) are allowed in the Old South Suburb.

A low-rise building in the Old South Suburb can cover 100 per cent of the lot upon which it is situated. However, there are requirements for setbacks from interior lot lines for the mid-rise portion of a building that exceeds 18.5 meters (five to six storeys) in height (Halifax, Downtown Halifax Land Use By-Law, 2014). Stepback requirements from the streetwall apply to the mid-rise portion of buildings above 18.5 meters and above 21.5 meters around Cornwallis Park.

In addition to height provisions, buildings around Cornwallis Park, along Hollis Street and South Street, must include a minimum “parkfront” setback of 4 meters from the street. Everywhere else in the Old South Suburb, buildings can be setback anywhere between 0 and 1.5 meters and 0 and 4 meters from the street (Halifax, Downtown Halifax Land Use By-Law, 2014).

Figures 11 and 14, below, contains renderings of different street views to help visualize the building heights currently allowed in the area. Concept “B” also assumes that all non-registered historic buildings have been replaced with new buildings using existing building heights because these non-registered buildings currently have no provision for protection.



Figure 10: Existing view facing south on Hollis Street approaching the Bishop Street intersection



Figure 11: Concept prepared for this background study for the purpose of showing building height and massing currently allowed in this area



Figure 12: Existing view facing north on Barrington Street at the Harvey Street intersection



Figure 13: Concept prepared for this background study for the purpose of showing building height and massing currently allowed in this area

Bonus zoning provisions do not apply within the existing Barrington Street Heritage Conservation District (Precinct 5) or the potential Heritage Conservation Districts in Precinct 2 (Barrington South).

There is a lack of clarity in the existing DHLUB, where a building on Hollis Street, for example, can be set back three meters from the streetline and this same three meters can be understood as the 3 meters required for a setback on the mid-rise portion of the building (above 18.5 meters). The case can be made that a building can be constructed straight up from its base to 22 meters (six to seven storeys) with no setback on the mid-rise portion. The Downtown Halifax Municipal Planning Strategy and Land Use Bylaw will be amended in 2015 based on the five-year review. These amendments can include clarification with regard to this matter.

Guidelines for Developments in Heritage Contexts

The Downtown Halifax Design Manual of the DHLUB includes Heritage Design Guidelines that supplement the Standards and Guidelines in the evaluation of development proposals that are

integrated with or abutting a registered municipal heritage property in downtown Halifax (Halifax, Downtown Halifax Land Use By-Law, 2014). These guidelines ensure that heritage streetscapes and potential heritage conservation districts are reinforced with compatibly scaled and designed developments. They also ensure that development abutting heritage resources provides appropriate transitions in height.

In addition to the design guidelines for new development, the design manual includes heritage design guidelines for façade alteration and signage.

Development and Design Review

The DHLUB ensures high quality design for downtown development through the site plan approval process. The Design Review Committee reviews all applications for substantive site plan approval in the downtown to ensure conformance with the Design Manual. The site plan approval process also includes public consultation prior to an application for site plan approval being submitted to the municipality.



Figure 14: Prince Mathews Palace on Hollis Street, constructed in 1995, maintains and enhances the traditional scale, massing and character of the traditional buildings

For the purpose of sustainable building design, the DHLUB includes provisions to maximize sunlight penetration and minimize wind impacts on sidewalks. All proposals for buildings taller than 20 meters are subject to a wind impact assessment. Rooftop landscaping is also required for flat rooftops. The DHLUB also includes requirements for pedestrian weather protection. For this purpose, canopies and awnings are encouraged as part of development projects and pedways may be allowed in certain situations identified in the Design Manual.

In terms of the existing street grid and blocks, the Downtown Halifax Municipal Planning Strategy includes policy that the municipality shall not close streets to permit the consolidation of blocks in the downtown. Also, the municipality shall not undertake street widening in the downtown that would materially alter the character of the street grid.

4.2.2 Built Form Discussion

Supporting a Setting that is Consistent with Traditional Architectural Character and Cohesiveness

The proposed Old South Suburb Heritage Conservation District plan will encourage the protection and creative adaptive reuse of existing historic buildings in the area. It will also encourage the construction of new buildings that are visually consistent with the historic buildings to fill the empty spaces that detract from the architectural cohesiveness of the area. The proposed Old South Suburb Heritage Conservation District plan will reinforce existing Downtown Halifax Municipal Planning Strategy policies that protect the character of the existing street grid. The Downtown Halifax Zone (DH-1) and the Institutional, Cultural & Open Space Zone (ICO) at Cornwallis Park will continue to apply within the proposed Old South Suburb Heritage Conservation District and there will be no changes to land uses as a result of the Heritage Conservation District designation.

The existing 18.5 meter (five-storey) streetwall may be appropriate to the traditional commercial buildings along the north stretch of Barrington Street, within the existing Heritage Conservation District. However, the Old South Suburb is a very different neighbourhood and this streetwall height is out of scale with its traditional residential buildings. The streetwall heights in the Old South Suburb will be revised to reflect the scale of the existing 2.5 storey traditional buildings in the historic suburb.

The existing Heritage Design Guidelines of the Downtown Halifax Design Manual apply well to the contiguous historic streetwall of the existing Barrington Street Heritage Conservation District. Although most of the historic buildings in the Old South Suburb are single detached, there is a consistent building height. The Old South Suburb Heritage Conservation District plan will clarify how section 4.1 applies within the boundaries of the district. These existing Heritage Design Guidelines relate to new construction that is integrated with or abutting a registered heritage building. The guidelines relate to design matters such as cornice line heights, window proportions, and materials. In the Old South Suburb, the guidelines for infill and abutting development under the existing Heritage Design Guidelines will extend to all new construction within the proposed Heritage Conservation District.

Figures 15 and 16, below, contains renderings of different street views to help visualize how the existing Heritage Design Guidelines could be applied within the proposed Heritage Conservation District based on a potential 11.5 meter streetwall height illustrated in Concept "D". Concept "D" also assumes that all non-registered historic buildings are preserved because these non-registered buildings will have provisions for their protection in the proposed Heritage Conservation District plan and bylaw.



Same as Figure 10 above



Figure 15: Concept prepared for this background study for the purpose of showing a possible built height framework under a proposed Heritage Conservation District with the existing Heritage Design Guidelines



Same as Figure 12 above



Figure 16: Concept prepared for this background study for the purpose of showing a possible built height framework under a proposed Heritage Conservation District with the existing Heritage Design Guidelines

Furthermore, the Old South Suburb Heritage Conservation District plan will clarify the requirement for building streetwall stepbacks. All buildings must include a stepback above their maximum streetwall height. Buildings that include a streetwall setback at the streetline must also include the full 3 meter stepback above the maximum streetwall height regardless of how far the streetwall is setback from the streetline.



Figure 17: a large development proposed at the corner of South and Hollis Street is out of scale and character with the traditional buildings in the area (WM Fares)

Over the past decades, there has been new construction that is appropriate to the scale and character of the area, such as Prince Matthews Palace on Hollis Street. There has also been construction that is out of scale and character if the District. The proposed Old South Suburb Heritage Conservation plan will explore the potential of using a new financial incentives program to support aspects of new construction that contribute to the heritage character of the District.

4.3 Public Realm: Capitalizing on a Unique Community Identity

4.3.1 Existing Public Realm Policy

The public realm shapes the most prominent and visible aspects of the urban environment and, therefore, makes the greatest impact on the image and impression presented by the downtown. The key objectives of the Downtown Halifax Municipal Planning Strategy's public realm framework are to cultivate and nurture a legible, cohesive, and appealing physical environment. These objectives guide capital improvement strategies.

Other than Cornwallis Park and the street rights-of-way, the municipality does not own any property in the Old South Suburb. The federal and provincial governments also do not own any property in this area.

Streetscapes

In the Old South Suburb, Barrington Street and South Street are identified in DHMPS as primary pedestrian-oriented shopping streets focused on the provision of public transit. Possible features for these streets include broad, paved sidewalks; unique lighting, banners and furnishings; and roadway widths reduced to minimum requirements.

The length of Hollis Street links major civic and cultural attractions, including Cornwallis Park. Possible features of Hollis Street include iconic view termini and landmarks; distinctive paving at

strategic civic locations including Cornwallis Park and Government House; and trees/landscaping where possible.

East-west streets that provide key visual and physical links between the waterfront and the downtown include protected “window views” of the harbour at their eastern ends.



Figure 18: Morris Street includes a protected "window view" of the harbour which provides key visual and physical links to the waterfront

Barrington Street (south of Cornwallis Park), Harvey Street, South Street (west of Cornwallis Park), Tobin Street, Kent Street and Green Street must be designed and constructed to a high standard.

Open Spaces & Connections

The Open Spaces framework provides guidance for future capital investment in terms of upgrading the quality of existing open spaces and creating opportunities for new public spaces throughout downtown Halifax. In the Old South Suburb, the Downtown Halifax Municipal Planning Strategy (DHMPS) identifies Cornwallis Park as a civic square. It also identifies potential courtyards, including mid-block pedestrian connections at three locations: 1) south of Cornwallis Park; 2) on the east side of Hollis Street between Morris Street and Terminal Road; 3) and north of Bishop Street, adjacent to the Benjamin Wier House. Opportunities to create these open spaces and connections will be considered in conjunction with major redevelopments of larger development blocks to enhance pedestrian permeability and connectivity, especially to the waterfront. There is also a pedestrian link identified through the Sexton Campus of Dalhousie University to the west of Old Government House at Bishop Street. Old Government House is identified as including forecourts at three street frontages around the monumental building.

In HRM Active Transportation Priorities Plan, bicycle routes are planned for the length of Lower Water Street. These routes will extend west along Morris Street and Terminal Road. From Terminal Road, a route will extend to the south along Hollis Street and south of Cornwallis Park.

Gateways

The DHMPS identifies two primary gateways into the downtown, the Cogswell Interchange lands and Cornwallis Park, to the north and south respectively, and supports the transformation of these areas in accordance with the Streetscape Typologies identified above.

Views & Visual Character

The DHLUB continues to maintain and protect the Citadel View Planes and Rampart views. In addition to these views, there are other important public views and views of prominent visual terminus sites that deserve protection and consideration. As discussed in the Streetscape Typologies, the “window views” of Halifax Harbour are protected along east-west streets, including Bishop Street and Morris Street. The “framing views” of the downtown provide sweeping views of the downtown at the length of the waterfront where buildings are required to contribute to the image of the downtown and its skyline through appropriate architecture and well-designed roof treatments.

The DHMPS also identifies views of prominent visual terminus sites which include views of landmark sites where existing or potential landmark buildings, structures, public spaces or public art provides termination of a view. Three prominent visual terminus sites are identified in the Old South Suburb and subject to design review provisions: 1) the east end of South Street; 2) the south end of Hollis Street; and 3) the south end of Barrington Street before it veers to the west, between Tobin Street and Kent Street.

Public Art

The DHMPS refers to the HRM Public Art Policy which calls for the installation of public art to celebrate Halifax’s cultural identity and showcase local arts and culture, particularly in high profile locations in downtown Halifax. Public art will help reinforce the unique identity of the precincts and can enhance the overall quality and experience of the public realm. Public art is considered at a variety of scales and contexts including larger installations at visually prominent locations such as the terminus of view corridors, at gateways on prominent corners, or in public open spaces. Smaller installations are also considered along streetscapes, walkways, interior courtyards and associated with buildings.



Figure 19: the statue of Edward Cornwallis (foreground) is a piece of public art that stands in the centre of Cornwallis Park, originally a railway garden associated with the establishment of the Canadian National Railways Station and Hotel Nova Scotian (background)

Public art may include memorials, sculptures, water features, murals, lighting and may combine with building and landscape design. The municipality may consider the installation of public art through its capital investment programs.

Pedestrian Amenity & Comfort

How the public realm is designed, programmed and interfaces with surrounding spaces and land uses is crucial to its capacity to attract and support a broad spectrum of users and to ensure that there are places where people feel comfortable and safe. HRM shall consider using Crime Prevention through Environmental Design Strategies (CEPTED) to enhance safety in public spaces and universal design principles to promote accessibility for all users. The municipality shall also consider special design treatment to identify pedestrian corridors and may implement wayfinding signage.

In 2008, Regional Council adopted a policy for neighbourhood and special district signs. This policy defines a cultural district as a geographically defined area that conveys a special sense of time and place through a concentration of buildings, structures, and spaces. The purpose of the cultural district signage is to identify the district, provide heritage and cultural information and demarcate the boundaries. In order to be recognized as a cultural district, an area should have a sense of a connectedness through past events or use and have an appearance of visual cohesion and characteristics that set it apart.

4.3.2 Public Realm Discussion

Capitalizing on the Unique Identity of the Old South Suburb

There is a great deal of business interest in this part of downtown Halifax. Fifty properties within the boundaries of the proposed Old South Suburb Heritage Conservation District include

commercial tax assessments. As one of two primary gateways into the downtown, the Old South Suburb and the open space at Cornwallis Park, in particular, can serve as a reception area for visitors arriving by cruise ship, train or from another location along the waterfront or in the surrounding downtown area. There is also a great deal of interest in living in this area. Fifty properties include residential tax assessments. 19 properties are in mixed use with commercial uses primarily on the ground floor and residential uses on the upper storeys. Planning for public realm improvements will strengthen and enhance the distinct identity of the Old South Suburb. Streetscape elements with a historical design including lamp posts, benches and garbage bins will be introduced throughout the Old South Suburb to promote and market the area as an historic destination and an attractive place to live in and visit. The Old South Suburb Heritage Conservation District plan can also include policy to ensure that the area is considered a high priority for these streetscape improvements. New structures at the three prominent visual terminus sites, identified in the DHMPS, will include character defining architectural features of the Old South Suburb that relate to the architectural character of the area. Alternatively, new public art proposed for these sites will relate to the heritage value and character of the district.

Pressure for private development can have a negative impact on the character of the District if the proper planning tools are not put in place, such as a Heritage Conservation District plan and bylaw. However, the DMPS also identifies a strong municipal interest to establish this area as a “gateway” into downtown Halifax through the development of commercial avenues, pocket parks and mid-block connections. Therefore, the Heritage Conservation District plan must mitigate the effects that both private and municipal development can have on the character of the District. For example, a rejuvenation project is currently underway for Cornwallis Park which may include the installation of new public amenities in the park such as a stage and children’s play area (Mason, 2014). This project will ensure that the existing views of the railway station and hotel buildings are not obstructed from view to maintain the area’s historic association with the railway industry and the setting of the historic civic space anchored by Cornwallis Park and framed by the Beaux Arts architecture of the hotel and railway station.

The statue of Edward Cornwallis is considered a character defining element. There have been public concerns expressed about the appropriateness of this statue. Some suggest that it should be altered or removed completely from the park. The *Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition*, describe rehabilitation as involving actions aimed at communicating and conveying the heritage value of an individual component of a historic place in a contemporary context. The proposed Old South Suburb Heritage Conservation plan will include a provision to support an interpretive program associated with the statue to address its heritage value and the concerns expressed about its appropriateness. Rehabilitation is also described as the sensitive adaptation of an individual component of an historic place for a continuing or compatible contemporary use while protecting its heritage value. In this sense, a rehabilitation treatment for the statue could include an appropriate alteration. However, matters relating to the alteration of the statue or the renaming of the park will be considered as part of a larger dialogue outside of the process to establish a Heritage Conservation District in the Old South Suburb. The outcome of this dialogue will be considered

under the provisions of the Heritage Conservation District plan and by law and in consultation with the Public Art Policy.

The proposed Old South Suburb Heritage Conservation District plan will include policy to support cultural district signage to identify the district and to provide interpretive information about the heritage value of the area. The municipality has already installed cultural district signage within and around the boundaries of the proposed Heritage Conservation District to recognize the area's association with historic Irishtown. The signage program includes an interpretive panel on Lower Water Street, across from Keith's Brewery, and name blades on street signs delineating "Historic Irishtown" at Bishop and Lower Water, Bishop and Hollis, Hollis and Terminal, Hollis and South, and Hollis and Morris. The Heritage Conservation District plan will include a policy to support this existing cultural district signage program in the Old South Suburb.



Figure 20: Cultural district signage at the corner of Hollis and South Streets includes name blades on street signs that recognize "Historic Irishtown"

A pedestrian link is identified in the DHMPS connecting the Old South Suburb at Bishop Street and Barrington Street with the proposed Schmitville Heritage Conservation District at Clyde Street and Queen Street. This pedestrian link extends through the Sexton Campus of Dalhousie University and to an existing plaza at the south side of the new library building. There may be opportunities to use this pedestrian link to showcase both heritage districts.

Furthermore, the heritage district will support a human-scale environment that is designed, programmed and interfaces with surrounding spaces and land uses to ensure that there are places where people feel comfortable and safe. The Standards & Guidelines include specific guidelines relating to health, safety, security and accessibility considerations to provide for safe and accessible environments that preserve the heritage value and character within heritage districts. The Standards & Guidelines also include specific guidelines relating to sustainability considerations including renewable-energy technologies and energy conservation measures.

4.4 Summary and Analysis of Approach to Potential Conservation Measures

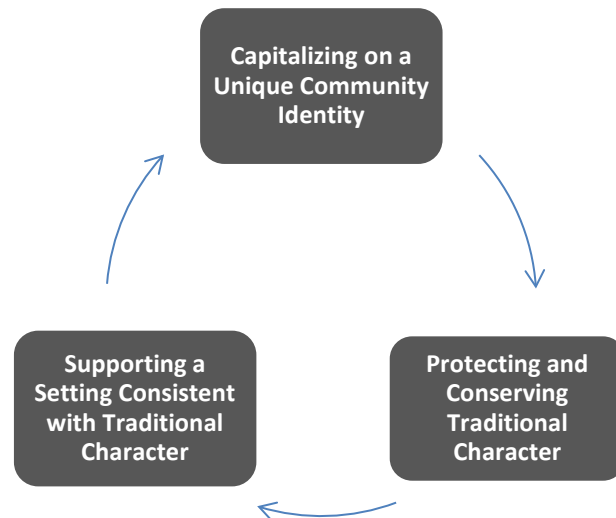
Existing policy and regulations, pertaining to this area, are insufficient in protecting and conserving the heritage values and character defining elements of the district. Therefore, conservation measures are required to supplement or amend the existing legislation. The proposed Old South Suburb Heritage Conservation District plan and by law will protect and conserve this area of historic and architectural value and govern such things as demolition, exterior alteration and appropriate new development. It will call for incentives to encourage private architectural conservation and programs to enhance public amenities. The following illustrations summarize a potential approach to the conservation measures in the plan.



1. Protecting and conserving historic properties can be understood as the foundation of the plan through the governance of *demolition, exterior alteration* and *financial incentives*
2. The plan will build on this foundation by supporting a setting consistent with traditional character through the governance of *appropriate new development* and *financial incentives*
3. The plan will aim to capitalize on this community identity through strategic investments in *public amenities*

The approach can also be understood as including three mutually supportive mechanisms:

- Investments in *public amenities* will promote the district as an area of heritage value and character
- Financial incentives will encourage property owners to invest in the maintenance and conservation of their historic properties and governance of demolition and substantial alteration will secure public investments in private properties.
- Investments in property maintenance and heritage conservation will revitalize the district and encourage *appropriate new development* that will “fill in the gaps” of the district and, in turn, contribute to a unique community identity



5. Social and Economic Implications

5.1 Social Implications

5.1.1 Sustainable Development

Culture, encompassing both heritage (tangible and intangible) and creative industries, plays a critical role as a non-renewable resource that is a vital part of cities, integral to their identity and underpinning their dynamism as hubs of economic development. The development and adoption of the proposed Old South Suburb Heritage Conservation District plan will provide the community with an important tool for ensuring the integrity and sustainability of the area's unique cultural resources. Conserving and adaptively re-using the historic urban environment contributes to the quality of life of their inhabitants in many ways. In addition to strengthening their sense of belonging, social cohesion and providing a pleasant environment, it also mitigates excessive urbanization, attracts tourists and visitors as well as investments, while providing for green, locally-based, stable and decent jobs (UNESCO, 2014). A heritage-driven urban development policy also contributes to mitigating and adapting to climate change, since conserving the existing fabric (built with traditional techniques and local materials and skills) is more environmentally friendly than demolishing and reconstructing.

5.1.2 Community Identity

The proposed Old South Suburb Heritage Conservation District will provide recognition of the properties within its boundaries as important heritage resources. Designation will help to conserve irreplaceable resources, protect the visible cultural assets and strengthen the community's identity and distinctiveness. The Old South Suburb Heritage Conservation District will provide social benefits. People living or working within or visiting the Old South Suburb Heritage Conservation District will enjoy the comfort of a human-scale environment. A human-scale environment is a mix of aesthetics and functionality that fit the average person's dimensions and capabilities (National Trust for Historic Preservation, 2013). The Heritage Conservation District will provide an opportunity to live and work in attractive surroundings within a recognizable and walkable neighborhood.

5.1.3 Education

The proposed Old South Suburb Heritage Conservation District will be a vehicle for education. It will serve as a tangible link to the past and a way to bring meaning to history. It will be a living, active record of the community and its residents. It will preserve the original character of buildings and streets, while welcoming growth and innovation within those spaces. Heritage district designation based on careful historical research and evaluation, promotes understanding and appreciation of an area's heritage values and attributes. (Province of Ontario, 2006). There are no provisions within the Heritage Property Act to require that property owners provide access to the interior of buildings.

5.1.4 Community Engagement

The community engagement process associated with establishing the Heritage Conservation District will provide the community with a voice in its future. By participating in the designation process, citizens can help direct their community's path. Making these decisions together in a structured way through a public process -- rather than behind closed doors or without public comment -- will provide everyone involved with a sense of empowerment and confidence. Designation allows a community to recognize and commemorate what it values within an area that contributes to its sense of place. It provides a process for sustaining these elements into the future. During the study and research phase there is opportunity for the community to develop an understanding and appreciation of the community's heritage resources and the strong relationship between patterns of activity, memory, and imagination and physical patterns of buildings, structures, streetscapes, land forms and natural features (Province of Ontario, 2006). Heritage district designation allows these resources and relationships to be identified and protected.

5.2 Economic Implications

The Downtown Halifax Secondary Municipal Planning Strategy includes Policy 34 which states that the municipality shall consider undertaking background studies and developing policies, strategies, and programs for a potential Heritage Conservation District in the Barrington Street South area. As such, economic considerations must be considered within the framework of a Heritage Conservation District, recognizing the intrinsic heritage values and character of the historic neighbourhood and giving weight to social values associated with a Heritage Conservation District, mentioned above, such as sustainable development, community education and identity, quality of life, and community confidence. Economic considerations will also account for the potential economic benefits of a heritage conservation district, identified below, including the stabilization of property values and the encouragement of cultural heritage tourism.

The Downtown Halifax Secondary Municipal Planning Strategy (DHMPS) considers culture and heritage preservation as a key component to a more liveable downtown. Liveability relates to the walkability and experience at street level. The plan seeks to develop a critical mass of people and buildings in the downtown. When liveability and critical mass are achieved, there is an upward spiral whereby prosperity is increased. Through the establishment of a Heritage Conservation District in Barrington South, the municipality is acting on past policy direction and will provide clarity to development requirements in the area which is a form of certainty to property developers.

There is significant opportunity to grow within downtown Halifax by filling in the gaps, which include many vacant or underutilized lands and many heritage resources which are candidates for reuse and revitalization. To achieve its economic development objectives, the DHMPS targets the redevelopment of vacant and underutilized lands in the traditional Central Business District (precincts 4, 5, 6, 7) and, subsequently, the redevelopment of the Cogswell Interchange lands (precinct 8).

Although Barrington Street South (precinct 2) is not part of the targeted growth areas within the downtown, the DHMPS does identify six vacant sites that could be redeveloped within Barrington Street South (Halifax, Downtown Halifax Secondary Municipal Planning Strategy, 2014). These vacant sites include the two properties south of the Benjamin Wier House and the property to the north of the Justice Building, both on Hollis Street. It includes the gas station property and a portion of the parking area associated with the Atlantic Superstore lands, south of Cornwallis Park. The current parking area in behind the building at 1190 Barrington Street, between South Street and Tobin Street, is also identified as a vacant site. The vacant lots at the corner of South Street and Hollis Street could also be redeveloped. Two historic buildings were lost to fire there several years ago.

In terms of new construction in the proposed heritage district, the requirement for a heritage alteration permit, in the form of a certificate of appropriateness, could be limited to actions that would compromise the historical integrity of the district such as demolitions, and exterior alterations to properties that contribute to the heritage value and character of the district. It is the municipality's intent that this process be as streamlined, flexible and as non-restrictive as allowed under the *Heritage Property Act* and *Heritage Conservation District Regulations*. It is not the intent of the proposed Old South Suburb Heritage Conservation District that buildings be restored to original appearances. Although, such restoration projects can be encouraged, through the use of financial incentives for example, there are no mechanisms in the *Heritage Property Act* or *Heritage Conservation District Regulations* to enforce restoration of a property unless a property has been altered or demolished in contravention of the Act. Municipal heritage staff can work with property owners to help select modern materials that replicate the historical appearance of historic buildings, where appropriate.

5.2.1 Insurance

Insurance on any older home, not only registered heritage properties, could be costlier because of higher replacement costs. The insurance industry indicates that the issuance of homeowners insurance is not based on the age of the building but rather on the condition and upkeep of the building. Items that insurance companies specifically check on older buildings include: the type of plumbing (copper or galvanized); the age of oil storage tanks for heating; the type of electrical system for the size of the building; the type of wiring in use (aluminum or knob and tube); and the age and condition of the roof. The insurance industry recommends that homeowners shop around for home insurance because some companies will not insure older homes since they do not have the expertise to properly assess the risks involved. There are no provisions within the *Heritage Property Act* to require that property owners restore a registered heritage property or a property within a heritage conservation district if it is accidentally destroyed or damaged.

5.2.2 Property Values

An appropriate scale and design of new construction will protect the property values of properties adjacent to the new construction while establishing a greater sense of visual consistency throughout the neighbourhood that will better support the Old South Suburb as a destination for residents and cultural heritage travellers arriving by cruise ship, train, or exploring

the downtown or waterfront. Local residents in surrounding neighbourhoods and throughout the region will also better identify with a place that is visually consistent with the history of the area. Investments in heritage conservation can stimulate complementary economic activity, making neighbourhoods more attractive and strengthening local economies such as the service, retail, and design industries.

A report was commissioned in Ontario, which has similar heritage legislation as Nova Scotia, to address the impact that heritage conservation districts have on properties values. The findings were that heritage designation does not affect property values. Robert Shipley of the University of Waterloo published a paper called *Heritage Designation & Property Values: Is there an effect?* An abstract of the study follows:

"This paper describes research that was designed to examine the assertion that historic designation of properties, under the heritage legislation in Canada's largest province, has a negative impact on the values of those properties. The actual selling price of subject properties was used to establish their value history trends, which were then compared to ambient market trends within the same communities. Almost 3,000 properties in 24 communities were investigated, in what is believed to be the largest study of its kind ever undertaken in North America. It was found that heritage designation could not be shown to have a negative impact. In fact there appears to be a distinct and generally robust market in designated heritage properties. They generally perform well in the market with 74% doing average or better than average. The rate of sale among designated properties is as good or better than the ambient market trends and the values of heritage properties tend to be resistant to downturns in the general market."

The proposed Old South Suburb Heritage Conservation District will protect the investments of owners and residents within the district. Insensitive or poorly planned development that is out of scale and character with existing development can make an area less attractive to investors and homebuyers, and thus undermine property value. Heritage Conservation District designation encourages people to buy and rehabilitate properties because they know their investment is protected over time in an area that encourages better design, a greater sense of physical cohesiveness, and more innovative use of materials that result in greater public appeal. The Heritage Conservation District will aim to preserve the distinct historical atmosphere of the area.

5.2.3 Cultural/Heritage Tourism

The proposed Old South Suburb Heritage Conservation District can positively impact the local economy through tourism. An aesthetically cohesive and well-promoted district can be a community's most important attraction. According to a 2009 report, cultural and heritage travelers spend 63 per cent more, on average, on their most recent trips compared to non-cultural and heritage travelers (National Trust for Historic Preservation, 2013). Also, vibrant commercial cores and charming neighborhoods with character attract new business and quality

industry. Companies continually relocate to communities that offer their workers a higher quality of life, which successful preservation programs and stable districts enhance.

5.2.4 Financial Incentives

Section 22 of the *Heritage Property Act* allows the council of a municipality to provide financial assistance in respect of municipal heritage property or property located in a heritage conservation district to any person to assist in the restoration or renovation of such property upon such terms and conditions as it deems fit.

6. Conclusion

The Old South Suburb is an important candidate for a Heritage Conservation District due to its significant heritage values associated with the early settlement, economic life and traditional architectural character of the city. As part of downtown Halifax, it continues to experience pressures for new development. Therefore, heritage conservation measures are justified within the entire area identified as Barrington Street South (precinct 2) in the DHMPS. There is currently a high concentration of registered municipal heritage properties that are protected from demolition or exterior alteration within the Old South Suburb. However, there is also a high concentration of historic buildings that contribute to the character of the area that are not protected.

First, as a foundation to the proposed Heritage Conservation District plan, conservation measures will protect all significant registered and non-registered heritage resources using an appropriate process to consider applications for demolition and exterior alteration. It will also include financial incentives and other measures to encourage the conservation of these heritage resources including their preservation, rehabilitation and restoration. Secondly, the plan will seek to further protect heritage resources and establish the district as an historic destination by supporting the traditional setting through a built form framework that requires new construction to be visually consistent with the traditional architecture. As such, the many vacant lots and empty spaces present the opportunity for new integrated development. Finally, the plan will promote the area as an historic destination and capitalize on its unique community identity through the introduction of streetscape elements including interpretive programs and landscape features.

The Barrington Street South precinct is envisioned in the Downtown Halifax Municipal Planning Strategy as an area that “will serve as a renewed community focus for the surrounding neighbourhoods, while providing for a transition in scale and intensity between the downtown and the established low-rise residential areas to the south and west.” Conservation measures for the proposed Old South Suburb Heritage Conservation District are consistent with this vision and will serve to advance it. Furthermore, the plan will promote sustainable development and establish a stronger community identity that is connected to its history. It will also help to stabilize and improve property values while boosting cultural heritage tourism activity in the area.

7. Maps & Appendices

Map 1: Downtown Halifax Precincts – Barrington South Area

Map 2: Proposed Boundary

Map 3: Heritage Properties and Resources

Appendix 1: Actual and Potential Heritage Conservation Districts in Downtown Halifax

Appendix 2: Heritage Conservation District Adoption Process

Appendix 3: Public Participation Program

Appendix 4: Terms of Reference HRM Heritage Conservation District Stakeholder Committee

Appendix 5: Inventory of Individual Properties

Appendix 6: Provincial and Federal Heritage Designations

Appendix 7: The Standards for the Conservation of Historic Places in Canada

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APPENDIX 1

Actual and Potential Heritage Conservation Districts in Downtown Halifax



APPENDIX 2

HERITAGE CONSERVATION DISTRICT ADOPTION PROCESS

Statutory procedure for establishing a Heritage Conservation District under the Heritage Property Act:

Council:

1. adopts a public participation program by resolution;
2. undertakes background studies (to rationalize the proposed District), provides public access to studies, and submits studies to Minister. Minister has 60 days to declare studies sufficient or prescribe additional studies;
3. prepares a draft Heritage Conservation Plan and By-law;
4. secures public input on a draft Heritage Conservation Plan and By-law;
5. gives notice of intention to adopt a Heritage Conservation Plan and By-law and hold a public hearing by newspaper advertisements on two successive weeks and by ordinary mail or personal service to all property owners, 21 days prior to date of public hearing;
6. on date of publication of first notice of intention, a 120 day restriction begins on the issuance of development permits and building permits that are or may be in conflict with the proposed Conservation Plan and By-law. If the Plan and By-law do not come into effect within 120 days, such permits may be issued provided that they meet all other applicable by-laws;
7. provides public access to the proposed Conservation Plan and By-law;
8. after holding public hearing, adopts the Conservation Plan and By-law by majority vote and submits it to the Minister for approval, with documentation regarding compliance with the statutory planning process;
9. Minister approves the Conservation Plan and By-law. Council gives notice of approval in newspaper and files document in Registry of Deeds; and
10. Conservation Plan and By-law come into effect when approved by the Minister.

APPENDIX 3

RESOLUTION REGARDING:

A Public Participation Program for the Adoption of a Municipal Heritage Conservation Plan and By-law Related to the Establishment of a Heritage Conservation District

Be it resolved that the Council of Halifax Regional Municipality does hereby adopt the following public participation program pursuant to Section 6 (1) (i) of the Heritage Property Act, Statutes of Nova Scotia, 1989, Chapter 199.

1. All requests for a Heritage Conservation District shall be directed to Regional Council for preliminary review. Where Regional Council determines that the request has merit:
 - (a) The request shall be forwarded to municipal staff for preparation of a report and recommendation to the Heritage Advisory Committee.
 - (b) Where the HAC determines that a heritage conservation district should be considered a recommendation shall be made to Regional Council to initiate the planning process for the adoption of a Heritage Conservation Plan and By-law.
2. Where Regional Council determines that it wishes to further consider the adoption of a Heritage Conservation District the case shall be referred to the Heritage Advisory Committee who shall implement the following public participation procedure(s):
 - (a) The Heritage Advisory Committee shall establish a Stakeholder Steering Committee according to the *Terms of Reference: Heritage Conservation District Steering Committee*, outlined in "Attachment 1" of this resolution.
 - (b) The Heritage Advisory Committee in conjunction with municipal staff may implement an opinion survey to gain direct input of property owners within the proposed Heritage Conservation District boundaries into the draft Heritage Conservation Plan and By-law using a proven survey method.
 - (c) The Heritage Advisory Committee in conjunction with municipal staff, shall hold a minimum of two (2) public meetings concerning the proposed Heritage Conservation Plan and By-law at key stages of the planning process to provide information to public stakeholders and seek input into the proposed Heritage Conservation Plan and By-law.
 - (d) The following public meeting notification procedures shall apply:
 - (i) Notice of the public meeting at which the Heritage Conservation District shall be discussed shall be published in a newspaper circulating in the area affected a minimum of fourteen (14) days prior to the meeting. The notice shall indicate the time, date and place of the meeting and the location and hours during which written material concerning the proposed Heritage Conservation Plan and By-law may be inspected by members of the public.
 - (ii) Written notification of the meeting shall be forwarded to all property owners, businesses and tenants within the District a minimum of fourteen

APPENDIX 3

(14) days prior to the meeting.

- (e) Minutes of the public meeting(s) and all related written submissions and staff reports shall be forwarded to Regional Council.
 - (f) The Heritage Advisory Committee shall forward its recommendation(s) and all related information to Regional Council.
3. Council shall give notice of intention to adopt a Heritage Conservation Plan and By-law and hold a public hearing by newspaper advertisements on two successive weeks and by ordinary mail or personal service to all property owners, 21 days prior to date of hearing.
 4. Nothing in this resolution shall preclude Regional Council from taking other measures as deemed necessary to obtain public opinion regarding the adoption of a Heritage Conservation Plan and By-law.
 5. Any amendments to a municipal planning strategy and land use by-law required to support or implement a Heritage Conservation Plan and By-law shall be undertaken in accordance with Halifax Regional Council's Resolution Respecting Public Participation.

APPENDIX 4

Terms of Reference Halifax Regional Municipality Heritage Conservation District Stakeholder Steering Committee

1. Statement of Purpose

The Heritage Conservation District Stakeholder Steering Committee (the "Committee") will represent broader stakeholder interests within the proposed heritage conservation district. The Committee will operate as a sub-committee of the Municipal Heritage Advisory Committee (HAC) and will work with municipal staff throughout the heritage conservation district plan and by-law adoption process. Committee members will work with staff at key points in the planning process including issue and opportunity identification, review of draft policy and regulations, public participation, and discussion of other program elements as required.

2. Membership

Committee members shall be appointed by the Municipal Heritage Advisory Committee (HAC) using a consensus approach. HAC will seek to establish an effective balance of Committee members to best represent the interests of stakeholders.

The membership of the Committee shall represent a broad cross-section of stakeholders, including (but not necessarily limited to) : property owners, residents, business owners (where applicable), the area business commission or residents association (where applicable), Nova Scotia Heritage Trust or other similar heritage organization and HAC.

The Committee membership shall consist of:*

- a. Two (2) members of Heritage Advisory Committee
- b. One (1) member of Nova Scotia Heritage Trust**
- c. Two (2) property owners within the proposed district
- d. Two (2) business owners and/or tenants within the proposed district that do not own the property

*Additional members may be appointed at the discretion of HAC in order to effectively represent stakeholder interests.

** Where a member of Nova Scotia Heritage Trust is not provided, a representative of an alternative heritage-specific organization may be appointed to the Committee.

3. Meeting Guidelines

Meetings shall be held according to a regular schedule as agreed to by the Committee and endorsed by the HAC. Committee members will be required to attend meetings on a regular basis. The quorum for regular meetings is a majority of the appointed members.

The Committee may form sub-committees to address specific focus topics as deemed necessary. Meeting records of every Committee meeting shall be prepared and circulated (and approved) at the following meeting.

4. Committee Chair

The committee shall appoint a Chair and a Vice-Chair (to act in the absence of the Chair) who will keep the group focused on an accepted agenda, guide discussion and encourage participation by all committee members.

5. Decision-Making

The Committee will work on a consensus basis, however, should a vote be necessary, all motions shall require support from the majority of members present.

6. Reporting to HAC

The Committee will provide monthly verbal reports/updates to HAC and all Committee meeting minutes shall be forwarded to HAC for information.

APPENDIX 5

Inventory of Registered Heritage Municipal Properties and Contributing Resources

APPENDIX 6

Provincial and Federal Heritage Designations

APPENDIX 6

Provincial and Federal Heritage Designations

The Benjamin Wier House

1459 Hollis Street, Halifax, Nova Scotia, B3J, Canada

Formally Recognized: 1987/03/13



Front Elevation



Rear Perspective, Romeo and Juliet
Balcony



Palladian Window and Balcony

OTHER NAME(S)

The Benjamin Wier House
Elks Club

LINKS AND DOCUMENTS

n/a

CONSTRUCTION DATE(S)

1864/01/01 to 1864/12/31

LISTED ON THE CANADIAN REGISTER: 2005/07/05

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

The Benjamin Wier House is a three storey, brick house with sandstone trim, designed in the Italianate villa style. Above the main entrance is a central, elaborately decorated, wrought iron balcony. Built in 1864, the house is located across from Government House on Hollis Street in Halifax, Nova Scotia. Both the house and its surrounding property are included in the designation.

HERITAGE VALUE

The Benjamin Wier House is valued as one of the few Rococo Italianate buildings in the Province. Built in 1864, the Benjamin Wier House is a three-storey house with a five bay Wallace stone façade. The front elevation incorporates many Palladian style windows with a decorative sandstone trim on both the first and second floors. In addition, the first floor windows have sandstone-bracketed hoods. A large window opens onto a decorative wrought iron balcony on the second floor. There are two dormers on the third floor, each flank a Palladian window with an ornate roof detail. The rear of the building is brick with not much decorative detail but it does have a distinctive Italianate villa characteristic, a Romeo and Juliet balcony.

The Benjamin Wier House is also valued because of its location on Hollis Street, forming a significant part of a continuum with other heritage buildings on the same street, including Government House. The building is one of the more important older structures on Hollis street. Located across the street from Government House, the Benjamin Wier House is among other prominent buildings including Province House, the Bank of Nova Scotia Building, the Brewery and Founders Square.

Source: Notice of Registration of Property as a Provincial Heritage Property, Provincial Property Heritage File no. 060.

CHARACTER-DEFINING ELEMENTS

Character-defining elements of the Benjamin Wier House include:

- location among other similar heritage buildings on Hollis Street;
- four dormers, two placed on either side of the building;
- truncated gable roof;
- Wallace sandstone front elevation.

Character-defining elements of the Rococo Italianate style of the Benjamin Wier House include:

- three storey symmetrical five bay façade with central doorway;
- round-headed window and door openings as decorative accents, windows with elaborated crowns;
- windows on the second floor have decorated sandstone trim while those on the first floor have, in addition, sandstone bracketed hoods;
- doorway topped by a large sandstone, bracketed entablature;
- wide eaves supported by brackets but are cut in the center to allow an elaborate parapet with a Palladian window;
- bracketed hoods and sills;
- two dormer windows flanking the Palladian window on the third floor;
- iron balcony above central door;
- Romeo and Juliet balcony at the rear.

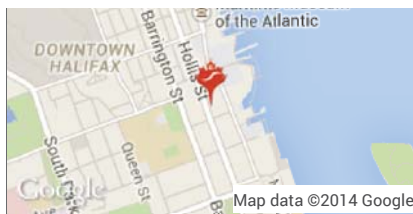
Character-defining elements of the interior of the Benjamin Wier House include:

- richly carved ceiling moldings;
- white and black marble fireplaces;
- curving staircase with a large skylight above on the third floor.

▶ RECOGNITION

▶ HISTORICAL INFORMATION

▶ ADDITIONAL INFORMATION



NEARBY PLACES



Sievert's Tobacco Building

1573 Barrington Street, Halifax, Nova Scotia

Sievert's Tobacco shop is a traditional Vernacular-style, three-storey building located in the...



Cast Iron Façade / Coomb's Old English Shoe Store National Historic Site of Canada

1883-1885 Granville Street, Halifax, Nova Scotia

The Cast Iron Façade / Coombs Old English Shoe Store is a mid-19th-century commercial building with...



Colwell Building

APPENDIX 6

Provincial and Federal Heritage Designations

Henry House

1222 Barrington Street, Halifax, Nova Scotia, B3J, Canada

Formally Recognized: 2005/01/13



Front Elevation



Side Perspective



Side Perspective

OTHER NAME(S)

Henry House
Granite Brewery

LINKS AND DOCUMENTS

n/a

CONSTRUCTION DATE(S)

1835/01/01 to 1835/12/31

LISTED ON THE CANADIAN REGISTER: 2006/01/30

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

Henry House is a two-and-one-half storey, three bay façade, Halifax House style stone house with a truncated gable roof and three attic windows at either end. The house is located on Barrington Street, a main street in the downtown south end of Halifax, Nova Scotia. Both the building and its surrounding property are included in the provincial heritage designation.

HERITAGE VALUE

Henry House is valued as an excellent example of the Halifax House architectural style. It is a typical freestanding two-and-one-half storey stone house with a granite façade and ironstone sides, following a style developed in Halifax by Scottish masons. The house was built in 1835 by well known Halifax mason and land owner John Metlez. The two-and-one-half storey house is also valued for its rare surviving freestone construction with a granite block façade and ironstone on either side. The three attic windows in the gable wall and limited decorations throughout are consistent of the Halifax House style. The elevation is square with three windows wide and the house is deep from front to back. The main floor is raised above street level with an asymmetric front door within an enclosed porch, added in 1870. Since 1968 the building has had a commercial use, housing the Henry House Restaurant and Granite Brewery Pub.

Henry House is also valued for its association with influential government officials, including William Alexander Henry. A Halifax native, Henry and his family lived in the house from 1854-1864. Henry held numerous highly distinguished positions throughout his public career including: one of Nova Scotia's Fathers of Confederation; Provincial Attorney General; Mayor of Halifax; member of the Provincial House of Assembly; co-authors of the British North America Act; and was the first Supreme Court Judge of Nova Scotia, a position he held until his death in 1888.

Henry House is also valued for its location in a mainly residential area of Halifax that was originally

home to many Nova Scotian politicians and merchants. It is a significant reminder of a formative period in the history of Halifax and Nova Scotia. The house is located on Barrington Street and is a few blocks from Government House and across from Cornwallis Park.

Source: Notice of Registration of Property as a Provincial Heritage Property, Provincial Property Heritage File no. 261.

APPENDIX 6 Provincial and Federal Heritage Designations

CHARACTER-DEFINING ELEMENTS

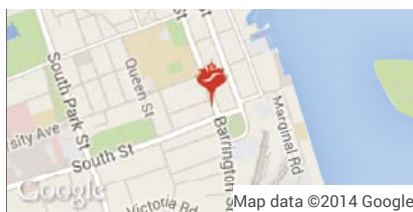
Character-defining elements of Henry House relate to is Halifax House style and include:

- three attic windows in the gable wall;
- deep plan from front to back.
- belt course above the basement;
- heavy quoins;
- six-over-six double sash windows with moulded surrounds;
- front façade is three windows wide with an asymmetric front door;
- granite stone on street façade and ironstone on either side;
- truncated gable roof;
- joined-type chimneystack
- covered porch.

▶ RECOGNITION

▶ HISTORICAL INFORMATION

▶ ADDITIONAL INFORMATION



NEARBY PLACES



Old Halifax Court House

5250 Spring Garden Road, Halifax, Nova Scotia

The Halifax County Court House is an imposing two-and-one-half storey Classical Revival building...



Province House

1726 Hollis Street, Halifax, Nova Scotia

Occupying a prominent site in an historic precinct in the heart of downtown Halifax, NS, Province...



Government House

APPENDIX 6

Provincial and Federal Heritage Designations

Henry House National Historic Site of Canada

1222 Barrington Street, Halifax, Nova Scotia, B3J, Canada

Formally Recognized: 1969/05/08



General view



OTHER NAME(S)

Henry House National Historic Site of Canada

Henry House

Maison Henry

LINKS AND DOCUMENTS

n/a

CONSTRUCTION DATE(S)

1834/01/01

LISTED ON THE CANADIAN REGISTER: 2009/06/12

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

Henry House National Historic Site of Canada is a two-and-a-half-storey stone house built in the early 19th century. Located at the front edge of its lot on the edge of downtown Halifax, Henry House features a gable roof topped by a single side chimney, a portico-covered side entrance, various multi-pane sash windows, and walls of ashlar granite blocks on the façade and dressed rough ironstone on the gable ends. Official recognition consists of the building on its property at the time of designation.

HERITAGE VALUE

Henry House was designated a national historic site of Canada in 1969 because:

- Henry House represents an urban house type found in several towns of British North America in the first half of the 19th century;
- for about fifteen years this residence was the home of William A. Henry (1816-1888), lawyer, politician, Father of Confederation, and Judge of the Supreme Court of Canada.

In its side hall plan and its granite and ironstone exterior, Henry House is representative of the style of early 19th-century British North American residences built for the elite. In favour of uniting the British North American provinces, and one of five delegates appointed to represent Nova Scotia at the Charlottetown Conference, William A. Henry made this house his residence during the time of Confederation.

Source: Historic Sites and Monuments Board of Canada, Minutes, May 1969.

CHARACTER-DEFINING ELEMENTS

The key elements that relate to the heritage value of Henry House are:

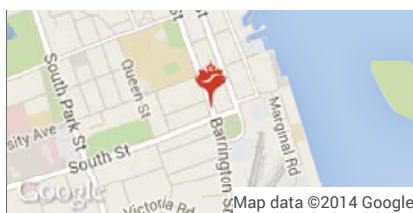
the composition of its facade, three bays wide with a portico covered entrance at one side.

- the composition of its façade, three bays wide with a portico-covered entrance at one side;
- its gable roof with the long side oriented toward the front elevation;
- its stone construction, consisting of ashlar granite blocks with prominent quoins along the main façade, and gable walls roughly dressed in local ironstone with granite window surrounds;
- the craftsmanship evident in the gable wall masonry, and in the ashlar window surrounds;
- its interior plan, with the first and second floors organized around a side hall with stairs, and kitchen space located in the basement;
- surviving original interior finishes and fittings, including door and window trims and casings, interior shutters, mouldings, baseboards, six-panel doors, ceiling cornices and medallions, fireplace mantels, and the staircase;
- its situation at the front edge of its lot, sustaining a close relationship with the street in keeping with its function and design.

▶ **RECOGNITION**

▶ **HISTORICAL INFORMATION**

▶ **ADDITIONAL INFORMATION**



NEARBY PLACES



Government House

1451 Barrington Street, Halifax, Nova Scotia

Government House is the oldest official residence in Canada, built in 1800-1807 in Halifax for the...



Former Church of England Institute

1588 Barrington Street, Halifax, Nova Scotia

The Church of England Institute is a three storey, brick building designed in an eclectic Victorian...



Macara-Barnstead Building

APPENDIX 6 Provincial and Federal Heritage Designations

APPENDIX 6

Provincial and Federal Heritage Designations

Black-Binney House National Historic Site of Canada

1472 Hollis Street, Halifax, Nova Scotia, B3J, Canada

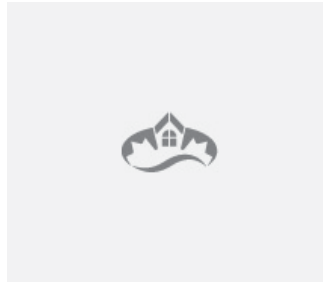
Formally Recognized: 1965/05/17



General view



Corner view



OTHER NAME(S)

Black-Binney House National Historic Site of Canada

Black-Binney House

Maison Black-Binney

Black-Uniacke-Binney House

Maison Black-Uniacke-Binney

LINKS AND DOCUMENTS

n/a

CONSTRUCTION DATE(S)

1819/01/01

LISTED ON THE CANADIAN REGISTER: 2008/11/24

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

Black-Binney House National Historic Site of Canada is an elegantly restrained, three-storey, cut-stone house that sits close to the sidewalk on a downtown street in Halifax, Nova Scotia. Its symmetrical design and restrained decorative finishes reflects the tradition of Palladian-inspired residences during the late eighteenth and early nineteenth centuries in eastern Canada. The designation refers to the house on its legal property.

HERITAGE VALUE

The Black-Binney House was designated a national historic site of Canada because:

- it is a notable example of the finest Halifax residences of its day, that corresponds with the first important era of stone construction in the town.

Built ca. 1819 for merchant and politician John Black, the Black-Binney House enjoyed a succession of prominent residents including the Honourable James Boyle Uniacke, Premier of Nova Scotia from 1848 to 1854, and the Anglican Bishop of the province, the Right Reverend Hibbert Binney from about 1855 to 1887. This house was large for its time and finished to a very high level with finely cut granite facing on the facade, wrought iron railing along the entry steps, decorated leading in the entry door lights, and fine wood and plasterwork on the interior. Its symmetrically arranged sash windows, low hipped roof and central entry place it within the tradition of vernacular interpretations of Palladian design, popular for homes of the middle and upper classes during this era.

Source: Historic Sites and Monuments Board of Canada, Minutes, May 1965.

CHARACTER-DEFINING ELEMENTS

Key elements contributing to the heritage value of this site include:

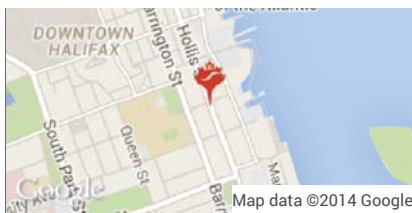
- its location on a downtown street within the centre of the city;
- its position on its lot, close to the sidewalk and accessed by a split staircase;
- its brick construction with stucco finish and cut granite facing on the main facade;
- the three-storey, rectangular massing of its main block;
- its truncated hip roof with end chimneys;
- its five-bay facade with central entry;
- its symmetrical arrangement of multi-pane sash windows;
- surviving evidence of the centre-hall interior layout;
- surviving interior finishes and decoration, notably plasterwork, woodwork, fireplace mantels, doors.

APPENDIX 6 Provincial and Federal Heritage Designations

▶ **RECOGNITION**

▶ **HISTORICAL INFORMATION**

▶ **ADDITIONAL INFORMATION**

**NEARBY PLACES****Historic Waterfront Buildings**

1865-85 Upper Water Street, Halifax, Nova Scotia

The Historic Waterfront Buildings is a group of stone and wooden warehouses on the Halifax, NS,...

**Halifax Waterfront Buildings National Historic Site of Canada**

Upper Water Street, Halifax, Nova Scotia

The Halifax Waterfront Buildings NHSC comprises a group of former stone and wooden warehouses on...

**Old Halifax Court House**

APPENDIX 6

Provincial and Federal Heritage Designations

VIA Rail Station

Heritage Railway Station of Canada

Halifax, Nova Scotia



Exterior photo
(© Barry Moody, DFA, 1991.)

Address : 1161 Hollis Street, Halifax, Nova Scotia

Recognition Statute: Heritage Railway Stations Protection Act (R.S.C., 1985, c. 52 (4th Supp.))

Designation Date: 10/6/1991

Dates: 1928 to 1930 (Construction)

Other Name(s): Canadian National Railway Station (Historic Name)

Research Report Number: RS-044

Description of Historic Place

The VIA Rail (formerly Canadian National Railways) Station at Halifax is a large, Beaux-Arts-style railway station. It was built in 1928-30 as part of a hotel and railway station complex, consisting of the adjoining Hotel Nova Scotian. The hotel/station complex is prominently located adjacent to Cornwallis Park and forms part of the southern boundary of Halifax's downtown commercial core. The formal recognition is confined to the railway station itself and does not include the adjoining hotel building.

Heritage Value

The large size, monumental design and prominent location of the VIA Rail (formerly Canadian National Railways) Station at Halifax illustrate the emphasis placed on rail passenger service by the Canadian National Railways (CNR) during the late 1920s. It is one of the few remaining examples of a combined railway-station-and-hotel-complex, a once-common arrangement that reflected the emphasis placed by rail companies on providing hospitality as well as transportation services. The construction of the Halifax station and hotel complex was seen as an indication that the city was bouncing back from a post-war slump.

The Halifax station illustrates the basic tenets of the Beaux-Arts style: symmetry, monumentality and classically inspired detailing. Its late Beaux-Arts design is evident in its classical detailing, the sober choice of materials, and the restrained use of ornamentation. The original configuration and functional arrangement of the main public spaces have been maintained, and some original detailing and material remains in the lobby, concourse and waiting room.

The scale of the Halifax station and hotel complex, and its relationship to the adjoining Cornwallis Park and to the Barrington Street commercial district, create a southern anchor and boundary for Halifax's downtown commercial core. The monumental nature of the station is enhanced by the surrounding open space created by Cornwallis Park.

Source: Heritage Character Statement, VIA Rail (formerly Canadian National Railways) Station, Halifax, Nova Scotia, August 1991; Harry Jost and Barry Moody, Railway Station Report 044, VIA Rail Station, Halifax, Nova Scotia.

Character-Defining Elements

Character-defining elements of the VIA Rail (formerly Canadian National Railways) Station at Halifax include: exterior features which characterize it as an example of the Beaux-Arts style, including the formal, symmetrical, front elevation, the monumentally scaled classical façade, the richly detailed entrance portico, the cast-bronze shell cresting and mouldings over the entrance doors, and the attic storey crowned with a horizontal main cornice; the use of a limited range of materials on the principal elevation, Queenston limestone, stuccoed brick and gray granite; the use of balanced, repetitive elements on the principal elevation; the strong, horizontal lines of the principal elevation, created by the granite base, entablature and main cornice; interior features typical of Beaux-Arts design, including the axial and forcefully organized interior plan, and the monumentally scaled and classically detailed, general waiting room; surviving original interior finishes and detailing in the lobby, arcade, concourse and general waiting room, including terrazzo floor, cove base, marble dado, and plaster mouldings; surviving original fixtures in the lobby, including, light fixtures, and a bronze display cabinet; functional features in the concourse, including the open steel roof trusswork, and the skylights.

Date Modified : 2012-03-15

APPENDIX 7

The Standards for the Conservation of Historic Places in Canada

The Standards for the Conservation of Historic Places in Canada promote responsible *conservation* practices to help protect Canada's historic places. They provide a philosophical approach to conservation work. While neither technical nor case-specific, they offer a framework for making essential decisions about which *character-defining elements* of an *historic place* should be preserved and which ones can be altered while protecting *heritage value*.

These Standards are, in fact, principles that express the collective wisdom that has accumulated in heritage conservation practice. They are rooted in practical and theoretical arguments that evolved as the field of conservation developed over the years. Working from these basic principles gives consistency and an ethical foundation to the decisions that must be made when conserving an historic place. The Standards are to be broadly applied throughout the conservation process and read as a whole, because they are interconnected and mutually reinforcing.

Conservation is a case-by-case pursuit, based on an understanding of the specific values of an historic place. While the applicability of each standard is unique to each case or *intervention*, nevertheless, there is a consistency in applying the standards to different types of places. Chapter 4, which forms the bulk of this document, provides detailed guidelines for four categories of historic places and materials.

Because the standards are basic principles to be applied using a reasoned process unique to each historic place, it is important to fully understand their meaning. This chapter explains the meaning of each standard and gives examples for their application. Because many of the standards describe multiple principles, it is important to consider every sentence in a standard. The individual principles associated with each standard are separated into part (a), (b), etc. The explanations that follow further define each separate principle.

The first nine standards relate to *Preservation*, which is at the core of all conservation projects. As such, these general standards must be applied to all conservation projects regardless of treatment type. Three additional standards are specific to *Rehabilitation* projects—Standards 10, 11 and 12—and two additional standards are provided for *Restoration*—Standards 13 and 14.

REPAIRING OR REPLACING?

Standards 8, 10 and 13 are related standards; each one describes the importance of repairing before replacing for each of the three treatment types based on the condition of the character-defining elements and the type of evidence available.

- Standard 8, in the context of *Preservation*, where the condition allows more for repair than replacement, assumes that material evidence is available to use as a basis when part of a character-defining element needs to be replaced;
- Standard 10, in the context of *Rehabilitation*, permits compatible, distinguishable new elements to be inserted when replacing elements too deteriorated to repair;
- Standard 13, in the context of *Restoration*, requires that replacement elements be based on evidence from the restoration period.

THE STANDARDS

The Standards are not presented in a hierarchical order. All standards for any given type of treatment must be considered, and applied where appropriate, to any conservation project.

General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the *heritage value* of an *historic place*. Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an *historic place* that requires minimal or no change to its *character-defining elements*.
6. Protect and, if necessary, stabilize an *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.

APPENDIX 7

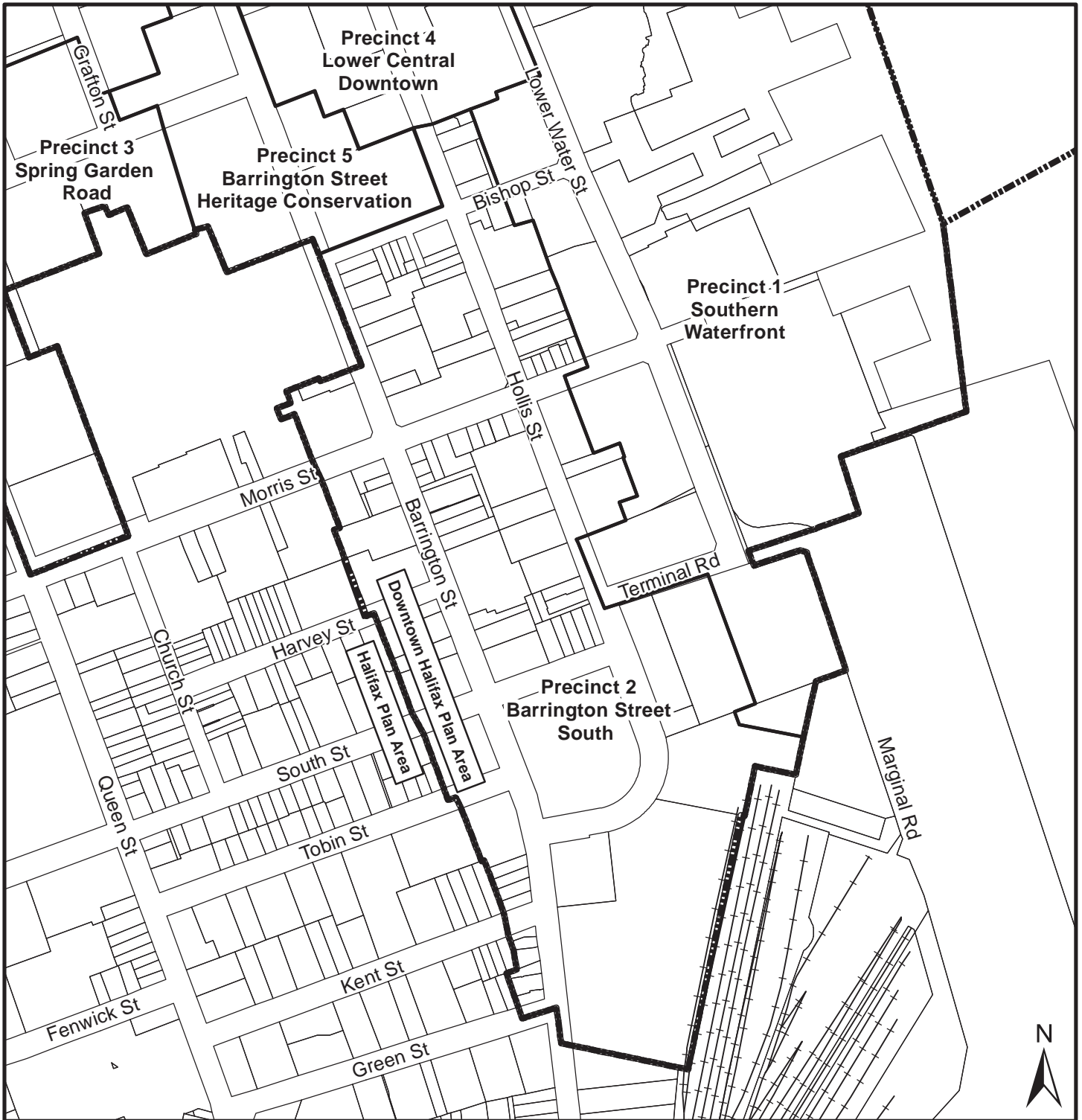
The Standards for the Conservation of Historic Places in Canada

Additional Standards Relating to Rehabilitation

- 10.** Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
- 11.** Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12.** Create any new additions or related new construction so that the essential form and integrity of an *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

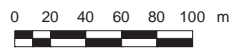


Map 1 - Downtown Halifax Precincts

Barrington South Area
Halifax

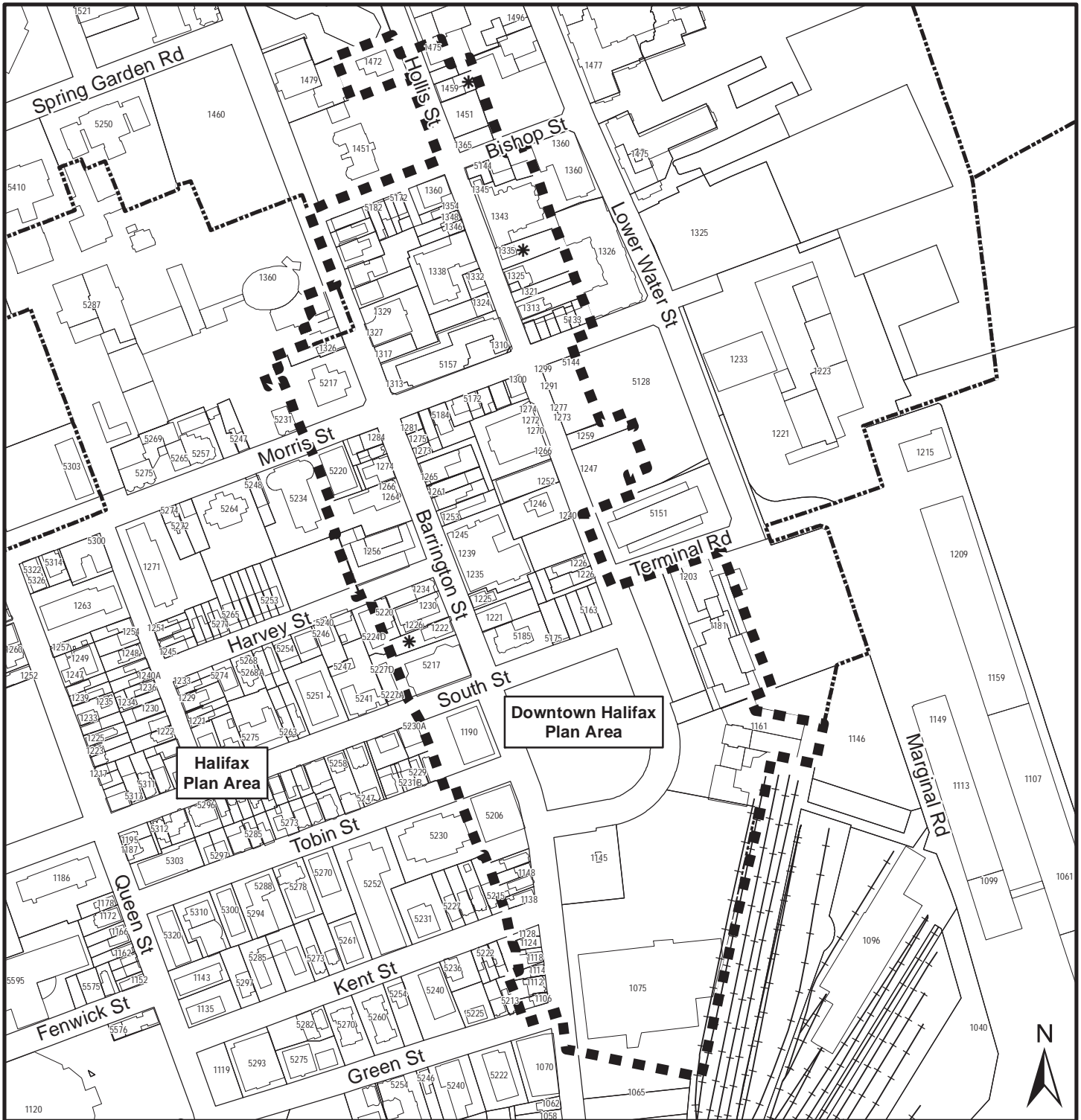
HALIFAX

 Community plan boundary





Downtown Halifax Plan Area
Halifax Plan Area

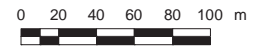
The accuracy of any representation on this plan is not guaranteed.



**Map 2 - Proposed Boundary
Old South Suburb Heritage Conservation District**

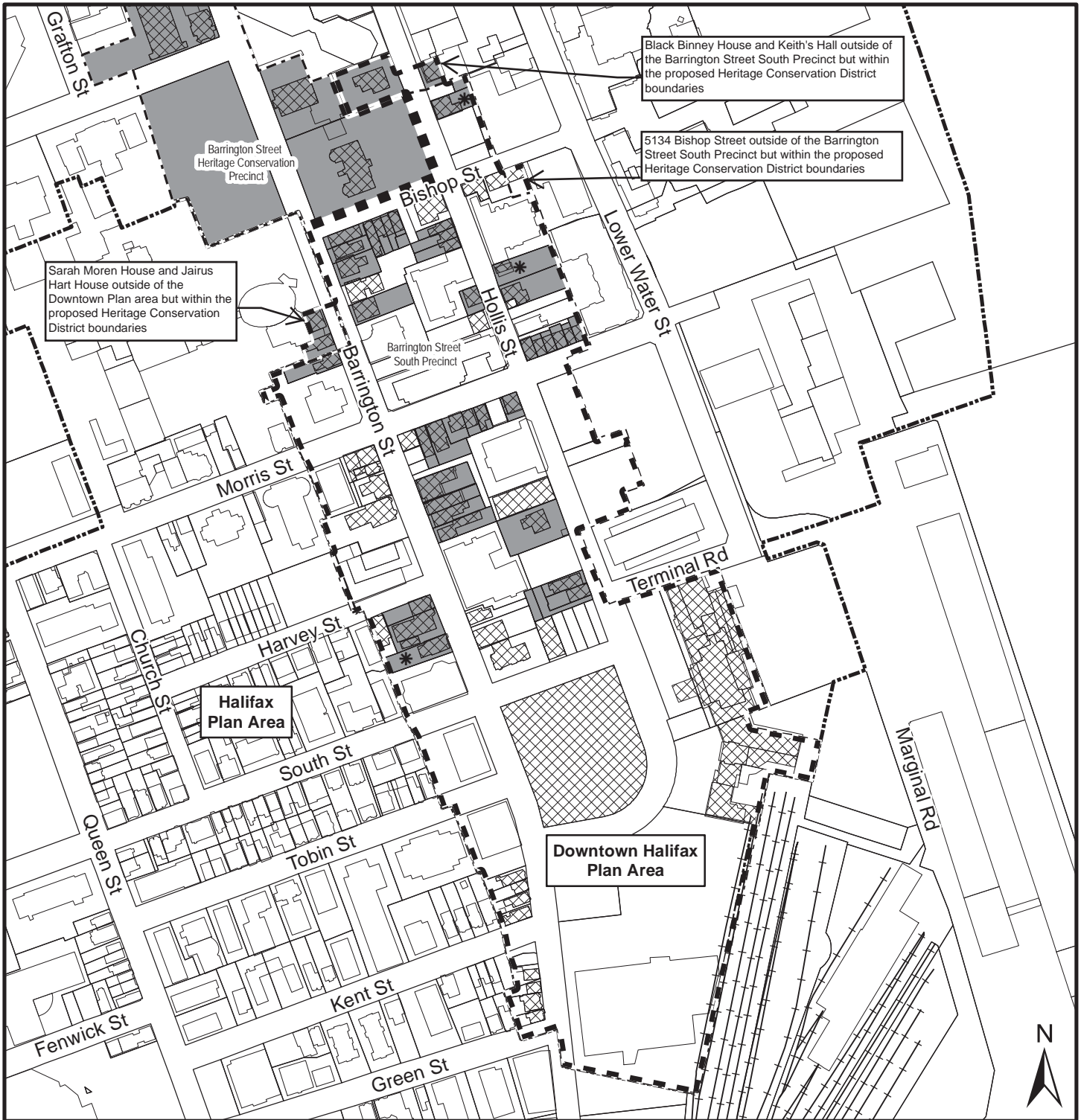


-  Proposed heritage district boundary
-  Community plan boundary



Downtown Halifax Plan Area

The accuracy of any representation on this plan is not guaranteed.









Black Binney House and Keith's Hall outside of the Barrington Street South Precinct but within the proposed Heritage Conservation District boundaries

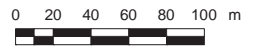
5134 Bishop Street outside of the Barrington Street South Precinct but within the proposed Heritage Conservation District boundaries

Sarah Moren House and Jairus Hart House outside of the Downtown Plan area but within the proposed Heritage Conservation District boundaries

Map 3 - Heritage Properties and Resources Old South Suburb Heritage Conservation District

HALIFAX

-  Proposed heritage district boundary
-  Downtown Halifax plan boundary
-  Barrington Street Heritage Conservation and Barrington Street South Precinct boundaries
-  Registered heritage property
-  Contributing resources/buildings
-  Provincially registered heritage building



Downtown Halifax Plan Area

The accuracy of any representation on this plan is not guaranteed.