

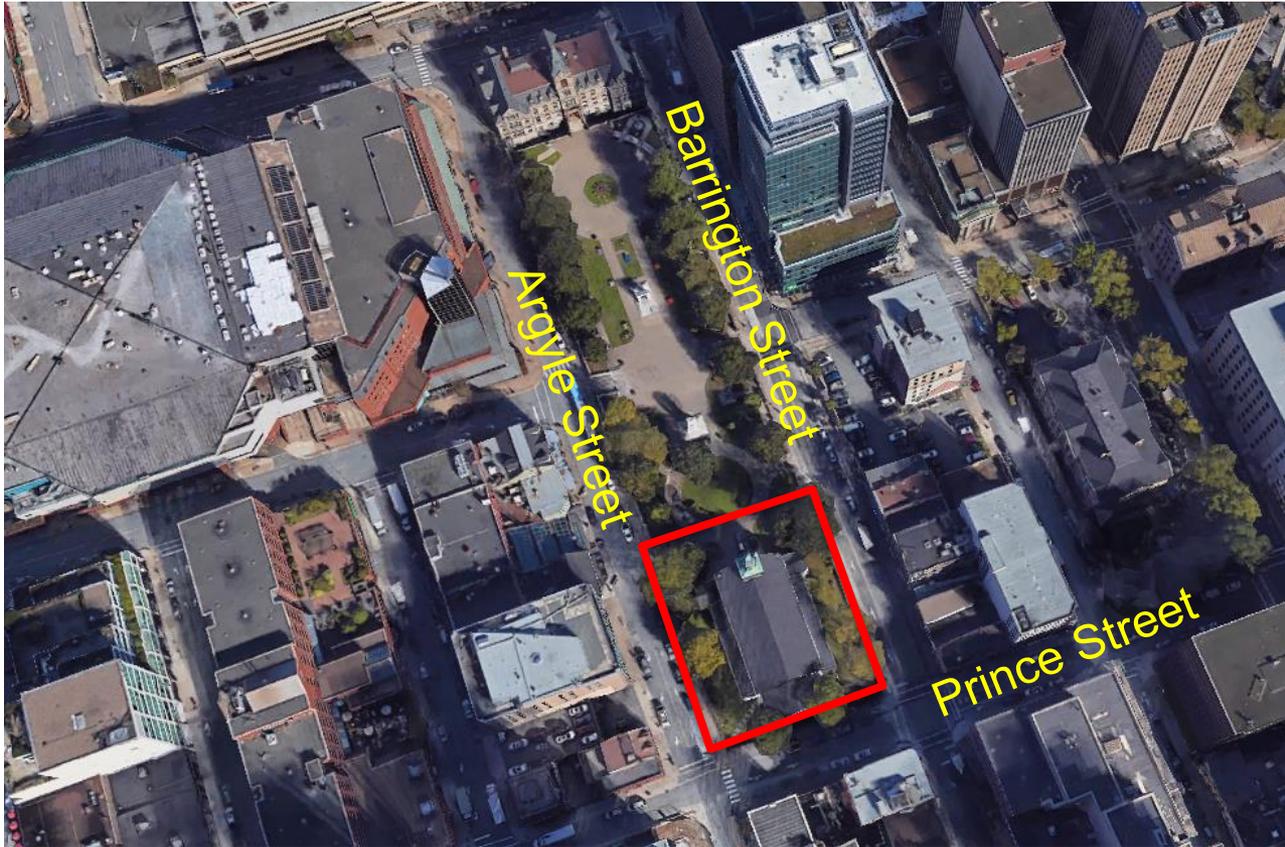
# HALIFAX

## Heritage Advisory Committee

Request for financial assistance and to enter into a  
Heritage Agreement with St. Paul's Church, 1749  
Argyle Street, Halifax

September 12th, 2017

# Location



# Background

- HRM is currently working through a multi-year project to conserve and improve the appearance of City Hall and Grand Parade.
- St. Paul's Church has made a formal request to the municipality to enter into a heritage agreement to facilitate the restoration of the ironstone retaining walls and cast iron fencing which surround the church and date back to 1843. The walls are deteriorating and are in a full state of collapse in some areas.
- The walls are of structural importance as well as aesthetic, and support significant municipal infrastructure including sidewalks, although the walls themselves fall along the shared property line.
- Built in 1750, St. Paul's Church is the oldest building in Halifax, the oldest Anglican church in Canada, and is both a provincially and municipally registered heritage property as well as a national historic site.



*St. Paul's Church on Grand Parade*

# Condition of the Wall

2012 Conservation Plan Report:

*“walls around St. Paul’s Church require immediate intervention...Regardless of the source of the damage there are several sections of the wall that are in complete failure. Overall, there are sections along Argyle Street are in very poor condition with some sections of wall being braced up with metal rods, and large pieces of cast iron cap missing and gaps are appearing in the rail as it deteriorates. Therefore, it is recommended that immediate action is taken.”*



# Funding Proposal

- In exchange for obligations to conserve the building and waive the right to demolish or substantially alter the property under section 18 of the NS Heritage Property Act, the Church would receive up to \$500,000 towards reconstruction of the walls, cost shared with Parks Canada.
- Under this proposal, the municipality would provide \$250,000 as well as tendering and coordinating the work. The federal government would provide the remaining \$250,000 under the *National Cost-Sharing Program for Heritage Places*.
- Any additional funds obtained would go to expanding the scope of the project.

# Legislative Authority

## *The Heritage Property Act, R.S.N.S. 1989, c.199*

### Section 20

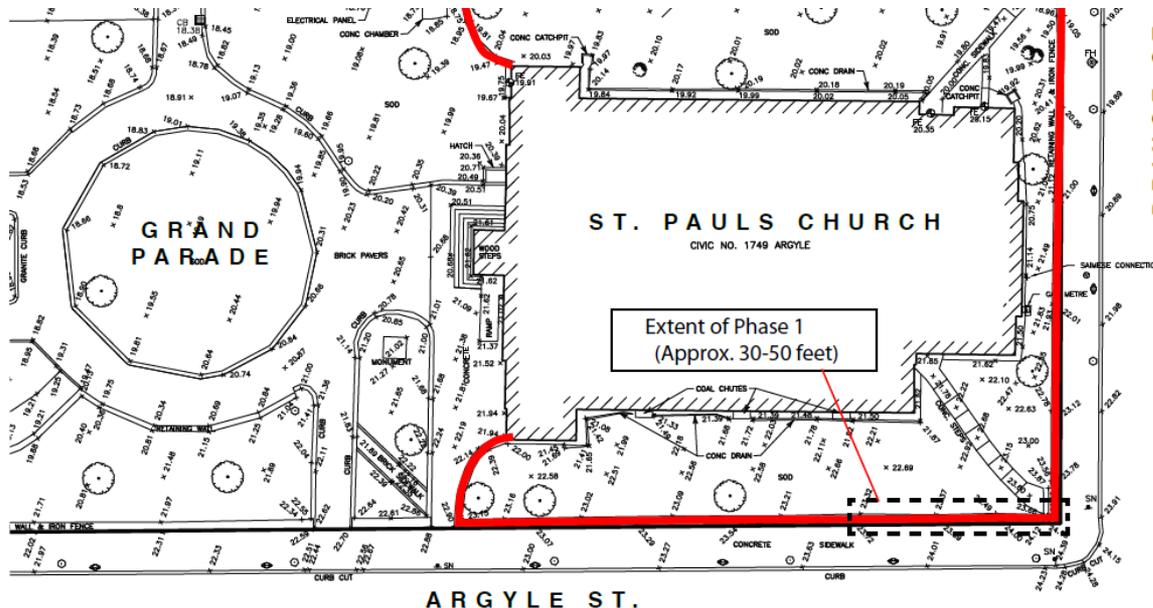
*The Minister may enter into an agreement with the owner of a provincial heritage property, and the council may enter into an agreement with the owner of a municipal heritage property or property located in a heritage conservation district, whereby the owner grants to the Minister or the council a right or incurs an obligation respecting the use, preservation or protection of the heritage property or property located in a heritage conservation district.*

### Section 22

*The Minister, subject to the approval of the Governor in Council, may provide financial assistance in respect of provincial heritage property and the Council may 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 the Minister or the Council, as the case may be, deems fit.*

# Scope of Work

- HRM Intends to repair and restore a 50ft portion of the ironstone wall and decorative cast iron fencing.
- Sidewalk upgrades will also take place adjacent to repaired sections of wall.
- Projected costs include:
  - any required archaeological assessment and excavation;
  - Architectural, structural and civil design services;
  - Construction and materials



# Heritage Agreement Details

- Restoration of the identified 30-50ft portion of wall and iron fencing (length to be maximized based on tendering results);
- Cost shared financing of \$500,000 from HRM and the Federal Govt.;
- Municipality will be responsible for completing the project;
- The church will expand public access to the lands around the church;
- The Church agrees to insure the wall, building and premises;
- The church waives its right to demolish or substantially alter the property under the Heritage Property Act;
- The owner grants HRM a right of first refusal in the event the property is sold outside of the Anglican Church.

# Financial Implications

The planned restoration project cost of \$500,000 will be funded from the two following sources:

<b>General Contingency Reserve (Q421)</b>	<b>\$250,000</b>
<b>National Cost-Sharing Program for Heritage Places</b>	<b><u>\$250,000</u></b>
<b>Total Funding for Wall &amp; Fence Restoration</b>	<b>\$500,000</b>

Although funds are currently available in the General Contingency Reserve, this project was not a budgeted use of reserve funds. If the reserve were to be replenished by \$250,000 from the general tax rates, the rate impact would be approximately 0.05 cent for one year. There are no on-going (future fiscal year) cost implications of this project to the Municipality.

Risk Reserve – General Contingency Reserve, Q421 is to receive the annual operating surplus of the Municipality as prescribed by the Provincial Financial Accounting and Reporting Manual, and can be used to fund operating costs, offset deficits, or fund new operating and/or capital expenditures. This is an unbudgeted withdrawal from the reserve but does not negatively affect the anticipated planned usage of the reserve for the next 5 years.

# Recommendation

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

1. Approve the provision of in-kind financial assistance of a value up to but not exceeding \$500,000, with a net municipal project cost up to but not exceeding \$250,000, to the Parish of St. Paul's for the restoration of a portion of the perimeter ironstone wall and cast iron fencing surrounding St. Paul's Church in accordance with the Heritage Agreement as found as Attachment A, with funding as outlined in the Financial implications section of this report, conditional on:
  - a) the execution of the Heritage Agreement with the Parish of St. Paul's, and its registration at the Land Registry Office; and
  - b) the execution of a Contribution Agreement with the Government of Canada;
2. Approve the proposed Heritage Agreement as found at Attachment A with the owner of the municipal heritage property located at 1749 Argyle Street, to restore a portion of the perimeter ironstone wall and cast iron fencing in accordance with the terms contained therein; and
3. Authorize the Mayor and Municipal Clerk to execute the Heritage Agreement as found as Attachment A within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of this approval by Halifax Regional Council and any other bodies as necessary whichever approval is later, including any applicable appeal periods; otherwise this approval will be void and obligations arising hereunder shall be at an end.