



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 11.4.2**  
**Halifax Regional Council**  
**November 17, 2020**

**TO:** Mayor Savage and Members of Halifax Regional Council

Original Signed

**SUBMITTED BY:** \_\_\_\_\_  
For Patrick Connor, Vice Chair, Heritage Advisory Committee

**DATE:** September 24, 2020

**SUBJECT:** **Case H00499: Application for Substantial Alteration to 1029 Tower Road, Halifax, a Registered Municipal Heritage Property**

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#### **ORIGIN**

September 23, 2020 special meeting of the Heritage Advisory Committee, Item 9.1.2.

#### **LEGISLATIVE AUTHORITY**

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

- 17 (1) Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.
- (2) An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.
- (3) Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.
- (4) Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.
- (5) The municipality may grant the application either with or without conditions or may refuse it.
- (6) The municipality shall advise the applicant of its determination.

#### **RECOMMENDATION**

The Heritage Advisory Committee recommends that Halifax Regional Council approve the substantial alteration of 1029 Tower Road, Halifax, known as the Dr. James Doull House, as set out in the staff recommendation report dated September 4, 2020.

## **BACKGROUND**

The Heritage Advisory Committee received a staff recommendation report dated September 4, 2020, at a September 23, 2020 special meeting of the Committee respecting Case H00499.

For further information on the background of this item, refer to the staff report dated September 4, 2020.

## **DISCUSSION**

The Heritage Advisory Committee reviewed the September 4, 2020 staff report, and received a staff presentation at a September 23, 2020 special meeting.

Following a discussion of the item, the Committee approved the recommendation as outlined in the "Recommendation" portion of this report. The Heritage Advisory Committee approved the staff recommendation outlined above.

For further discussion on this item, refer to the staff report dated September 4, 2020 (Attachment 1) and draft minutes from the September 23, 2020 special meeting of the Committee respecting Case H00499 (Attachment 2).

## **FINANCIAL IMPLICATIONS**

Refer to the staff report dated September 4, 2020.

## **RISK CONSIDERATION**

Refer to the staff report dated September 4, 2020.

## **COMMUNITY ENGAGEMENT**

The agenda and reports of the Heritage Advisory Committee are posted on Halifax.ca, and draft minutes of the meeting will be made available on Halifax.ca within three business days.

## **ENVIRONMENTAL IMPLICATIONS**

Refer to the staff report dated September 4, 2020.

## **ALTERNATIVES**

The Committee did not discuss alternatives. Refer to the staff report dated September 4, 2020.

## **ATTACHMENTS**

**Attachment 1** – Staff Recommendation Report dated September 4, 2020

**Attachment 2** – Extract from the draft minutes from the September 23, 2020 special meeting of the Committee respecting Case H00499.

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If the report is released to the public, a copy can be obtained by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Simon Ross-Siegel, Legislative Assistant, Office of the Municipal Clerk, 902.490.6519

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P.O. Box 1749  
Halifax, Nova Scotia  
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**Attachment 1**  
**Heritage Advisory Committee**  
**September 23, 2020**

**TO:** Chair and Members of the Heritage Advisory Committee

**- Original Signed -**

**SUBMITTED BY:**

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Kelly Denty, Director of Planning and Development

**- Original Signed -**

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Jacques Dubé, Chief Administrative Officer

**DATE:** September 4, 2020

**SUBJECT:** **Case H00499: Application for Substantial Alteration to 1029 Tower Road, Halifax, a Registered Municipal Heritage Property**

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**ORIGIN**

Application by ZZap Consulting Inc., on behalf of the property owner Stefan Frent, for a substantial alteration to the registered municipal heritage building at 1029 Tower Road, Halifax.

**LEGISLATIVE AUTHORITY**

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

- 17 (1) Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.
- (2) An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.
- (3) Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.
- (4) Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.

**RECOMMENDATION ON PAGE 2**

- (5) The municipality may grant the application either with or without conditions or may refuse it.
- (6) The municipality shall advise the applicant of its determination.

By-law H-200, the *Heritage Property By-Law*

4. The Committee shall, within the time limits prescribed by Council or the Act, advise the Region respecting:
  - (c) applications to substantially alter the external appearance of or demolish a municipal heritage property;
12. Applications for alteration of a registered heritage property shall be evaluated in accordance with the Standards for the Conservation of Historic Places in Canada, 2nd Edition as set forth in Schedule 'B-1'. The Guidelines for the Conservation of Historic Places in Canada, 2nd Edition shall be used to interpret and apply the Standards.

### **RECOMMENDATION**

It is recommended that the Heritage Advisory Committee recommend that Regional Council approve the substantial alteration of 1029 Tower Road, Halifax, known as the Dr. James Doull House, as set out in this report.

### **BACKGROUND**

ZZap Consulting Ltd., on behalf of the property owner Stefan Frent, have applied for a development agreement (HRM Planning Case # 23066) at 1029 Tower Road in Halifax (Map 1). The property contains a small cottage, registered as a municipal heritage property known as the Dr. James Doull House, which forms part of a Victorian Streetscape along Tower Road. The substantial alteration includes plans to rotate and move the building to face Tower Road, build a two-storey addition at the rear, and to construct a three-storey building on the same property.

#### **Existing Site Context**

The building at 1029 Tower Road is oriented toward Inglis Street because the building once stood on a larger property with frontage on Inglis Street. This large property was subdivided and developed at the turn of the 20<sup>th</sup> century and now the building sits on a smaller property with its side facing Tower Road. The building has a footprint of approximately 75 s/m (800 s/f) on a 470 s/m (5,000 s/f) property.

The subject property abuts two-and-a-half storey residential buildings on either side and a three-storey apartment building to the rear. There is a large five storey apartment building across the street. The property abuts five other registered heritage properties. It is the smallest building within the Tower Road Victorian Streetscape which includes a total of 14 registered heritage properties. The subject property also abuts another Victorian Streetscape along Inglis Street, which includes a total of nine registered heritage properties.

#### **Heritage Value**

To determine the appropriateness of a proposed substantial alteration, a full understanding of the building's heritage values and character defining elements is required. As a point of reference, staff have prepared a heritage building summary, which outlines the heritage value and character defining elements for 1029 Tower Road and the Victorian Streetscape (see Attachment E). This summary was created using the historic information contained in HRM's heritage property file.

The Standards and Guidelines for Historic Places in Canada (Standards and Guidelines) are used to perform an analysis of the appropriateness of a substantial alteration's impact on a property's heritage value and character defining elements. The Standards and Guidelines help to ensure that careful consideration is given to how the proposed alteration may affect the heritage values and character defining elements of the building.

#### **HRM Planning Case # 23066**

In addition to a substantial alteration request, the owner is also requesting a development agreement to permit a new structure on the property. Case #23066 covers the property as shown on Map 1 and consists of:

- Construction of a new three-storey building on the property to contain apartments; and
- A new commercial use for the heritage building to contain a coffee shop on the ground floor.

The planning application (Case # 23066) will proceed concurrently with the substantial alteration application and includes a public consultation component as well as a subsequent review by the Heritage Advisory Committee (HAC) specifically to review the implications of the new development on the heritage property. HACs review of the substantial alteration application focuses on the impact of the proposed changes and the new construction on the heritage value of the building at 1029 Tower Road.

#### **Requested Substantial Alterations**

The applicant is seeking the substantial alteration approval as part of a development agreement application. The applicant's Heritage Impact Statement (Attachment B) outlines the proposed alterations in detail. The applicant has submitted elevation drawings illustrating the proposed alterations to the heritage building and the design of the new building (Attachment C). The alterations are summarized below:

- Construction of new three-storey building;
- Reposition the heritage building within the existing property;
- Construction of a rear addition; and
- Alterations to meet Building Code requirements.

The applicant is also proposing non-substantial alterations, which include:

- Removal of the small east wing to provide space for the construction of a new three-storey building. The heritage building did include an historic east wing, but it is not considered to be a character defining element.
- General Conservation of the heritage building by repairing and renovating the entire exterior of the heritage building including the cladding, roof, windows, and chimneys.

In-keeping with the Standards and Guidelines, the applicant intends to repair existing elements where possible and replace when necessary. Staff advise that the proposed non-substantive alterations are acceptable and do not require Regional Council approval. These proposed renovations are reviewed by heritage staff and approved by the Development Officer.

#### **Substantial Alteration Legislation**

Alterations to registered heritage buildings which are considered substantial, require review by the Heritage Advisory Committee and approval by Regional Council. Owners of registered heritage properties must request approval from the municipality for substantial alterations to their heritage property. HRM follows the standard process in the *Heritage Property Act* for the evaluation and approval of substantial alteration applications.

In accordance with Section 17 of the *Heritage Property Act* (HPA), a substantial alteration to a municipal heritage property requires Regional Council approval. The HPA defines a substantial alteration as "any

*action that affects or alters the character-defining elements of a property*". The character-defining elements of a property 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."*

Heritage value is defined 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."* Therefore, a determination on the appropriateness of a substantial alteration lies in its effect on the property's unique heritage value and character defining elements.

#### **Application for Demolition of 1029 Tower Road (Case H00448)**

The property owner purchased the property in 2016 and shortly after applied to demolish the building in order to allow for redevelopment of the property. The Municipality received a complete application for demolition on January 25<sup>th</sup>, 2017 (Case H00448). Therefore, the property owner can legally demolish the heritage building between January 25<sup>th</sup>, 2020, and January 25<sup>th</sup>, 2021, in accordance with Section 18 of the *Heritage Property Act* (Attachment A).

Municipal policy requires that the Heritage Advisory Committee hold a Public Information Meeting (PIM) to review and discuss the application to demolish a registered municipal heritage building. This PIM was held on January 15<sup>th</sup>, 2020. Shortly after the PIM was held, the property owner and municipal staff began to discuss a substantial alteration and the development agreement option under Policy 6.8 of the Halifax Secondary Municipal Planning Strategy to save the building.

#### *Building Condition*

An HRM Building Official conducted an inspection of the building at 1029 Tower Road in August 2017 as part of the heritage demolition application. They concluded that the building appears to be structurally sound. No immediate public safety concerns were evident at the time of inspection. There was some deterioration observed in some sections of the exterior wall but there were no signs of stress sagging. The house was occupied at the time of inspection. The character defining elements of the buildings are in generally good condition but some of these elements (including finials and wooden windows) require repair.

#### **Regulatory Context and Approval Process**

The proposal is also subject to the relevant land use regulations under the Halifax Peninsula Land Use By-law, or the conditions of the proposed development agreement once it is approved. Any construction on the property, including the proposed alterations as part of this application will require both a development and building permit.

If Council refuses the requested substantial alteration to the heritage property, the owners may choose to make the alteration to the heritage property three years from the date of the application, but not more than four years after the date of the application in accordance with Section 18 of the *Heritage Property Act*. Should the plans for the alteration require revision, a new substantial alteration application will be required, which will start a new three-year waiting period.

#### **DISCUSSION**

The primary term for protecting historic places in Canada is "conservation", which is described by the Standards and Guidelines 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". Conservation may specifically involve preservation, rehabilitation, restoration, or a combination of these actions. Applying the Standards and Guidelines to the development proposal requires an understanding of the approach to the project, and the character defining elements and heritage values for the property (Attachment E).

Staff have completed an evaluation of the proposal using the Standards and Guidelines, and the results are summarized in Attachment F. Regarding this case, conservation involves a combination of preservation and rehabilitation actions to be completed to the heritage building and the construction of a new building on the property.

### **Substantial Alterations**

The proposed substantial alterations to the heritage property are necessary to permit construction of the proposed residential development (Planning Case 23066) at the rear of the property.

The proposed substantial alterations include:

#### Construction of a new three-storey building

The applicant is requesting approval to construct a new three-storey multi-unit residential building on the property which will be separated from the heritage building by approximately 5 metres. The new building will include modern materials, form, and window treatment.

This new building is proposed to be entirely detached from the heritage building and introduce additional dwelling units on the property to make the rehabilitation project economically viable. The new building will be constructed on the same property as the heritage building but will appear subordinate to the heritage buildings within the streetscape due to its lack of ornamentation. It will be compatible with the rest of the streetscape because of its three-storey height, setback from the street, and rhythm of bays, and will be distinguishable as a new building because of its new materials, contemporary form, and window treatments.

#### Repositioning the structure within the existing property

The applicant is seeking to rotate the heritage building so that its front façade faces Tower Road. They also propose to move the heritage building onto a new concrete foundation which is setback from the street right-of-way by approximately 5.4 to 8.6 metres (see Site Plan, Attachment D).

This repositioning of the building is necessary to accommodate new rental accommodations by creating space for a new three storey building on property. It is the intent of the applicant to take precautions to protect the building during the process of repositioning it on property and in all other interventions to the heritage building. The temporary closure of the historic place with measures to protect it from vandalism and weather, will also be done while the building is moved.

Most of the building's character defining elements are located on its front façade and reorienting the building to face Tower Road will enhance the visibility of the character defining elements from the public right of way. Setting the building back with a front yard will preserve the cottage setting, as the building was once set back from Inglis Street with a large front yard. The heritage building will remain distinguishable from the rest of the heritage streetscape after it is moved because it will retain a large setback from the street. The physical and visual compatibility with the rest of the streetscape will be improved when the front of the building faces the street and it will remain subordinate to the heritage streetscape as the only one-and-a-half storey building.

#### Construction of the rear addition

The applicant proposes to construct a two-storey addition at the rear (east elevation) of the heritage building after the building is rotated and moved. The footprint of the proposed addition is 2.4 m deep by 7.3 m wide. It will include an almost-flat roof that connects to the gable roof of the heritage building, below the ridge.

The construction of a new rear addition is necessary to accommodate rental units and commercial services and to meet Building Code requirements for egress via an enclosed stairway. The new rear addition will not enclose or remove any character defining elements. The heritage building will not become dependant on the new rear addition for its structural integrity and the addition could be removed in the future without impairing the essential form of the heritage building.

The height and width of the addition is smaller than the height and width of the heritage building, and the addition will be subordinate to the heritage building because it will not be visible from the street. One metre of the gable roof and rear wall of the heritage building will be preserved on both sides of the proposed addition to preserve the original form of the building's rear and side elevations. The addition will be distinguishable as a new structure through its cladding material and single pane windows. The windows of the addition will be compatible with the heritage building in their dimensions and placement.

#### Alterations to meet Building Code requirements

After the building is rotated and moved, a side wall of the heritage building will be nearer to the north property line than it is currently. The wooden shingles will be removed on the side wall and replaced with non-combustible shingles that match the appearance of the existing wooden shingles. The applicant is also seeking to raise the heritage building 0.6 m higher to accommodate suitable living space in the new basement and to meet Building Code requirements for egress from bedroom windows.

The Building Code does not allow combustible cladding materials near an interior property line. Therefore, these shingles will be replaced with non-combustible shingles to match the historic appearance.

#### **Conclusion**

The proposed new three-storey building will be entirely detached from the heritage building and it will make the rehabilitation project economically viable. The new building will appear subordinate to, compatible with, and distinguishable from the heritage building and streetscape in-keeping with the Standards and Guidelines. To accommodate space for the new building, the applicant will reposition the heritage building within the existing property, remove a small east wing from it, and make alterations to meet Building Code requirements. The heritage building will preserve its cottage setting and will be reoriented to face Inglis Street improving its compatibility with the rest of the heritage streetscape. The applicant plans to construct a new rear addition to accommodate rental accommodations and commercial services and to meet Building Code requirements for egress via an enclosed stairway. This addition will not be visible from any street. Throughout all these alterations, the applicant will employ restraint during the rehabilitation project, recognizing that the wholesale replacement of elements will inevitably have an impact on the heritage value of the building.

Staff recommend that the Heritage Advisory Committee recommend that Regional Council approve the proposed substantial alteration to 1029 Tower Road, Halifax.

#### **FINANCIAL IMPLICATIONS**

The HRM costs associated with processing Case H00483 can be accommodated within the approved 2020/21 operating budget for Cost Centre C340 – Heritage and Social Policy. HRM is not responsible for construction and renovation costs.

#### **COMMUNITY ENGAGEMENT**

The community engagement process for a heritage registration is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing achieved through public accessibility to the required Heritage Advisory Committee meeting.

#### **ALTERNATIVE**

1. The Heritage Advisory Committee may recommend that Regional Council refuse the substantial alterations to 1029 Tower Road, Halifax, as proposed in this report and its attachments.

2. The Heritage Advisory Committee may recommend that Regional Council approve the substantial alterations of 1029 Tower Road, Halifax, as proposed in this report and its attachments, with conditions and in so doing should provide reasons for the conditions based on applicable conservation standards.

## **ATTACHMENTS**

Map 1	Location Map
Attachment A	Heritage Legislation
Attachment B	Heritage Impact Statement
Attachment C	Heritage Building Elevation Drawings of Proposed Alterations
Attachment D	Site Plan of Proposed Development
Attachment E	Heritage Value Statement for 1029 Tower Road, Halifax
Attachment F	Standards & Guidelines Evaluation

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Seamus McGreal, Planner III, 902.717.1568

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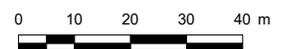


### Map 1 - Location Map

1029 Tower Road,  
Halifax

- Registered Heritage Property
- Subject Property

**HALIFAX**



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

## **ATTACHMENT A Heritage Legislation**

The *Heritage Property Act of Nova Scotia* includes the following section as it pertains to applications for demolition and substantial alteration:

*17 (1) Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.*

*(2) An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.*

*(3) Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.*

*(4) Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.*

*(5) The municipality may grant the application either with or without conditions or may refuse it.*

*(6) The municipality shall advise the applicant of its determination.*

The Act includes the following section as it pertains to applications for demolition and substantial alteration:

*18 (1) The municipality may take up to three years to consider an application under Section 17.*

*(2) In its consideration of the application, the municipality may require public notice of the application and information meetings respecting the application to be held.*

*(3) Where the municipality does not approve the application, the property owner may, notwithstanding Section 17, make the alteration or carry out the demolition at any time after three years from the date of the application but not more than four years after the date of the application.*

*(4) Where the property owner has made the alteration or carried out the demolition in accordance with this Section, the municipality may deregister the property if the municipality determines that the property has lost its heritage value. 2010, c. 54, s. 14.*

By-law H-200, the *Heritage Property By-Law*

4 The Committee shall, within the time limits prescribed by Council or the Act, advise the Region respecting:

...

(c) applications to substantially alter the external appearance of or demolish a municipal heritage property;

...

12 Applications for alteration of a registered heritage property shall be evaluated in accordance with the Standards for the Conservation of Historic Places in Canada, 2nd Edition as set forth in Schedule 'B-1'. The Guidelines for the Conservation of Historic Places in Canada, 2nd Edition shall be used to interpret and apply the Standards.

**ATTACHMENT B**  
**Heritage Impact Statement**



Zwicker Zareski Architecture + Planning

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**Heritage Impact Statement – Substantial Alteration of 1029 Tower Road, Halifax NS.**

**Introduction**

The following is a heritage impact analysis for 1029 Tower Road. This report outlines the historical and architectural significance of the building, as well as an analysis of any impacts the changes proposed for the structure will have on its heritage integrity. Two appendices are attached, a site plan indicating the proposed orientation of the existing structure (Appendix A), and a keyed elevation indicating the proposed restorations of architectural detailing (Appendix B).

**Age**

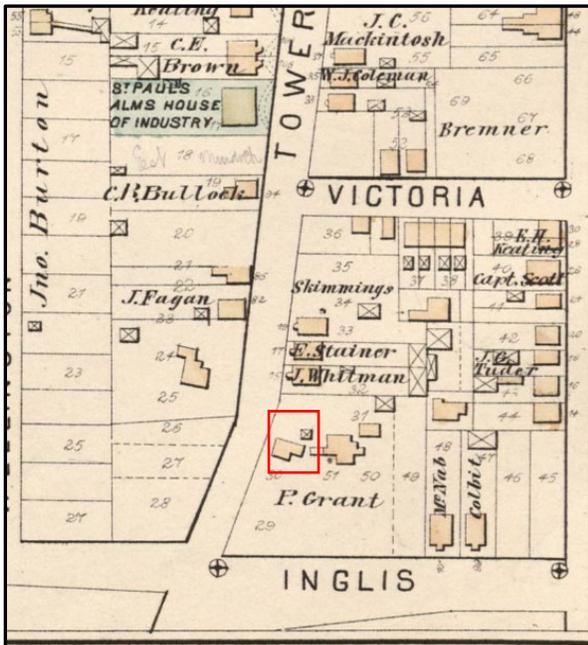
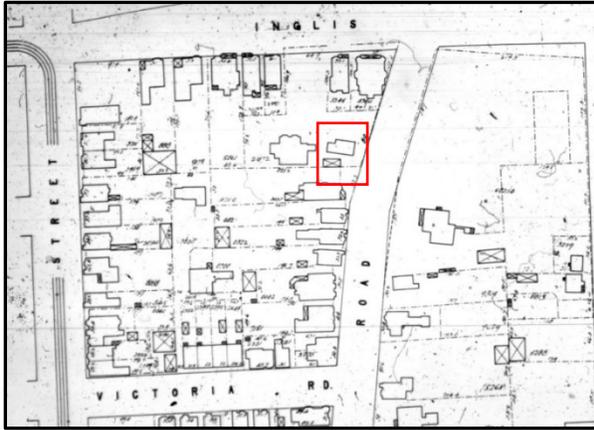


Figure 1: 1878 Hopkins Atlas

In 1862-63, Smith's Fields (between South and Inglis Streets) was sold off in building lots; by the late 1860s subdivision was extending along Tower Road and west to Robie Street, and some construction had already occurred further west near the present site of Dalhousie University. Built around 1873, this house, now positioned perpendicular to tower road – is a Victorian era wooden cottage built in the Georgian style complete with five-sided Scottish dormers. The cottage forms part of the Tower Road Victorian Streetscape.

Initially this cottage was part of a larger property fronting on Inglis Street (today 5757 Inglis Street), as seen in the 1878 Hopkins Atlas of Halifax.



By 1918, the large Inglis Street property had been subdivided to the properties we see currently in the Inglis Street Heritage Streetscape. However, 1029 Tower Road and 5757 Inglis Street remained as a single property.

Figure 2: 1918 HB Pickings Atlas

### **Historical or Architectural Importance**

According to the McAlpine City Directory of 1873, Charles Puttner Junior is listed as the first occupant of the structure located at 1029 Tower Road. Charles Puttner Junior was a prominent member of the Freemasons before moving to Nova Scotia in 1861. In Nova Scotia, he was active in helping to establish a local chapter of the Freemasons.

Charles Puttner Junior's occupation is listed as a chemist. In 1867, he became associated with the Victoria General Hospital as a pharmacist. Charles Puttner Junior's obituary noted that he had been associated with the Victoria General Hospital for a total of 53 years.

The next prominent resident associated with 1029 Tower Road was Dr. James Doull, who resided at the property between 1920 and 1925. Dr. Doull was born in New Glasgow, Nova Scotia in 1889. During the first World War, he attained the rank of Major and was awarded the Military Cross and Croix de Guerre. Dr. Doull did his graduate work at Cambridge University in 1919 in the field of public health. When he returned to Nova Scotia, he became the Chief Health Officer for the province. Dr. Doull took a position as a Professor of Hygiene and Public Health at the Western Reserve University Medical School in Cleveland, Ohio in 1930. His work there leads him to be one of the founding members of the World Health Organization.

### **Architectural Merit**

This typical three bay, vernacular styled cottage has a wooden shingled exterior. The term 'vernacular' is used here to describe the simple, gable-roofed house associated with housing constructed during the middle years of the 19<sup>th</sup> century. For example, this building is a one and a half storey wood frame structure with a steeply pitched gabled roof with return eaves. An ornament is fixed at the peak of the gabled roof. There are two, five sided Scottish styled dormers flanking the central gabled dormer which has a round topped window. The front door surround is of the Greek Revival Style and it is complete with a moulded cornice hood and side brackets (Figure 3).



Figure 3- Architectural Detailing

#### *Architectural Integrity*

Although there have been modest changes to the original design, the main building mass of the existing building is largely unchanged with its original dormers, front and side window openings, and gabled roofline. A side addition is believed to be added in the mid 20<sup>th</sup> century.

#### **Relationship to Surrounding Area**

Tower Road was constructed in 1798 by order of Prince Edward, Duke of Kent [later Queen Victoria's father] It connected the Martello Tower to the Citadel and was called the "new road" at first. This segment of Tower Road was important because the Halifax Street Railway (1886-1890) which was horse drawn, came up Inglis, turned north on Tower to Victoria, and thence back to South Park and Spring Garden Road.

Tower Victorian Streetscape is valued for the fourteen Late Victorian Eclectic style houses. The Late Victorian Eclectic style is complex and incorporates many styles into one house. This streetscape includes houses that have details such as brackets, Palladian windows, side hall plan as well as centrally located doorways. The unifying

force on the street are the bay windows and porches. Many of the same architectural features are repeated several times. The mouldings and fretwork are extremely decorative. Each house provides an interesting glimpse into the eclectic construction period.

## Proposed Alterations

### 1. Removal of existing side addition

The first proposed alteration is removal of the existing side addition (Figure 4). The purpose of removing the existing ell is to facilitate the ability to develop the second structure on the lot through a development agreement. The presence of the existing ell inhibits the ability to construct a second building as the two buildings would not meet the limiting distance requirements in the building code. Additionally, removal of the second ell This addition is not part of the original structure as evident from the concrete slab foundation. It is unclear when this element was added to the building, but slab construction became popular in the mid 20<sup>th</sup> century. In stark contrast to the identified construction of the main structure in the late 19<sup>th</sup> century. Regardless, the side addition is not considered a character defining element of the structure as outlined in the heritage registration documentation for this building. The 1878 Hopkins Atlas and 1918 HB Pickings Atlas show an ell addition to the mains structure, but it is likely that this was removed and replaced as the existing addition is built with a slab foundation as shown in Figure 5. The traditional use of the ell is unknown, however its contemporary use is a bathroom. Removal of this feature is consistent with Guideline 25 of the General Guidelines for Buildings section of the *Standards and Guidelines for the Conservation of Historic Places in Canada – 2<sup>nd</sup> Edition*



Figure 4 – Side addition to be removed



Figure 5: Ell Slab Foundation

## 2. Relocation of structure within the existing site

A site alteration is being proposed and the relocation of the building on the site is being requested. This is to facilitate a future second structure on the site through the heritage development agreement process. The proposed relocation rotates the building 90 degrees and repositions it in the northeast corner of the site, within 1.2m (4 ft.) of the north property line. Appendix A provides a detailed site plan indicating the proposed relocation. As part of this process, the existing chimneys will be removed. The existing brick chimney is not an original feature of the building; however, the original masonry chimney crowns will be ornamentally refashioned once the structure is moved (Figure 4).



Figure 6 – Chimney Crowns

Some of the alternatives considered by the owners prior to the proposed request included:

1. Demolition – As the building has both sentimental value to the owners and heritage value to the city, strategies to avoid this option were considered as the priority. The owner believes the submitted plan provides for the optimal outcome for the 1029 Tower Road building.
2. Avoidance – Consideration was given to preserving 1029 Tower Road by encircling it with the new, modern development. This alternative was deemed undesirable because it would have maintained the existing building out of its traditional context, it would have significantly restricted the new development in terms of usable land with required setbacks and other constraints and it would have diminished the capacity of the owners to re-invest in the existing structure.
3. Modifications to structure to meet building code requirements

To meet the current building code requirements for fire safety once the existing building has been moved adjacent to the north property line, modifications to the building are required. Non-combustible cladding would be required as part of the building code and every effort will be made to match the period accurate cladding proposed for the remaining sides of the building.

Additionally, the building will be raised 2 feet to add window wells in the basement to meet the egress requirements of the building code. Appendix B outlines these modifications.

#### 4. Restoration of character defining elements

The exterior of the existing building has been carefully maintained and much detail has been preserved. Through the evaluation of the existing character defining elements, the exteriors are to be rebuilt to resemble their original appearance, following the Additional Standards Relating to Rehabilitation. In alignment with Standard 10, every effort to repair rather than replace architectural details will be made. However, some details are too severely deteriorated to be repaired. As part of this proposal the exterior envelope of the building is to be repaired and renewed, with new windows and cladding and roofing with the aim of preserving its original appearance to the greatest extent possible inside an efficient building envelope. The wood trim and detailing will be repaired except for portions that are too significantly deteriorated to be repaired. These interventions will take care to conserve the heritage value of the building by making the new work as physically and visually compatible as possible. By preserving the 1029 Tower Road building and including it within the scope of the larger development project, the owner can allocate resources for the continued maintenance of the character-defining elements of the structure on an ongoing basis. A breakdown of the proposed rehabilitation initiatives is outlined in Appendix B

#### 5. Construction of rear addition

Once the building has been repositioned on the site, a new rear addition is proposed. This addition is 8 feet wide and 24 feet long and is offset 3 feet from the edge of the existing heritage resource on either side. The landowner will be applying for a development agreement on this site and as part of that agreement they would like to permit local commercial uses. The main floor of the addition is to accommodate back of house facilities for a local commercial use, the second story of the addition is to create space for the internal staircase to meet building code requirements for commercial uses. This is so the addition is not visible from the street and does not detract from the heritage resource. The addition will be clad in a metal siding that complements but does not detract from the existing building. Removal of the rear wall of the existing building does not impact the heritage value of it as the rear wall is not considered a character defining element. The addition is keeping in line with Guideline 12 of the Exterior Walls Guidelines section of the *Standards and Guidelines for the Conservation of Historic Places in Canada – 2<sup>nd</sup> Edition*. The location of the Addition is outlined in Appendix A.

While the addition will require altering the roof of the existing heritage resource to allow for stair access to the second level of the heritage building. The addition is designed so that if there is a desire to remove it in the future, it can be removed without affecting the structural integrity of the heritage resource.

## 6. Construction of a new multi-unit dwelling adjacent to the heritage building

A new multi-unit dwelling is proposed to be constructed on the heritage property, adjacent to the relocated heritage building. The new multi-unit dwelling is proposed to be separated from the relocated heritage building by approximately 5 metres, in order to maintain exposure of all exterior facades of the heritage building and provide adequate separation between the buildings from a fire life safety perspective.

The design and proposed material choices for the new multi-unit dwelling were carefully planned to ensure the building does not obscure, radically change, or negatively impact the heritage resource on the property. The material choice and architectural form of the new building are visually compatible, yet distinguishable from the existing heritage resource. More modern materials were chosen that are of compatible proportions and variability as the heritage resource, and the assemblies and construction methods are well suited to the existing and proposed materials on the heritage resource.

The building form includes a pitched roof with a modern dormer facing the heritage resource, creating a compatible yet distinguishable relationship from a building form perspective. The new building is also setback approximately, 2-3 metres from the front property line facing Tower Road whereas the heritage building is setback approximately 5.4 metres from the front property line. The setback of the newly proposed building is consistent with the setbacks of other buildings within the Tower Road streetscape, whereas the heritage resource is setback further from the street. The existing heritage resource is currently uniquely setback from the front property line, distinguishing it from the rest of the Tower Road streetscape. Our proposed design maintains this distinguishing setback and sites the new building to have a front yard setback that is consistent with the streetscape. Therefore, the proposed new building is subordinate to the heritage resource because it blends in with the remainder of the streetscape and maintains the existing unique setback condition for the existing heritage resource.

### **Implementation & Monitoring**

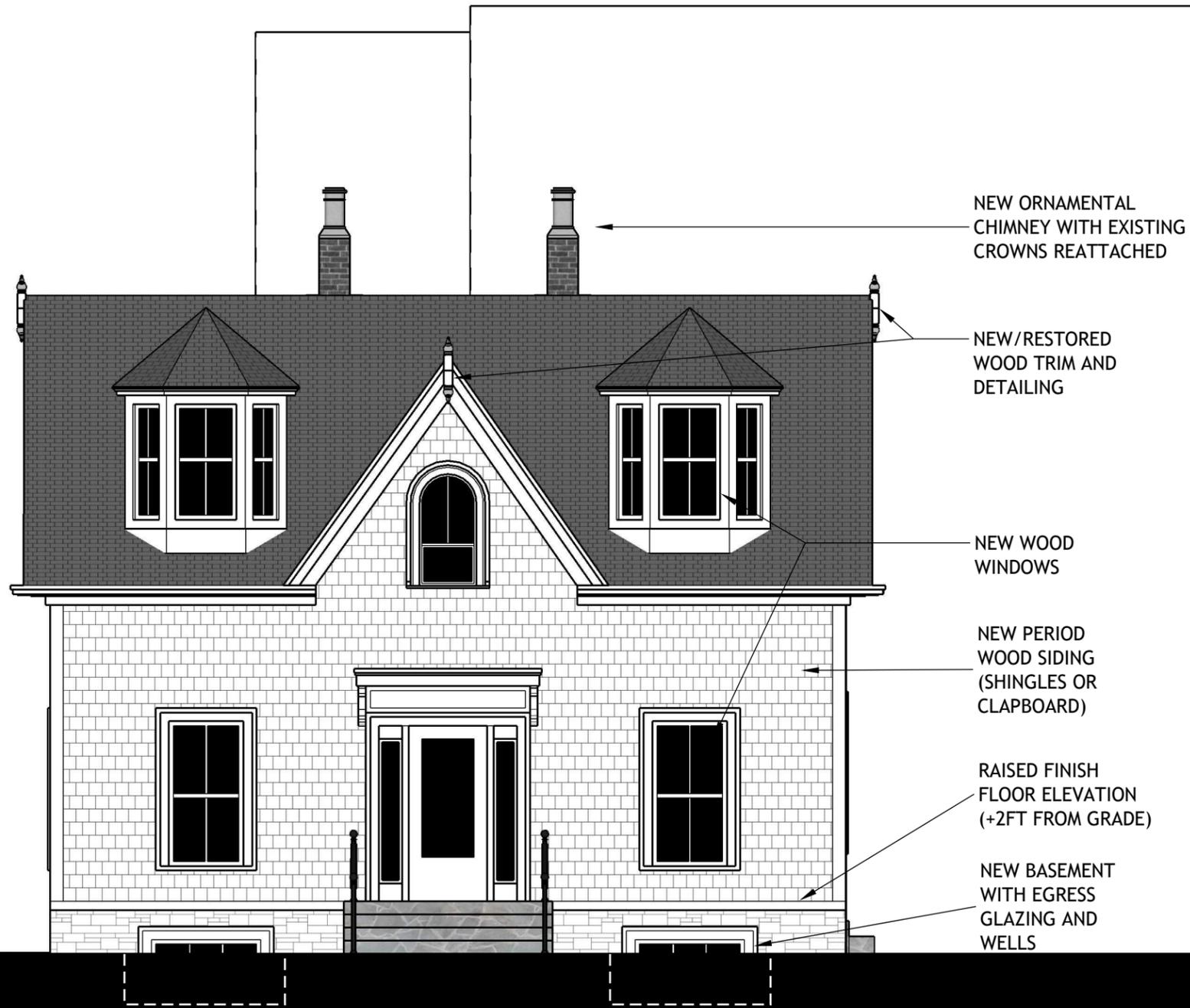
Implementation of this plan will require approval of substantial alterations to the existing building. The proposed re-development of the south half of the property will require a development agreement with the municipality to address area, yard dimensions and setback requirements, and building design. Pending the approvals of these agreements, the implementation of the conservation measures and monitoring will progress as follows, with the intention of the developers to begin in September 2020:

- An in-depth site inspection/assessment of the property and surrounding land to verify and document the existing condition present.
- Pending the approval of all necessary permits, site preparation will begin immediately following.

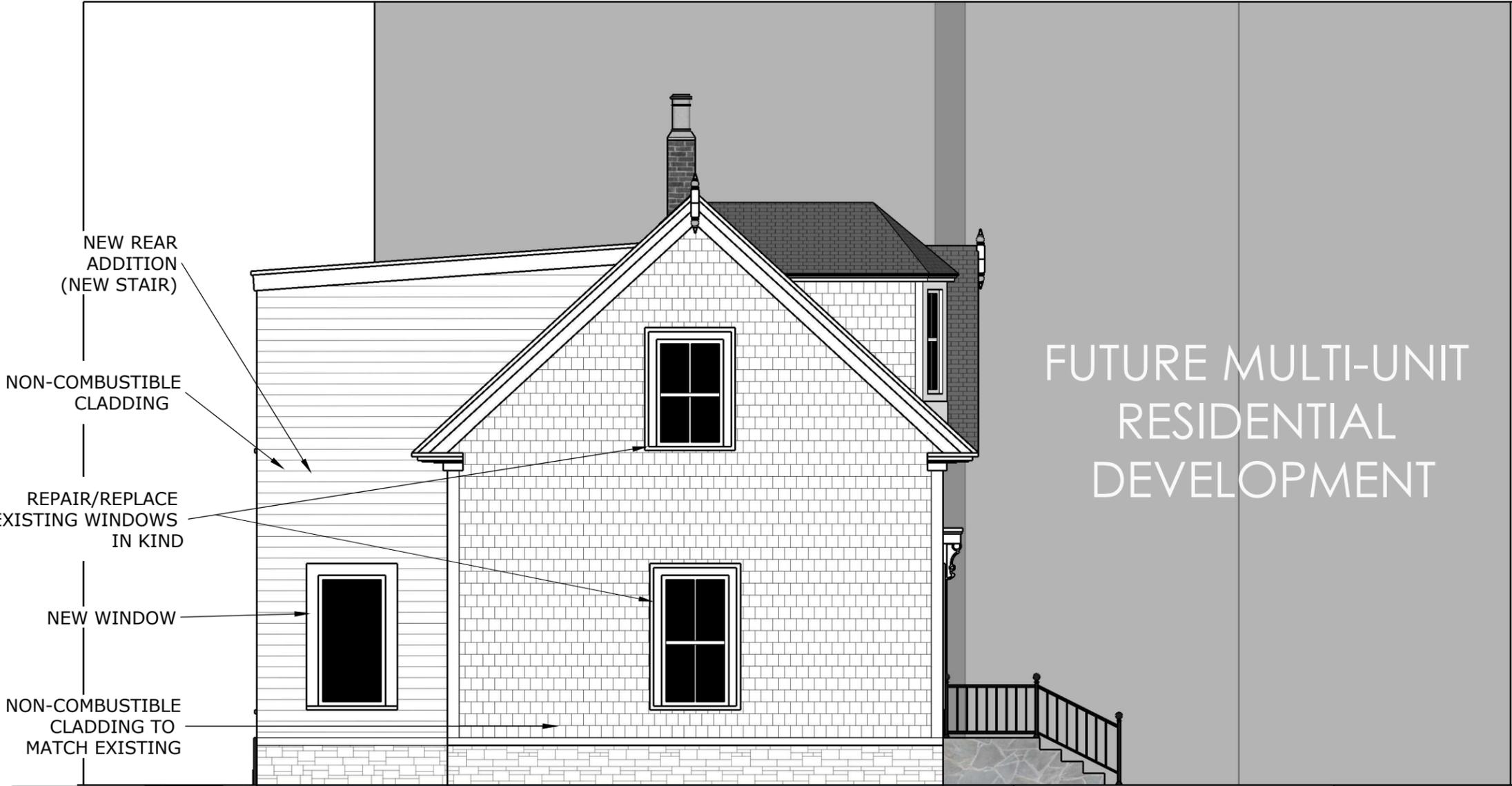
- The side addition of the existing building will be dismantled. Team member from the project will be on-site to monitor the heritage resource and ensure its protection during the process.
- Preparation, shoring, and restoration of the foundations of the existing heritage structure.
- Excavation of the site, pouring of footings and foundation walls for the relocated building site.
- The existing structure will be relocated on the new foundation.
- The preservation and rehabilitation measures outlined in the Site Alteration Impact statement will be carried out on the interior and exterior of the property. Team members from the project team will be on-site to monitor the heritage resources and ensure their protection during the process.
- The rear addition on the existing building will be constructed.
- Construction on the new building will commence.

It is expected that the relocation and construction of the heritage components of the development will be completed within 12 months. Variances to the planned schedule may occur, pending the results of the in-depth site assessment. A final schedule will be submitted to HRM when it is available.

ATTACHMENT C  
Heritage Building Elevation Drawings of Proposed Alterations



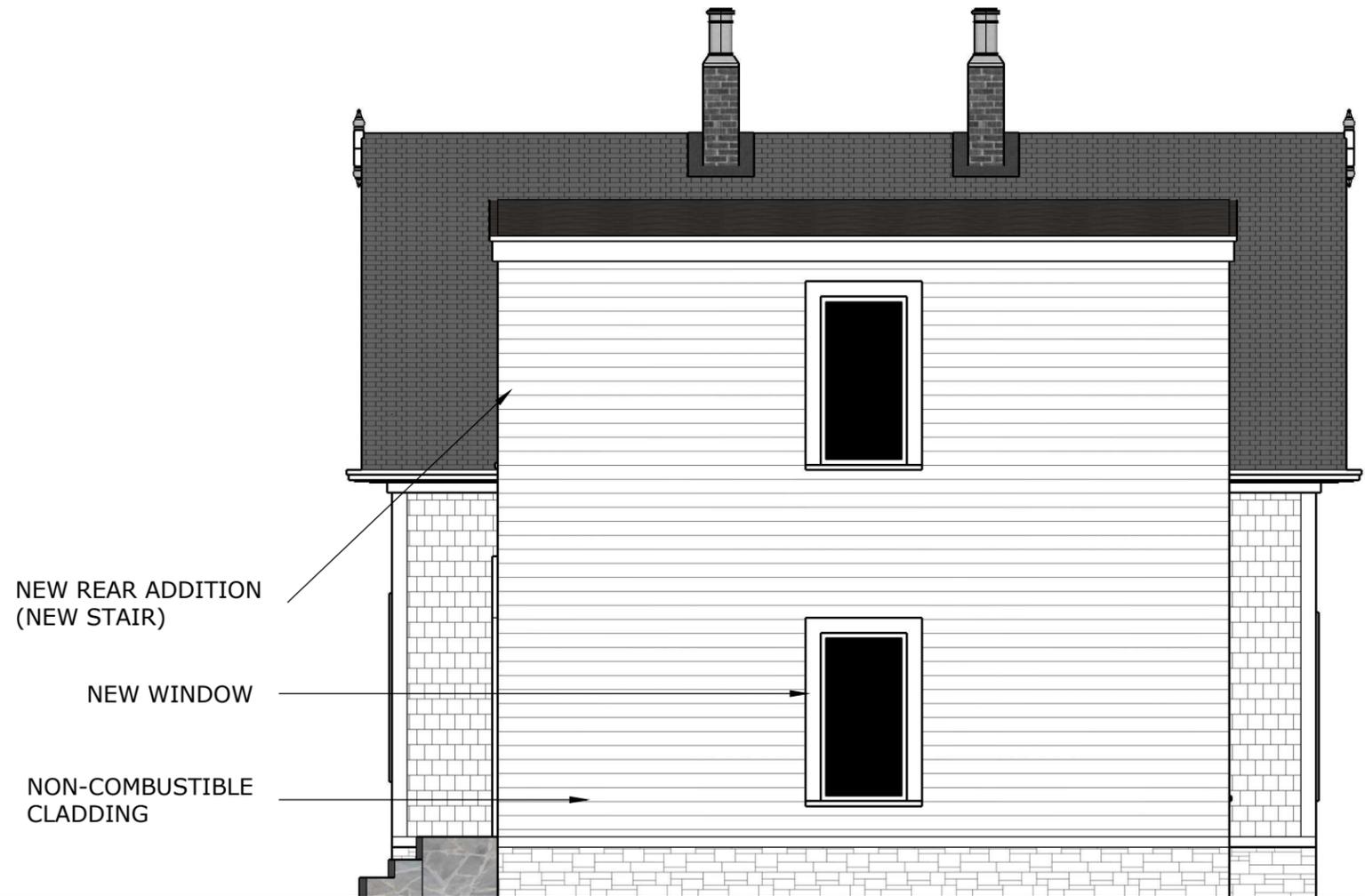
FUTURE MULTI-UNIT  
RESIDENTIAL  
DEVELOPMENT



FUTURE MULTI-UNIT  
RESIDENTIAL  
DEVELOPMENT

TOWER RD.

FUTURE MULTI-UNIT  
RESIDENTIAL  
DEVELOPMENT



NEW REAR ADDITION  
(NEW STAIR)

NEW WINDOW

NON-COMBUSTIBLE  
CLADDING



Zwicker  
Zareski  
architecture +  
planning

**Tower Road - Renovation & Addition**  
1029 Tower Rd., Halifax NS

**EAST ELEVATION**  
SCALE: 3/16"=1'-0"

**Page 3**

ISSUED FOR REVIEW  
DATE: July 23, 2020



TOWER RD.

NEW REAR ENTRY  
(NEW STAIR)

NEW REAR  
ENTRY DOOR



Zwicker  
Zareski  
architecture +  
planning

**Tower Road - Renovation & Addition**  
1029 Tower Rd., Halifax NS

**EAST ELEVATION**  
SCALE: 3/16"=1'-0"

**Page 4**

ISSUED FOR REVIEW  
DATE: July 23, 2020

METAL FASCIA  
CORNICE

PVC PATIO  
DOOR

METAL GUARD  
RAIL

VERTICAL  
NON-COMBUSTIBLE  
CLADDING

NON-COMBUSTIBLE  
TRIM BOARDS

METAL  
AWNING

MASONRY

BASEMENT  
LEVEL

TOWER RD.

property line

U/S CEILING

10'-0"

LVL 3

10'-0"

LVL 2

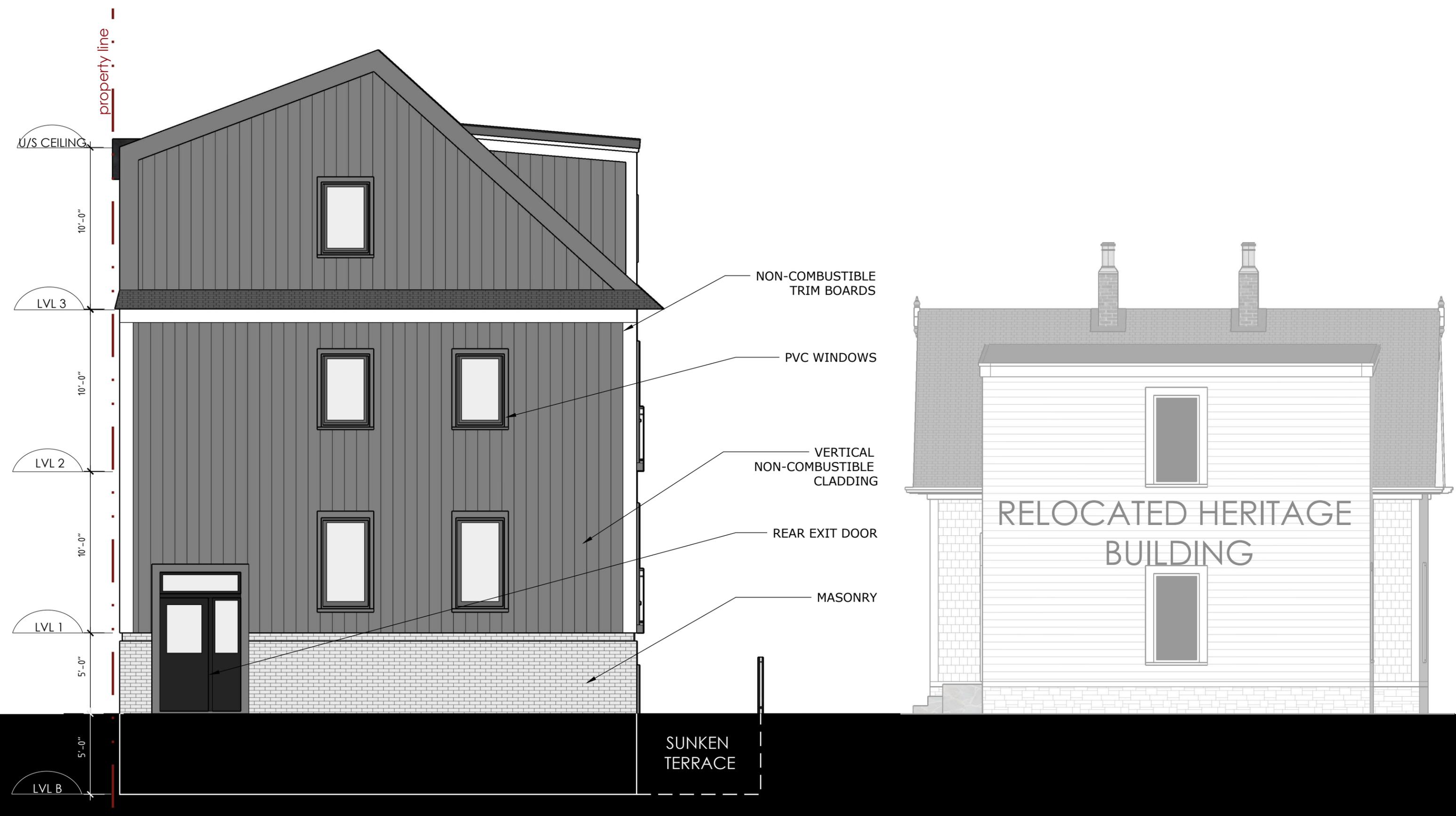
10'-0"

LVL 1

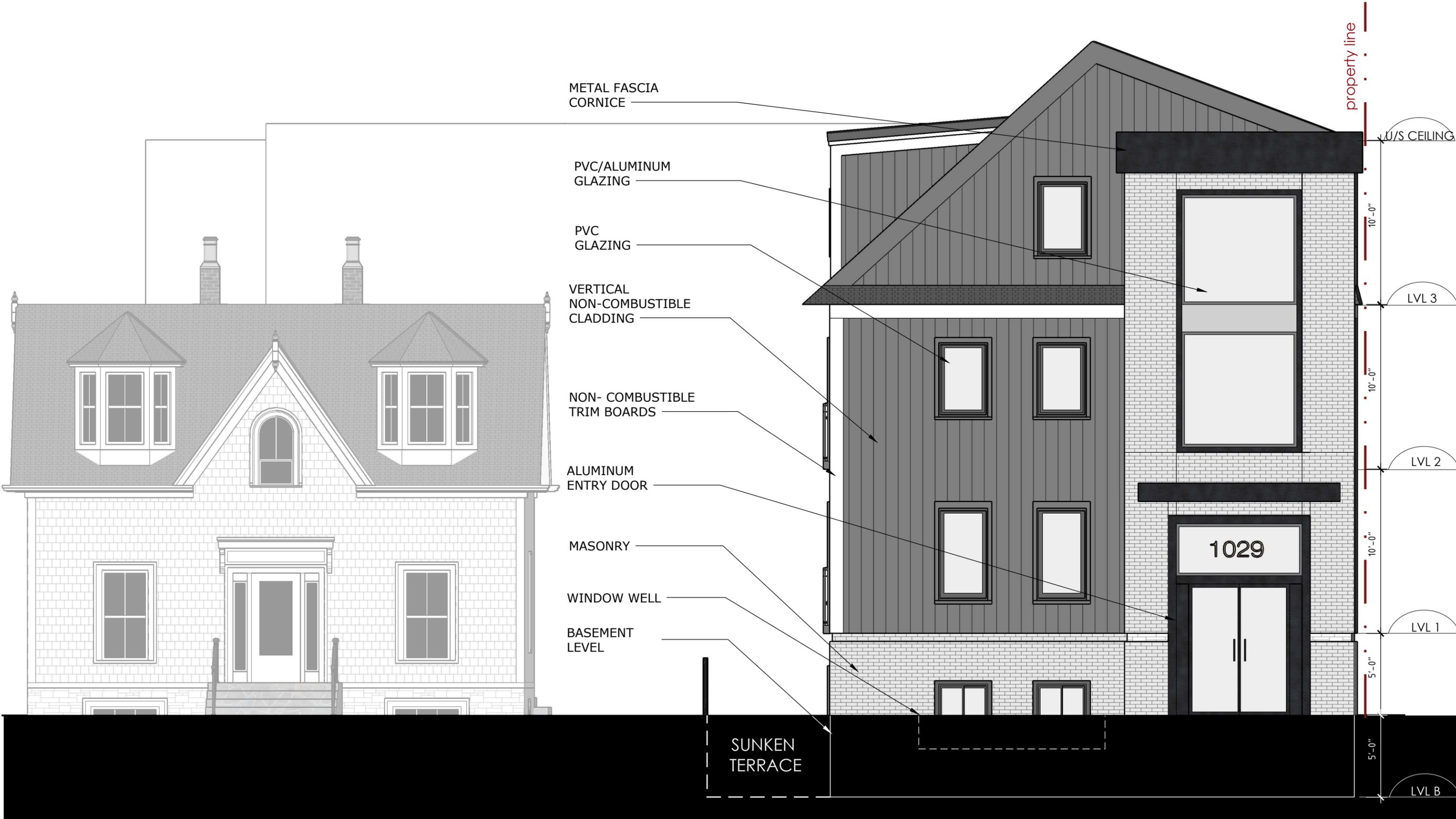
5'-0"

LVL B

5'-0"









**ATTACHMENT E**  
**Heritage Building Summary**

**Victorian Streetscape, 1029 Tower Road, Halifax (c.1870)**



**Character Defining Elements:**

- shingle siding;
- bracketed eaves;
- curved front porches and entrance bays;
- side hall plan;
- projecting facades with entrance and window bays;
- Palladian windows in entrance bay;
- three-sided squared entrance bay;
- three-sided round window bay;
- double entranceways;
- scalloped shingles; and
- shallow pitched roofs.

**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.*"

The Victorian Streetscape is valued for the fourteen houses designed in the Late Victorian Eclectic style: a complex style that incorporates many styles into one house. The unifying force of the streetscape are the bay windows and porches. Many of the same architectural features are repeated several times. The mouldings and fretwork are extremely decorative. Each house provides an interesting glimpse into the eclectic construction period.

The building at 1029 Tower Road is one of the oldest buildings in the Streetscape. It has Scottish dormers and a more symmetrical form similar in style to the earlier Georgian period than the rest of the buildings in the Streetscape. However, the building is adorned with many of the same ornaments as the rest of the Streetscape including finials, palladian window, and door surround.

Charles Puttner Junior, an American supporter of the confederacy during Civil War and a chemist, came to Halifax in the 1860s. He constructed the building at 1029 Tower Road in the 1870s. Dr. James Doull resided in this building from 1920 to 1925. He was a renowned figure in the world of Public Health and Epidemiology.

## ATTACHMENT F Standards & Guidelines Evaluation

Conservation is the primary aim of the Standards and Guidelines, and is defined as ‘all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life. This may involve **Preservation, Rehabilitation, Restoration**, or a combination of these actions or processes.’

**Note:** The Standards are structured to inform the type project or approach being taken.

- Preservation project apply Standards 1 through 9;
- Rehabilitation projects apply Standards 1 through 9, and Standards 10 through 12;
- Restoration projects apply Standards 1 through 9, Standards 10 through 12, and Standards 13 and 14.

Similar to the Standards, the base Guidelines apply to the approach being taken, and additional Guidelines may apply if the project includes rehabilitation and restoration. The Guidelines should be consulted only when the element to be intervened upon has been identified as a character defining element. The Guidelines should not be used in isolation. There may be heritage value in the relationships between cultural landscapes, archaeological sites, buildings, or engineering works. These values should not be compromised when undertaking a project on individual character defining elements of an historic place.

<b>PRIMARY TREATMENT: PRESERVATION</b>			
<i>Preservation is the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting the heritage value.</i>			
<b>STANDARDS 1-10</b>	<b>Complies</b>	<b>N/A</b>	<b>Discussion</b>
1. Conserve the <i>heritage value</i> of an <i>historic place</i> . Do not remove, replace or substantially alter its intact or repairable <i>character-defining elements</i> . Do not move a part of an historic place if its current location is a character-defining element.	<b>Yes</b>		<p><b>Reposition structure within the existing site.</b> The orientation of the heritage building reveals the history of the building. Its front faces south because it once stood on a larger lot with frontage directly on Inglis Street to the south. However, the building is valued for its Late Victorian Eclectic style as part of Victorian streetscape. Most of the building’s character defining elements are located on its front façade and reorienting the building to face Tower Road will enhance the visibility of the character defining elements from the public right of way. Setting the building back with a front yard will preserve the cottage setting where the building was once setback, with a large front yard, from Inglis Street.</p> <p><b>Removal of small east wing.</b> The heritage building did include an historic east wing. The east wing does reveal the historic shape of the building footprint; however, it does not contribute to the Late Victorian Eclectic style nor the Victorian streetscape.</p>

		<p><b>Alterations to meet Building Code requirements.</b> The Building Code will not allow wooden shingles or window openings near an interior property line. Therefore, the shingles are not repairable. These elements will be replaced with new elements to match the historic appearance.</p> <p><b>Construction of rear addition.</b> The new rear addition will not enclose or remove any character defining element. Three feet of the gable roof and rear wall of the heritage building will be preserved on both sides of the proposed addition to preserve the original form of the building's rear and side elevations.</p>
<p>2. Conserve changes to historic places that, over time, have become <i>character-defining elements</i> in their own right.</p>	<p>N/A</p>	
<p>3. Conserve <i>heritage value</i> by adopting an approach calling for <i>minimal intervention</i>.</p>	<p><b>Yes</b></p>	<p>The rehabilitation project seeks to arrest and correct deterioration, meet codes, and introduce new services, as an alternative to demolition, through an approach calling for minimal intervention as follows:</p> <p><b>Reposition structure within the existing site.</b> This reposition of the building is necessary to accommodate new rental accommodations by creating space for a new three storey building on site.</p> <p><b>Removal of small east wing.</b> This is necessary to accommodate new rental accommodations by creating space for a new three storey building on site.</p> <p><b>Alterations to meet Building Code requirements.</b> The shingles and window openings on one side wall will be replaced to meet Building Code requirements.</p> <p><b>Construction of rear addition.</b> This new addition is necessary to accommodate rental accommodations and commercial services and to meet Building Code requirements for egress via an enclosed stairway.</p> <p><b>Construction of new three-storey building.</b> This new building will be entirely detached from the heritage building and introduce additional dwelling units on the site to make the rehabilitation project</p>

			economically viable through new revenues.
4. Recognize each <i>historic place</i> 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 property that never coexisted.		N/A	
5. Find a use for an <i>historic place</i> that requires minimal or no change to its <i>character-defining elements</i> .	Yes		<p>The rehabilitation project seeks to maintain the use of the place and to find a new viable use that has little impact on its character-defining elements.</p> <p>The residential use of the heritage building will continue, and a new commercial use will be introduced with minimal change to the character defining elements.</p>
6. Protect and, if necessary, stabilize an <i>historic place</i> until any subsequent <i>intervention</i> 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.	Yes		<p><b>Reposition structure within the existing site.</b> The temporary closure of an historic place with measures to protect it from vandalism and weather, shall be ensured while the building is moved.</p> <p>It is the intent of the applicant to use such measures to protect the building and a future Development Agreement can consider such measures within its provisions.</p> <p>The protection and preservation of archaeological resources is the responsibility of the property owner and the provincial government, through its programs and regulations.</p>
7. Evaluate the existing condition of <i>character-defining elements</i> to determine the appropriate <i>intervention</i> needed. Use the gentlest means possible for any intervention. Respect <i>heritage value</i> when undertaking an intervention.	Yes		<p><b>Reposition structure within the existing site.</b> It is the intent of the applicant to use measures to protect the building during the process to reposition it on site and in all other interventions to the heritage building. A future Development Agreement can consider such measures within its provisions.</p>
8. Maintain <i>character-defining elements</i> 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 <i>prototypes</i> .	Yes		<p><b>Conservation of heritage building.</b> It is the intent of the applicant to repair and renovate the entire exterior of the heritage building including the cladding, roof, and windows in keeping with the existing materials and appearances. Development Agreement will include measures to</p>

			ensure that the heritage building is conserved on continual basis.
9. Make any <i>intervention</i> needed to preserve <i>character-defining elements</i> physically and visually compatible with the <i>historic place</i> and identifiable on close inspection. Document interventions for future reference.	<b>Yes</b>		<b>Alterations to meet Building Code requirements.</b> The new non-combustible shingles, windows with enclosed openings, and all other interventions will be physically and visually compatible with the heritage building and identifiable on close inspection.

<b>PRIMARY TREATMENT: REHABILITATION</b>			
<i>Rehabilitation is the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value.</i>			
<b>STANDARDS 10-12</b>	<b>Complies</b>	<b>N/A</b>	<b>Discussion</b>
10. Repair rather than replace <i>character-defining elements</i> . 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 <i>historic place</i> .	<b>Yes</b>		<p><b>Conservation of heritage building.</b> The applicant will not undertake a wholesale replacement of elements during the rehabilitation project, recognizing that this approach will inevitably have an impact on heritage value. Rehabilitation is meant to preserve and not diminish the heritage value of a place; a new use or a substantial reinvestment does not justify extensive replacement.</p> <p>A future Development Agreement can consider measures within its provisions to ensure that repairable elements are not replaced.</p>
11. Conserve <i>heritage values</i> and <i>character-defining elements</i> when creating new additions to an <i>historic place</i> or any related new construction. Make new work physically and visually compatible with, subordinate to and distinguishable from the historic place.	<b>Yes</b>		<p><b>Reposition structure within the existing site.</b> The heritage building will remain distinguishable from the rest of the heritage streetscape after it is moved because it will retain a large setback from the street. The physical and visual compatibility with the rest of the streetscape will be improved when the front of the building faces the street and it will remain subordinate to the heritage streetscape as the only one-and-a-half storey building.</p> <p><b>Construction of rear addition.</b> Three feet of the gable roof and rear wall of the heritage building will be preserved on both sides of the rear addition.</p> <p>The height and width of the addition are smaller than the height and width of the heritage building, and the addition will be subordinate to the heritage building and</p>

		<p>streetscape because it will not be visible from the street.</p> <p>The windows of the addition will be compatible with the heritage building in their dimensions and placement. The addition will be distinguishable as a new structure through its cladding material and single pane windows.</p> <p><b>Construction of new three-storey building.</b> The new building will be constructed on the same property as the heritage building but will appear subordinate to the heritage buildings within the streetscape due to the lack of ornamentation. It will be compatible with the rest of the streetscape because of its three-storey height, setback from the street, and rhythm of bays. It will be distinguishable as a new building in the heritage streetscape because of its new materials, contemporary form, and window treatments.</p>
<p>12. Create any new additions or related new construction so that the essential form and integrity of an <i>historic place</i> will not be impaired if the new work is removed in the future.</p>	<p><b>Yes</b></p>	<p><b>Construction of rear addition.</b> The heritage building will not become dependant on the new rear addition for its structural integrity. The rear addition can be removed in the future without impairing the essential form of the heritage building.</p>

*These minutes are considered draft and will require approval by the Heritage Advisory Committee at a future meeting.*

**Heritage Advisory Committee Meeting Minutes  
September 23, 2020**

Morton then addressed questions from the Committee. Jenny Lugar and Robert Matheson, representing the developer, were also in attendance for questions of clarification. The connection between the old and new buildings and alterations to the roofline of the heritage building was reviewed noting that a building code review has been done by the architect. Stairs House is used as a residence presently, it was noted that many of its interior features will also be maintained and restored. Aaron Murnaghan indicated that new policy under the Centre Plan was considered by both the applicant and staff.

MOVED by Councillor Austin, seconded by Councillor Hendsbee

**THAT the Heritage Advisory Committee recommend that Regional Council approve the proposed substantial alteration to 5241-5247 South Street, Halifax, as set out in the staff recommendation report dated September 4, 2020.**

**MOTION PUT AND PASSED.**

### **9.1.2 Case H00499: Application for Substantial Alteration to 1029 Tower Road, Halifax, a Registered Municipal Heritage Property**

The following was before the Committee:

- A staff recommendation report dated September 4, 2020
- A staff presentation dated September 23, 2020

Seamus McGreal, Planner III Heritage Planning, provided a presentation to the Committee. The proposal is for substantial alterations to the site and a new heritage development agreement, Case 23066. The site context was shared, highlighting the orientation of the heritage building. The heritage value and history of the site was reviewed noting that it is registered as a part of the Victorian Streetscape.

The proposed development agreement was shared: re-orientation of the heritage building, new two storey addition at the rear, alterations to meet building code requirements and construction of a new three-storey building. This planning case will return to the Committee for further review if the substantial alterations are approved by Regional Council. The detail of the substantial alterations was presented, noting some additional non-substantial alterations being proposed. McGreal reminded the Committee that there is an active demolition application for this property which is in effect from January 2020- January 2021. McGreal shared the staff evaluation of this work and reviewed the steps in the process leading to consideration by Regional Council.

McGreal addressed questions from the Committee. The Committee's concerns regarding accessibility to the building and accessible washrooms for the public space will be a part of the development agreement review. The committee had previously held a public information meeting addressing the application for demolition, this PIM was held on January 15, 2020. Shortly after the PIM was held, the property owner and municipal staff began to discuss a substantial alteration and the development agreement option under Policy 6.8 of the Halifax Secondary Municipal Planning Strategy to save the building. It was noted that the proposed coffee shop can receive an incentive through a Heritage Program.

MOVED by David Atchison, seconded by Sandra Nowlan

**THAT the Heritage Advisory Committee recommend that Regional Council approve the substantial alteration of 1029 Tower Road, Halifax, known as the Dr. James Doull House, as set out in the staff recommendation report dated September 4, 2020.**

**MOTION PUT AND PASSED.**

### **9.2 MEMBERS OF THE HERITAGE ADVISORY COMMITTEE – NONE**

### **10. MOTIONS/DISCUSSION – NONE**