



**HERITAGE ADVISORY COMMITTEE
MINUTES
March 27, 2019**

PRESENT: Jenny Lugar, Chair
Lois Yorke, Vice-Chair
Councillor Sam Austin
Councillor David Hendsbee
William Breckenridge
Patrick Connor
Marisha Caswell
Derek Bellemore
Stephen Smith
Jim Ballinger

REGRETS: Jennifer Clarke-Hines
Paul Cole

STAFF: Aaron Murnaghan, Principle Planner, Heritage Planning
Kathleen Fralic, Planner II, Heritage Planning
David Perusse, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 3:02 p.m., and adjourned at 5:15 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 3:02 p.m. in Halifax Hall, City Hall, 1841 Argyle Street, Halifax.

2. APPROVAL OF MINUTES – January 31, 2019

MOVED by Councillor Hendsbee, seconded by William Breckenridge

THAT the minutes of January 31, 2019 be approved as presented.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Stephen Smith, seconded by Patrick Connor

THAT the agenda be approved as presented.

MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS - NONE

6. CONSIDERATION OF DEFERRED BUSINESS - NONE

7. CORRESPONDENCE, PETITIONS & DELEGATIONS

7.1 Correspondence - None

7.2 Petitions - None

7.3 Presentations - None

8. INFORMATION ITEMS BROUGHT FORWARD – NONE

9. REPORTS/DISCUSSION

9.1 Case 21539: Application for a Discharging Agreement and Development Agreement, 6247-6249 Jubilee Road, Halifax

The following was before the Committee:

- A staff recommendation report dated February 20, 2019
- A staff presentation on Case 21539

Kathleen Fralic, Planner II, provided the Committee with a presentation on Case 21539: Application for a Discharging Agreement and Development Agreement, 6247-6249 Jubilee Road, Halifax.

MOVED by Stephen Smith, seconded by Derek Bellemore

THAT the Heritage Advisory Committee recommend that Halifax and West Community Council:

- 1. Give notice of motion to consider the proposed development agreement, as set out in Attachment A of the staff report dated February 20, 2019, to permit the construction of an addition at the rear of the building and allow the established uses to continue for the property located at 6247-6249 Jubilee Road and schedule a public hearing;**
- 2. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A of the staff report dated February 20, 2019;**

3. **Approve, by resolution, the proposed discharging development agreement, which shall be substantially of the same form as set out in Attachment B of the staff report dated February 20, 2019; and**
4. **Require the discharging development agreement and development agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

9.2 Case 20417: Development Agreement for 2267 Brunswick Street, Halifax

The following was before the Committee:

- A supplementary staff recommendation report dated March 13, 2019
- A staff presentation on Case 20928

Darrell Joudrey, Planner II, provided the Committee with a presentation on Case 20417: Development Agreement for 2267 Brunswick Street, Halifax. Joudrey explained that the matter had come before Halifax and West Community Council in November of 2018 for a public hearing, with Community Council directing that staff go back to the Applicant to seek revisions to the Development Agreement.

Responding to questions from members of the Committee, Joudrey noted that the revised Development Agreement proposes an eight (8) storey building, while the original Development Agreement was for nine (9) storeys. Joudrey further noted that there are no windows on the north facing façade of the proposed building until the top floor. However, there are balconies, which are required by fire safety regulations.

Members of the Committee engaged in a discussion of the proposed development, in which the following concerns were highlighted:

- The revised Development Agreement only brings the building down from nine (9) storeys, to eight (8) storeys, which is still well above the roofline of St. Patrick's Church. This causes the church to appear 'hidden' and overwhelmed by the development.
- The revised Development Agreement does not specify in sufficient detail the materials and colours that are permissible for the building's cladding. This ambiguity could lead to the use of colours and materials that are inconsistent with the heritage aspects of the existing structure and its surroundings.
- The design aspects of the proposed development are not congruent with the existing heritage structure and surrounding heritage properties, with one example being the lack of arched or pointed design features, which are character defining elements of St. Patrick's Church.
- The blank north façade of the proposed building is not in keeping with the heritage characteristics of the neighborhood.

The Committee then discussed how best to reflect these concerns in their recommendation to Halifax and West Community Council. Several members suggested that the Committee defeat the staff recommendation and approve an alternative motion that highlights the concerns raised.

MOVED by Stephen Smith, seconded by Lois Yorke

THAT the Heritage Advisory Committee recommend that Halifax and West Community Council:

1. **Give notice of motion to consider the revised development agreement, which shall be substantially of the same form as set out in Attachment A of the supplementary staff report dated March 13, 2019, to permit an 8 storey residential building at 2267 Brunswick Street, Halifax and schedule a new public hearing;**
2. **Approve the proposed revised development agreement, which shall be substantially of the same form as set out in Attachment A of the supplementary staff report dated March 13,**

2019, conditional upon approval of a final plan of subdivision as required in the development agreement; and

3. Require the agreement be signed by the property owner within 180 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

MOTION PUT AND DEFEATED.

MOVED by Councillor Austin, seconded by Councillor Hendsbee

THAT the Heritage Advisory Committee recommended that Halifax and West Community Council not enter into a development agreement for an eight (8) storey residential building at 2267 Brunswick Street, Halifax, due to heritage concerns relating to:

- the height of the proposed building, which should not exceed the roofline of St. Patrick's Church;
- the lack of clarity in the proposed development agreement in relation to the colour and materials permissible for use on the façades;
- the lack of congruency in the design elements of the proposed development in relation to the surrounding heritage properties; and
- the blank north façade of the proposed building, which is not in keeping with the heritage characteristics of the neighbourhood.

MOTION PUT AND PASSED.

Councillor Austin left the meeting at 4:26 p.m.

9.3 Case H00465: 2019/2020 Heritage Incentives Program

The following was before the Committee:

- A staff recommendation report dated March 11, 2019
- A staff presentation on Case H00465

Kathleen Fralic, Planner II, provided the Committee with a presentation on Case H00465 - 2019/2020 Heritage Incentives Program. The presentation provided an overview of the Heritage Incentive Program, as well as the specific properties that have applied to receive funding.

Responding to questions from members of the Committee, Fralic noted that under the current program, late applications cannot be considered for the current cycle, and projects that have already commenced cannot retroactively receive funding approval.

MOVED by Marisha Caswell, seconded by Lois Yorke

THAT the Heritage Advisory Committee recommend that Regional Council approve the proposed grants to the properties listed in Attachment A of the staff report dated March 11, 2019, conditional upon the applicants' compliance with Section 29 through 35 of Administrative Order Number 2014-002-ADM.

MOTION PUT AND PASSED.

9.4 Case H00460: Protection of Heritage Buildings: Options and Financial Implications

The following was before the Committee:

- A staff recommendation report dated February 7, 2019
- A staff presentation on Case H00460

Aaron Murnaghan, Principal Planner, Heritage, provided the Committee with a presentation on Case H00460 Protection of Heritage Buildings: Options and Financial Implications. In their presentation, Murnaghan outlined eight (8) proposed measures to improve and modernize the HRM heritage property program, noting the need to balance regulation with incentives for owners of heritage properties.

MOVED by William Breckenridge, seconded by Stephen Smith

THAT the Heritage Advisory Committee recommend that the Community Planning and Economic Development Standing Committee recommend that Halifax Regional Council:

- 1. Direct the CAO to prepare amendments to Bylaw B-201 (The Building Code By-law) and return to Council for its consideration, to include registered heritage properties in the list of applications which are exempt from municipal building permit fees when such fees pertain to the maintenance, preservation or restoration of the exterior of a registered heritage building, for implementation in fiscal year 2020/21;**
- 2. Direct the CAO to consider increasing the annual funding to the Heritage Incentives Program to \$300,000 per year, during the 2020/21 operating budget development process;**
- 3. Adopt the amendments to Administrative Order 2014-002-ADM, Respecting the Heritage Incentives Program, as set out in Attachment B of the staff report dated February 7, 2019, to increase the maximum yearly residential grant to \$15,000 and the maximum commercial grant to \$25,000 for approved work under the program, with such amendments coming into effect for the fiscal year 2020/21;**
- 4. Direct the CAO to return to Council with a report and recommendations with respect to possible amendments to Administrative Order 2014-001-ADM, Respecting Tax Relief to Non-Profit Organizations, to increase the exemption for otherwise-qualified owners of registered municipal heritage properties for implementation in fiscal year 2020/21;**
- 5. Direct the CAO to include within the upcoming review of the Regional Municipal Planning Strategy amendments to include policy to enable enhanced development options for registered heritage properties across the municipality by development agreement;**
- 6. Direct the CAO to prepare amendments to the municipal evaluation criteria for heritage sites and properties for Council's consideration, with advice from the Heritage Advisory Committee; such process to take place following completion of the Culture and Heritage Priorities Plan;**
- 7. Direct the CAO to research additional measures for the protection of un-registered heritage properties based on existing legislation in other jurisdictions and to prepare a report for consideration by Regional Council respecting possible requests for amendments to the Heritage Property Act; and**
- 8. Direct the CAO to continue formal discussions with the Province on measures to prevent the demolition of heritage resources prior to adoption of a heritage conservation district based on the previous written requests from the Municipality sent on April 4, 2016.**

MOTION PUT AND PASSED.

10. MOTIONS/DISCUSSION

10.1 HRM City Historian – William Breckenridge

The following was before the Committee:

- A Request for Consideration Form submitted by William Breckenridge

William Breckenridge spoke to the Committee about the motion, noting that its purpose is to explore creating a position that will serve as a promoter and educator in all aspects relating to HRM history and heritage.

MOVED by William Breckenridge, seconded by Councillor Hendsbee

THAT the Heritage Advisory Committee recommend that the Community Planning and Economic Development Standing Committee request a staff report to examine the appointment of a Halifax Historian Laureate to promote the cultural heritage of the Municipality, and that the position be developed with a mandate, objectives, and terms of office similar to that of the Halifax Poet Laureate.

MOTION PUT AND PASSED.

11. HCD STAKEHOLDER STEERING COMMITTEES UPDATES (Verbal) - NONE

12. ADDED ITEMS - NONE

13. DATE OF NEXT MEETING

- April 23, 2019

14. ADJOURNMENT

The meeting adjourned at 5:15 p.m.

David Perusse
Legislative Assistant