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**Heritage Advisory Committee
December 11, 2013**

TO: Chair and Members of Heritage Advisory Committee

SUBMITTED BY: Original Signed by
Brad Anguish, Director, Community & Recreation Services

DATE: December 2, 2013

SUBJECT: **Case H00379: Substantial Alteration to 1124 Robie Street, Halifax – Oakland Lodge, a Registered Municipal Heritage Property**

ORIGIN

Application by Roy McBride

LEGISLATIVE AUTHORITY

Heritage Property Act

RECOMMENDATION

It is recommended that the Heritage Advisory Committee recommend that Halifax Regional Council approve the proposed substantial alteration to the Oakland Lodge as identified in Attachment A of this report.

BACKGROUND

The property at 1124 Robie Street at the corner of Oakland Road, Halifax, is a registered municipal heritage property (Map 1) which contains a single residential dwelling known as Oakland Lodge. The property owner, Roy McBride, wishes to subdivide the property into two lots; the first lot to accommodate the existing building, sandstone walls, and iron gates; and the second lot would enable the construction of a new residential building (Attachment A). In accordance with the *Heritage Property Act*, this is considered a substantial alteration to a municipal heritage property and, as such, Regional Council approval is required.

Heritage Value

The *Heritage Property Act* defines "heritage value" as "*the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations and embodied in character-defining materials, forms, locations, spatial configurations, uses and cultural associations or meanings.*" Oakland Lodge is valued for its association with the Cunard family estate and its architecture. The estate was previously owned by local merchants but it was destroyed by fire in 1849. In 1861, the property was sold to William Cunard, the second son of Sir Samuel Cunard, the founder of the famous shipping line. The Oakland estate was designed by well-known Halifax architect Henry Frederick Busch, and was completed in 1864. The main house was destroyed by fire c.1900 during the building of the railway cut. Oakland Lodge is the only remaining structure of the estate. It was built as the gate keeper's or porter's residence.

The Oakland Lodge building is as an excellent example of the Gothic Revival style. It exhibits many of the traits of this architectural style including a large hip gable steeply pitched roof with cross gable. The property also has a gate with massive sandstone pillars and base with gothic peaked posts between spearhead detailed iron fencing and gates (Attachment B). These impressive features marked the beginning of a carriage drive that once wound between a boulevard of trees toward a large mansion (Attachment B). The property is the only reminder of the Cunard estate.

Character Defining Elements

Under the *Heritage Property Act*, the "character-defining elements" of a heritage building are defined as "*the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to heritage value and that must be sustained in order to preserve heritage value.*" The following is a list of character-defining elements relating to the architectural significance of Oakland Lodge:

- two storey wood construction;
- steeply pitched roof with many small projections and extended eaves;
- gothic peaks and dormers;
- plain façade;
- cross gable;
- bargeboard;
- wall surface extending into gable;
- windows which extend into the gables;
- porch with flattened gothic arches;
- wrought iron gate with sandstone pillars and base; and
- gothic peaked fence posts with spearhead fence.

Registration

This property was registered on January 28, 1982 by the former City of Halifax.

Heritage Building Conservation Standards

The Heritage Building Conservation Standards are used when evaluating proposed alterations to registered heritage buildings throughout the region. The Conservation Standards ensure that careful consideration is given when alterations are contemplated, and that different strategies may apply in different contexts to better integrate new development with existing heritage buildings.

De-registration of Lot 19C-2 as a Municipal Heritage Property

Should the proposed substantial alteration be approved by Regional Council, the applicants have indicated that they may apply for the de-registration of the new lot, Lot 19C-2, as municipal heritage property subsequent to the approval of the subdivision. Section 16 of the *Heritage Property Act* identifies provisions under which Council may consider a proposed deregistration:

16(1) On the application of an owner of a municipal heritage property or on its own motion, the council may deregister a municipal heritage property where

- (a) the property has been destroyed or damaged by any cause; or*
- (b) the continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value, as identified in the property's heritage file or notice of recommendation, unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner, after holding a public hearing to consider the proposed deregistration.*

DISCUSSION

Proposal

The proposed development involves alterations to Oakland Lodge through the subdivision of the existing heritage property, identified in Attachment A. The original lot (Lot 19C-1) will be reduced in size but it will continue to accommodate the historic building, sandstone walls, and iron gates. A proposed new lot (Lot 19C-2), to the south, will enable the construction of a new residential building. This proposed lot includes a grassed open space with a few trees but it does not include any character defining elements.

Heritage Building Conservation Standards

The proposal has been evaluated against HRM's Heritage Building Conservation Standards (Attachment C) and staff offers the following comments relative to the applicable standards:

- **Historic Character:** This proposed development will not alter the Oakland Lodge building itself. However, a new building on Lot 19C-2 will have a visual impact on the heritage property. The Oakland Lodge is currently visible at a distance of approximately 400 feet, near Belmont Road, when travelling north, uphill, on Robie Street. After the proposed residential lot is developed, a new building may partially to fully obscure these approaching views of the Oakland Lodge from Robie Street and along Oakland Road. Significant views of the Oakland Lodge, across the gate and walls, from the intersection of Robie Street and Oakland Road (Appendix B) will remain open because setback

requirements in the Land Use By-Law will limit development to be within the area represented as a dashed line rectangle in Attachment A. This building envelope can be developed to a height not exceeding 35 feet.

- **Historical Development:** During the turn of the 20th century, there was a trend where former estates of wealthy citizens, in the northern and southern stretches of the city, were sold and their open fields subdivided into smaller building lots for suburban residential development. The Oakland Lodge is the only remaining structure on the once vast Cunard estate. A Fire Insurance Plan map from 1918 (Attachment B) depicts little development on the estate along Oakland Road, between Robie Street and Waterloo Street. However, the estate was already subdivided for development along Fraser Street at that time as this large estate transitioned to suburban lots. Today, the entire block has been developed with single unit dwellings except for the proposed Lot 19C-2. A new building on lot 19C-2 will not depict a false sense of historical development as it will continue the historic development pattern established at the turn of the 20th century and integrate visually with the surrounding residential neighbourhood developed throughout the 20th (and 21st) century.
- **Preserve Distinctive Features:** Character defining elements of the heritage property including the Oakland Lodge building, walls and gates will be preserved as part of Lot 19C-1. The historic building will continue to have a unique presence, distinctive from surrounding residential buildings. The impressive iron gates and sandstone walls will continue to evoke the historic presence of the once vast Cunard estate.

Conclusion

With the proposed development, the Oakland Lodge, sandstone walls and iron gates will remain together as part of the same registered municipal heritage property. Although a new building on the proposed new lot will not impact any character defining elements directly, it will impact approaching views of the Oakland Lodge from Robie Street and along Oakland Road. However, significant views of the Oakland Lodge, across the walls and gates, will be preserved. A new building will not depict a false sense of historical development. The Oakland Lodge, walls and gates will continue to have a unique presence, distinctive from the surrounding residential neighbourhood and continue to evoke the presence of the once vast Cunard estate.

Staff recommends that the Heritage Advisory Committee recommend that Regional Council approve the substantial alteration to Oakland Lodge as identified in Attachment A.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this application can be accommodated within the approved 2013/14 operating budget for C310 Planning & Applications. HRM is not responsible for renovation costs.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing achieved through the HRM website and public accessibility to the required Heritage Advisory Committee meeting and Regional Council.

ENVIRONMENTAL IMPLICATIONS

No concerns identified.

ALTERNATIVES

1. The Heritage Advisory Committee may recommend that Council approve the proposed substantial alteration to the Oakland Lodge as outlined in this report. This is staff's recommendation.
2. The Heritage Advisory Committee may recommend that Council approve the proposed substantial alteration to the Oakland Lodge with conditions or modifications and in doing so should provide reasons for the conditions based on applicable conservation standards.
3. The Heritage Advisory Committee may recommend that Council refuse the proposed substantial alteration to the Oakland Lodge as outlined in this report. The *Heritage Property Act* does not include appeal provisions for decisions of Council regarding substantial alterations, however, the owners would be permitted to proceed with their proposal three years from the date of the application. This is not the recommended course of action.

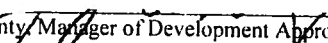
ATTACHMENTS

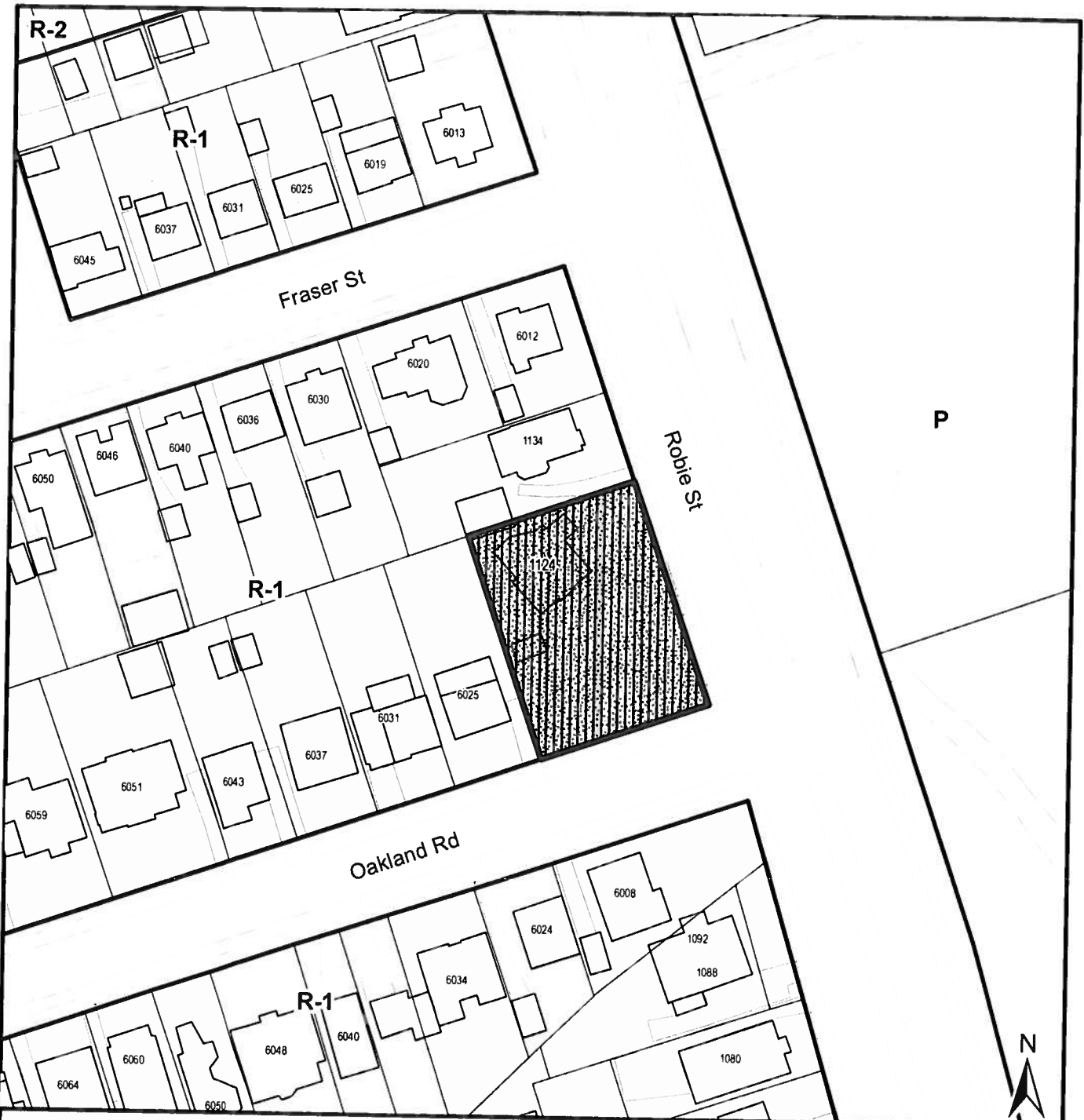
Map 1: Location Map – 1124 Robie Street, Halifax
Attachment A: Site Plan of Proposed Subdivision
Attachment B: Photographs of Property
Attachment C: Building Conservation Standards

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Seamus McGreal, Heritage Planner, 490-5113

Original Signed by



Report Approved by:  Kelly Denty, Manager of Development Approvals, 490-4800



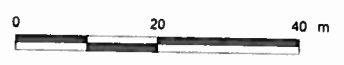
Map 1 - Location

1124 Robie Street
Halifax



-  Subject property
-  Registered heritage property

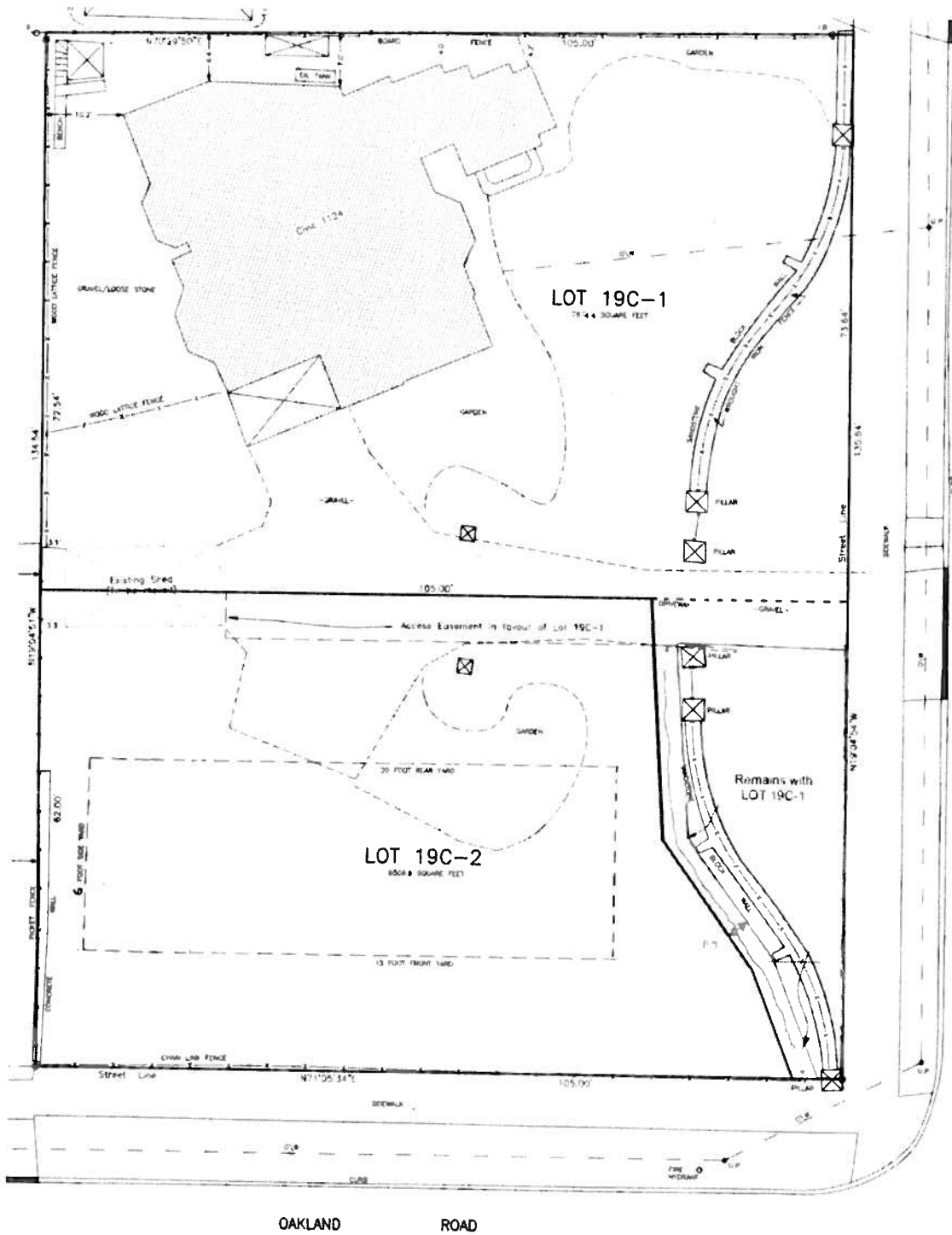
- Zone**
- R-1 Single Family Dwelling
 - R-2 General Residential
 - P Park and Institutional



Halifax Plan Area
Halifax Peninsula Land Use By-Law Area

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

ATTACHMENT A SITE PLAN OF PROPOSED SUBDIVISION



ATTACHMENT B

PHOTOGRAPHS OF 1124 ROBIE STREET, HALIFAX



Figure 1: Oakland Lodge (1864) view from the intersection of Robie Street and Oakland Road



Figure 2: Proposed park south of the carriage drive between gates and sandstone walls. Oakland Lodge in the background.



Figure 3: Aerial photo (bing.com 2012) - the entire block has been developed except for the subject property

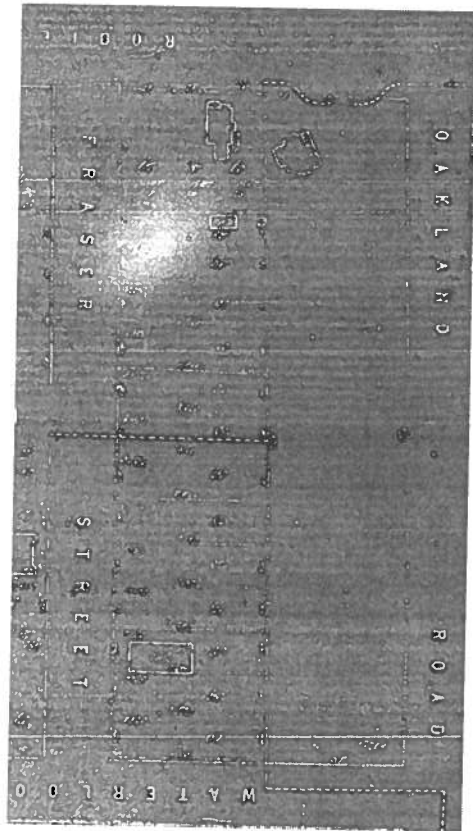


Figure 4: Halifax Fire Insurance Plan (1918) identifying Oakland Lodge and grounds.

Attachment C: Building Conservation Standards

These Conservation Standards are based on Conservation Standards used by the United States Secretary of the Interior (36CFR67)(1991) and are in keeping with most conservation principles, including the Venice Charter (1964).

The historic character of a heritage resource is based on the assumptions that (a) the historic materials and features and their unique craftsmanship are of primary importance and that (b) in consequence, they are to be retained, and restored to the greatest extent possible, not removed and replaced with materials and features which appear to be historic, but which are in fact new.

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

Note 1: This standard is not intended to regulate the use of property. Land use regulation is implemented through the Land Use By-law under authority of the Municipal Government Act.

Note 2: Within the Downtown Halifax Secondary Planning Area and the Barrington Street Historic District, section 4 of the Design Manual of the Downtown Halifax Land Use Bylaw shall be considered in evaluating matters relating to compatibility of massing, size, scale and architectural features.