

## MEMORANDUM

**TO:** Chair and Members of Halifax Peninsula Planning Advisory Committee  
**FROM:** Seamus McGreal, Planner III – Heritage  
**DATE:** December 8, 2020

**SUBJECT: Case 23066: Application by ZZap Consulting Inc. to enter into a development agreement to construct a three-storey multi-unit residential building and to allow a commercial use on a registered heritage property at 1029 Tower Road, Halifax. If approved, the heritage building will be restored and preserved on site.**

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Staff are seeking feedback from Halifax Peninsula Planning Advisory Committee relative to the above noted application. The committee's recommendation, along with the staff report, will be forwarded to Halifax and West Community Council (HWCC).

### **Proposal**

The applicant has applied to develop the property within the Halifax Secondary Municipal Planning Strategy area via development agreement. The applicant is proposing:

- the construction of a new three-storey building on the property to contain apartments;
- a new commercial use within the heritage building to contain a coffee shop on the ground floor; and
- the general conservation of the heritage building by repairing and restoring the entire exterior including the cladding, roof, windows, and chimneys.

Refer to Attachments A and B for a site plan and building elevation drawings showing the proposed development.

### **Location & Context**

The subject property is a registered municipal heritage property located at 1029 Tower Road, Halifax (Map 1). The heritage building onsite, known as the Dr James Doull House, 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. 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. There is a large five storey apartment building across the street. The neighbourhood is defined by its established residential uses and heritage character.

### **Halifax Secondary Municipal Planning Strategy Area**

The use of the subject property is regulated by the South End Plan of the Halifax Secondary Municipal Planning Strategy. The subject property is designated Medium Density Residential. This designation encourages a mix of family and non-family dwellings. The designation supports interior conversion, additions, infill between existing structures and small-scale development on vacant lots.

The property is currently zoned General Residential Conversion (R-2A) under the Halifax Peninsula Land Use By-law which permits the construction of buildings with up to four units as-of-right with a minimum 4,000 s/f (372 s/m) lot size and maximum 40 percent lot coverage.

The applicant's proposal is being considered in accordance with Policy 6.8 of the Halifax Secondary Municipal Planning Strategy. Policy 6.8 allows the HWCC to consider a development agreement on a municipally registered heritage property for "*any development or change in use not otherwise permitted by the land use designation and zone*". The policy is attached to this memo (Attachment C).

### **Community Engagement**

On October 24, 2020, the heritage team distributed 656 letters to residents and property owners in the surrounding area, inviting input on the proposal. By the conclusion of the submission period, staff received 13 responses, which are summarized in Attachment D.

Additional information on Case 23066 is available to the public at [www.halifax.ca/planning](http://www.halifax.ca/planning)

### **Planning and Heritage Processes**

HWCC has the legislative authority to consider a development agreement in accordance with Policy 6.8. Before its decision on Case 23066, the HWCC shall host a public hearing. The public hearing provides interested parties with the opportunity to address HWCC directly at the hearing or via written submission.

Staff note that Case 23066 also involves a substantial alteration application which is necessary to approve the proposed development on the registered heritage property in accordance with the *Heritage Property Act*. This application (Case H00499) was reviewed by the Heritage Advisory Committee and approved by Regional Council at its meeting on November 17, 2020.

### **Demolition Application**

The property owner applied to demolish the heritage building on January 25th, 2017. In accordance with Section 18 of the provincial Heritage Property Act, the property owner can legally demolish the heritage building between January 25th, 2020, and January 25th, 2021. A Public Information Meeting was held on January 15th, 2020, to address the demolition application including development alternatives. In the summer of 2020, the property owner applied for the development agreement and substantial alteration to preserve the heritage building on the property as part of the new development. However, the demolition application remains in effect until January 25th, 2021.

### **Committee Request**

In preparing your recommendation to HWCC, please advise if the proposal complies with policy in consideration of the following:

- Site design;
- Building design, details and materials;
- Building mass (e.g., building height, streetwall height, setbacks, etc.) and its relationship to surrounding properties; and

- Land use impacts (e.g., intensity of use, scale, traffic, parking, noise, etc.) on abutting properties.

**Attachments**

Please find enclosed the following documents for your consideration:

Map 1 - Location Map

Attachment A - Site Plan

Attachment B - Building Elevation Drawings

Attachment C - Relevant Halifax SMPS Policy

Attachment D - Public Engagement Mail Out Summary



### Map 1 - Location Map

1029 Tower Road,  
Halifax

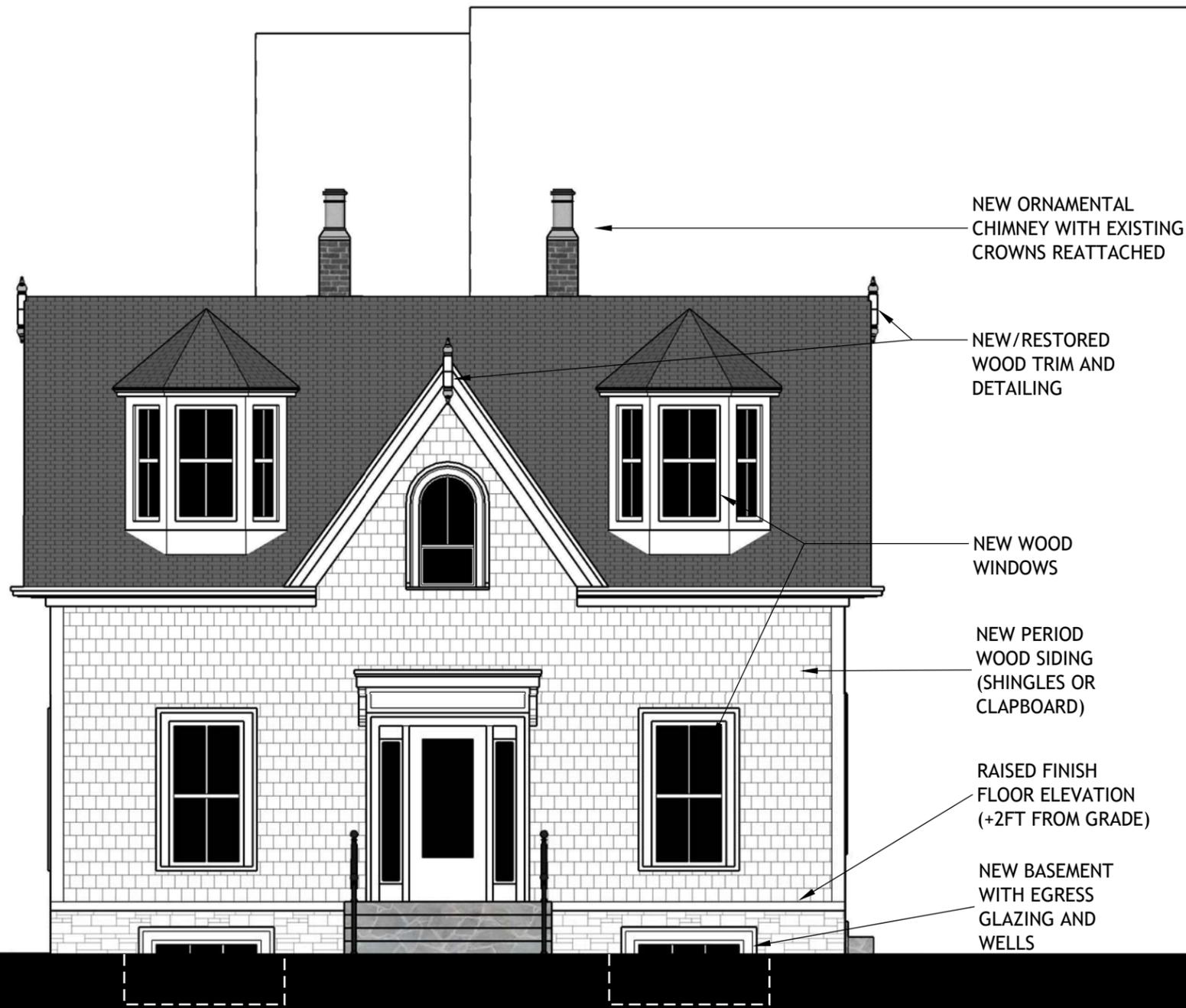
- Registered Heritage Property
- Subject Property



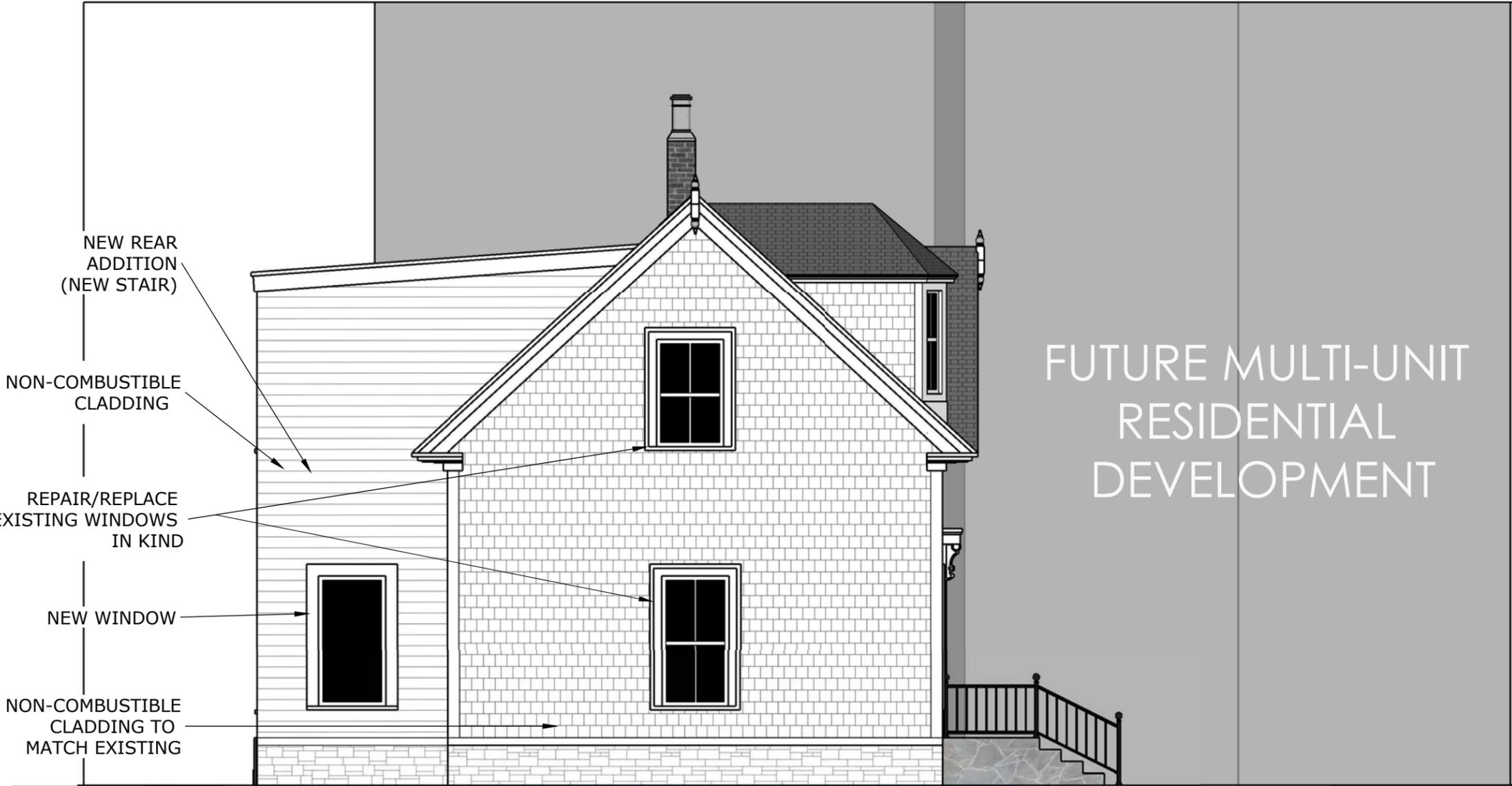
HRM does not guarantee the accuracy of any representation on this plan.



property line

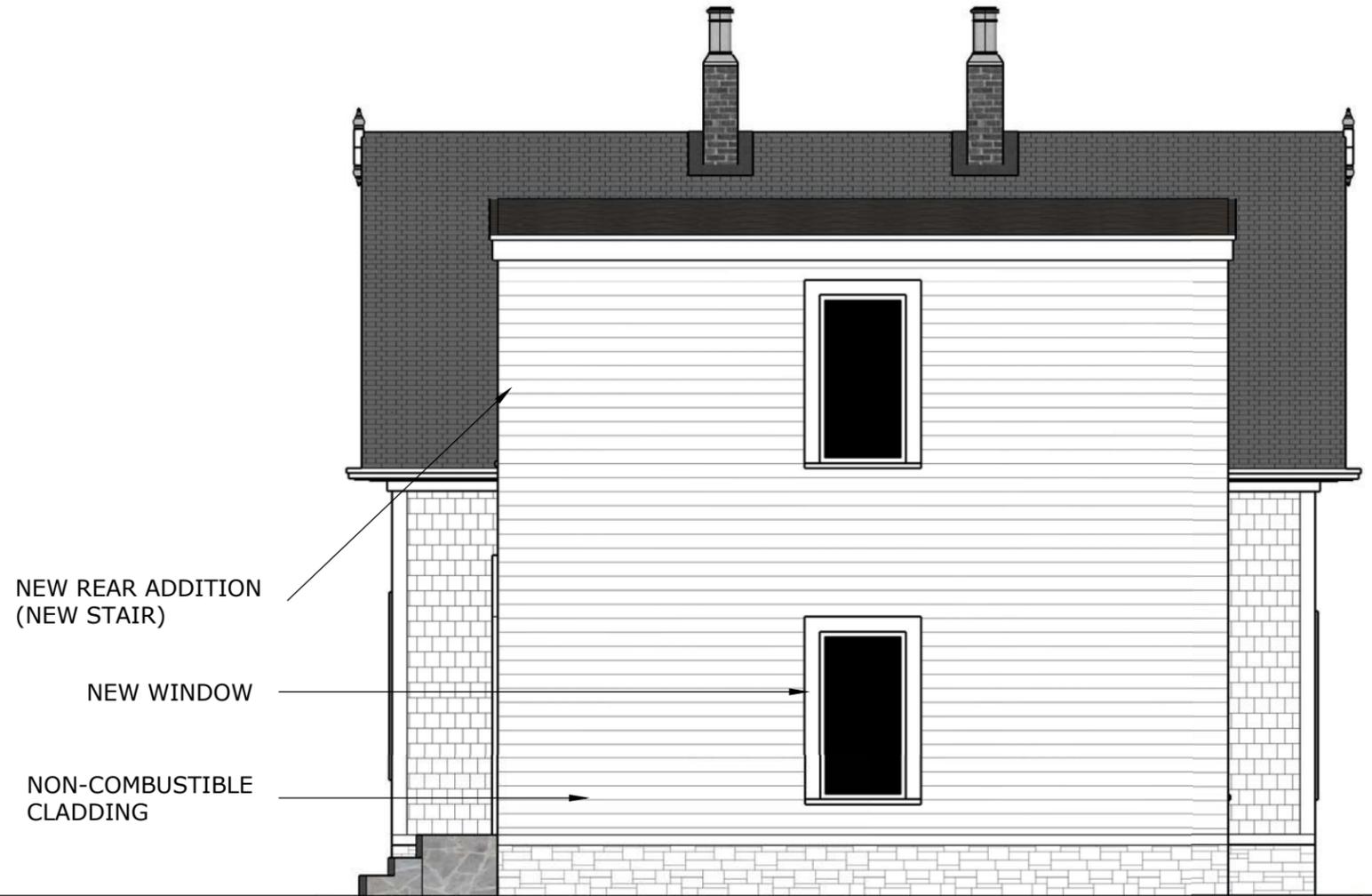


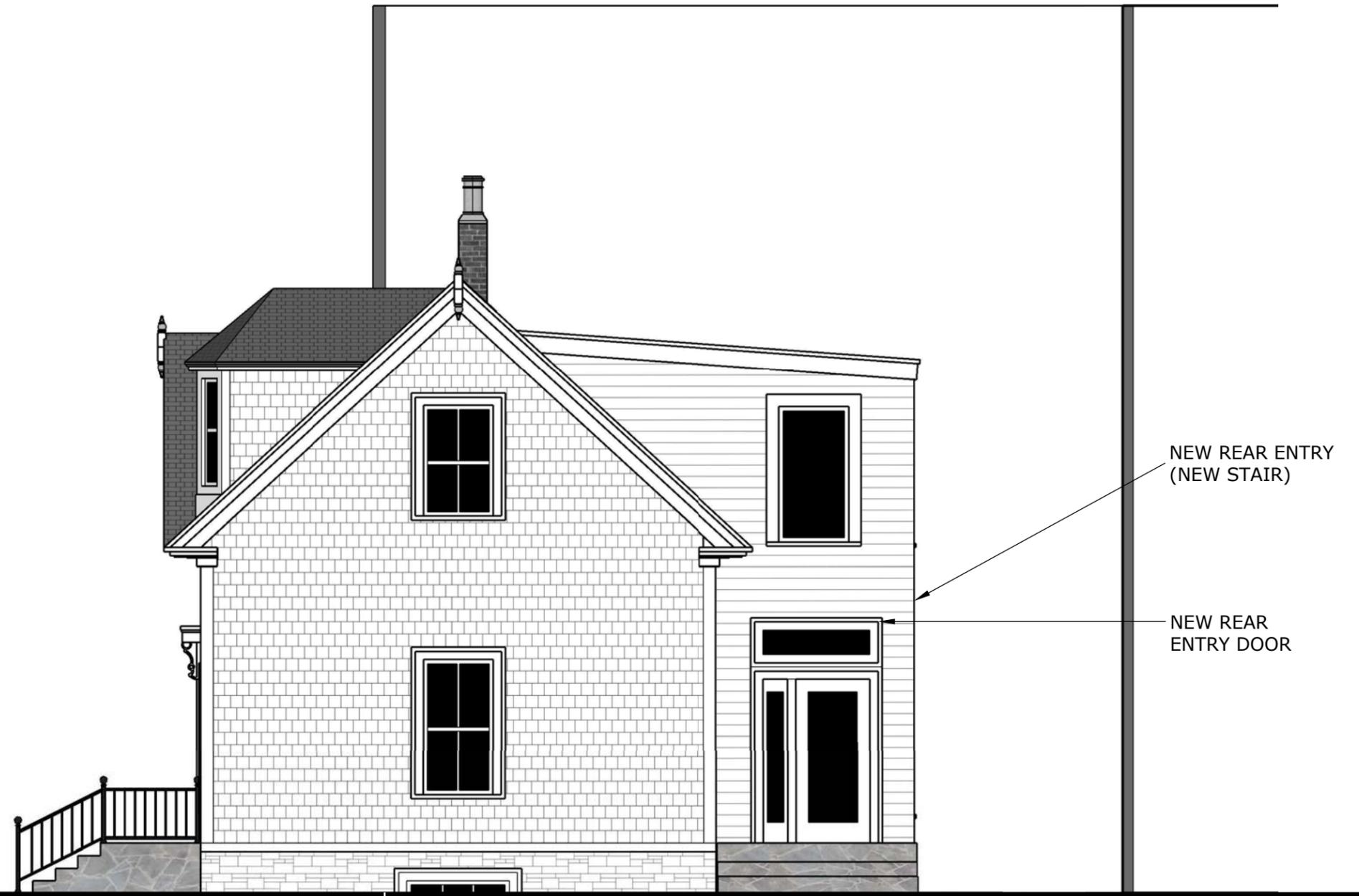
FUTURE MULTI-UNIT  
RESIDENTIAL  
DEVELOPMENT



TOWER RD.

FUTURE MULTI-UNIT  
RESIDENTIAL  
DEVELOPMENT





NEW REAR ENTRY  
(NEW STAIR)

NEW REAR  
ENTRY DOOR

TOWER RD.

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"



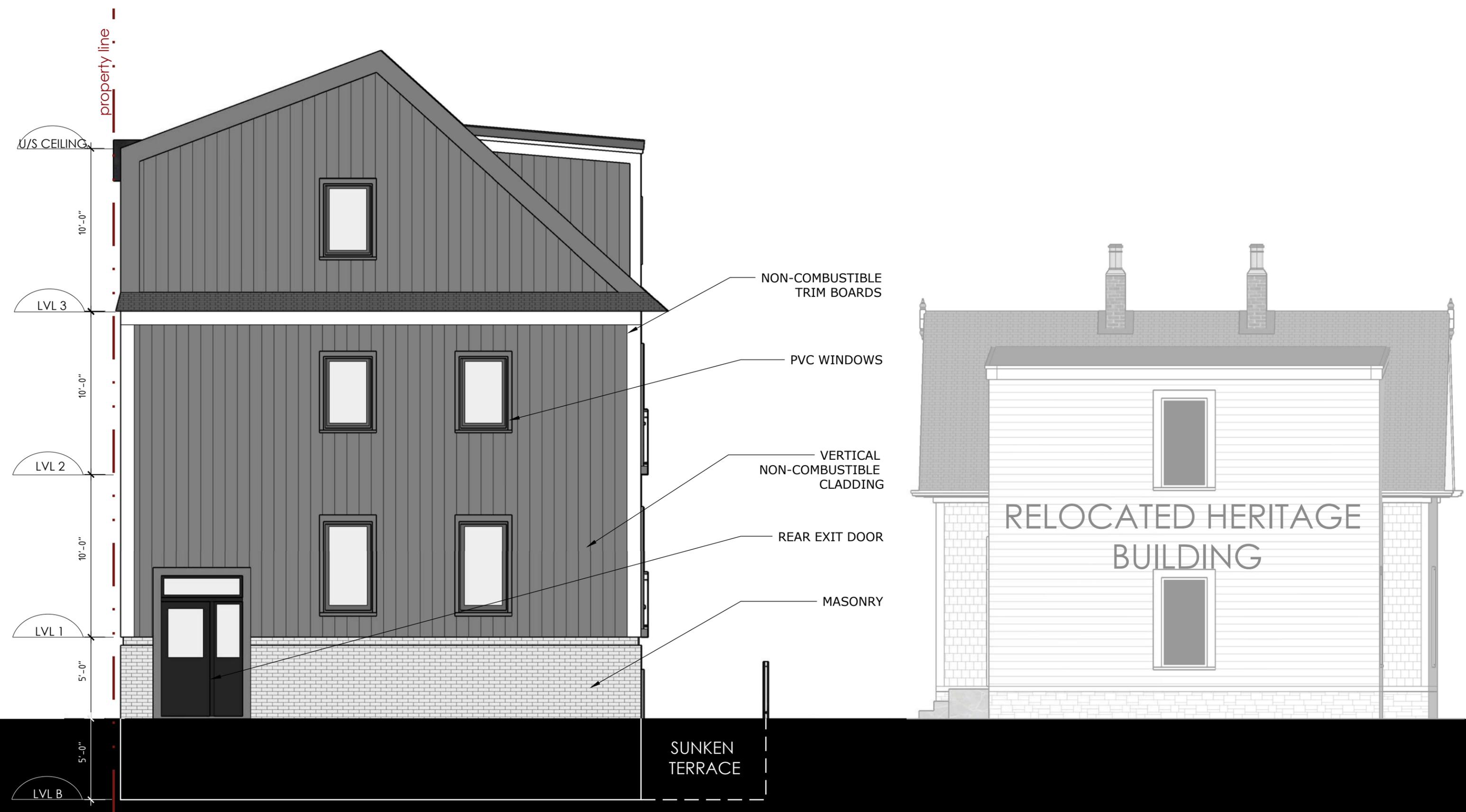
Zwicker  
Zareski  
architecture +  
planning

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

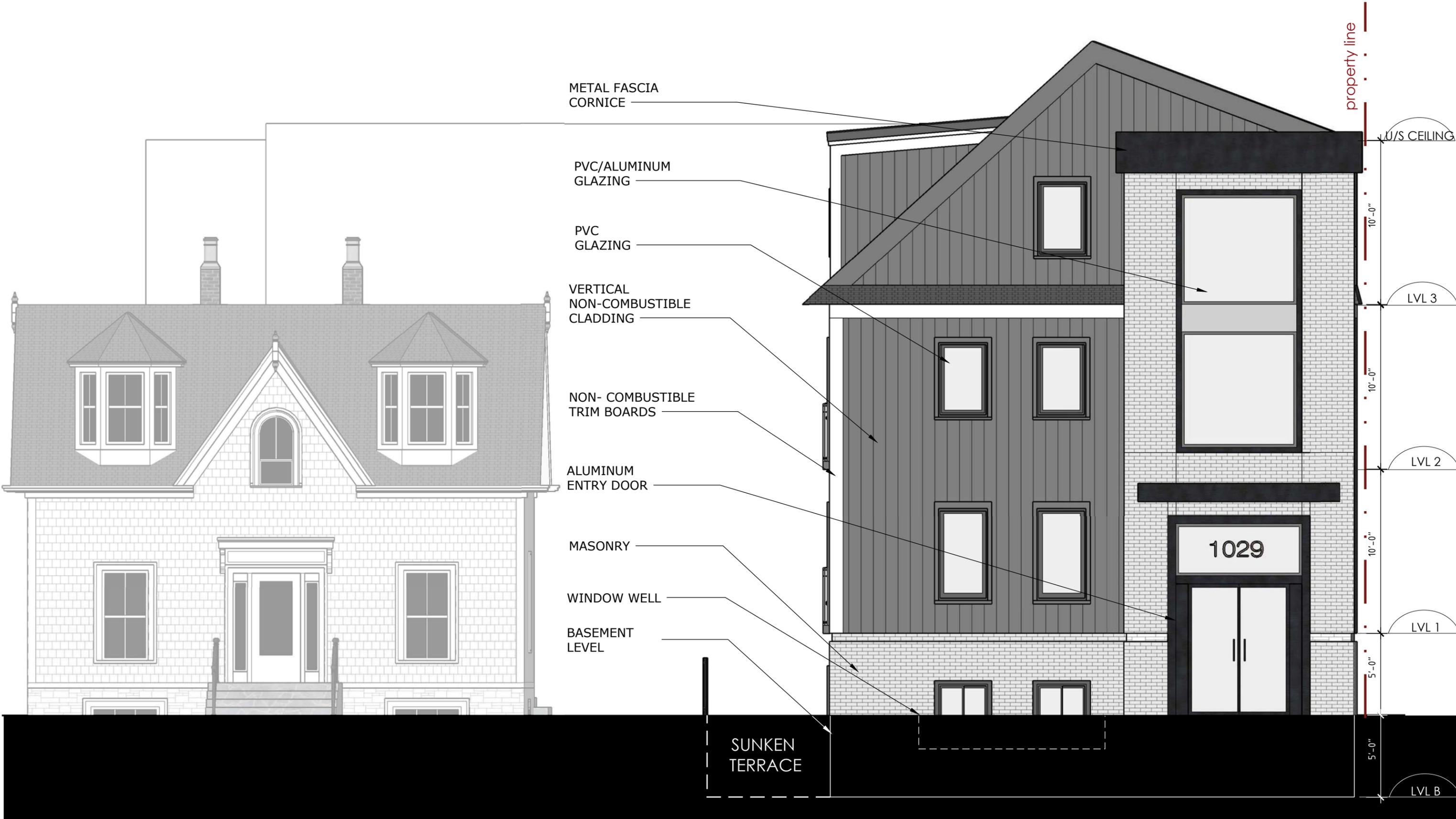
**SOUTH ELEVATION**  
SCALE: 3/16"=1'-0"

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ISSUED FOR REVIEW  
DATE: July 23, 2020







METAL FASCIA  
CORNICE

PVC/ALUMINUM  
GLAZING

PVC  
GLAZING

VERTICAL  
NON-COMBUSTIBLE  
CLADDING

NON-COMBUSTIBLE  
TRIM BOARDS

ALUMINUM  
ENTRY DOOR

MASONRY

WINDOW WELL

BASEMENT  
LEVEL

SUNKEN  
TERRACE

property line

U/S CEILING

LVL 3

LVL 2

LVL 1

LVL B

1029

10'-0"

10'-0"

10'-0"

5'-0"

5'-0"

**ATTACHMENT C**  
**Relevant Halifax SMPS Policy**

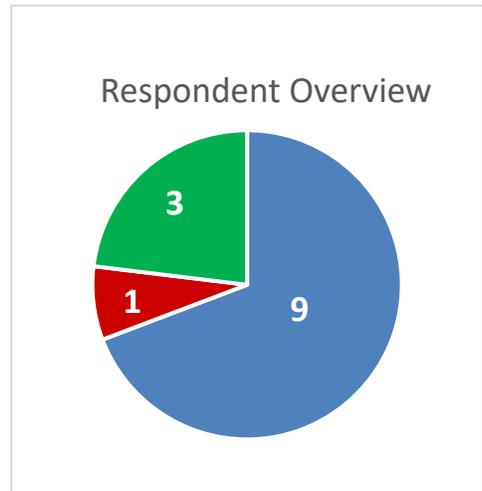
- 6.8 In any building, part of a building, or on any lot on which a registered heritage building is situated, the owner may apply to the City for a development agreement for any development or change in use not otherwise permitted by the land use designation and zone subject to the following considerations:
- i) that any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;
  - ii) that any development must maintain the integrity of any registered heritage property, streetscape or conservation area of which it is part;
  - iii) that any adjacent uses, particularly residential use are not unduly disrupted as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be required as part of a development;
  - iv) that any development substantially complies with the policies of this plan and in particular the objectives and policies as they relate to heritage resources.

**Attachment D**  
**Case 23066 - Engagement Mail Out Summary**

**Overview**

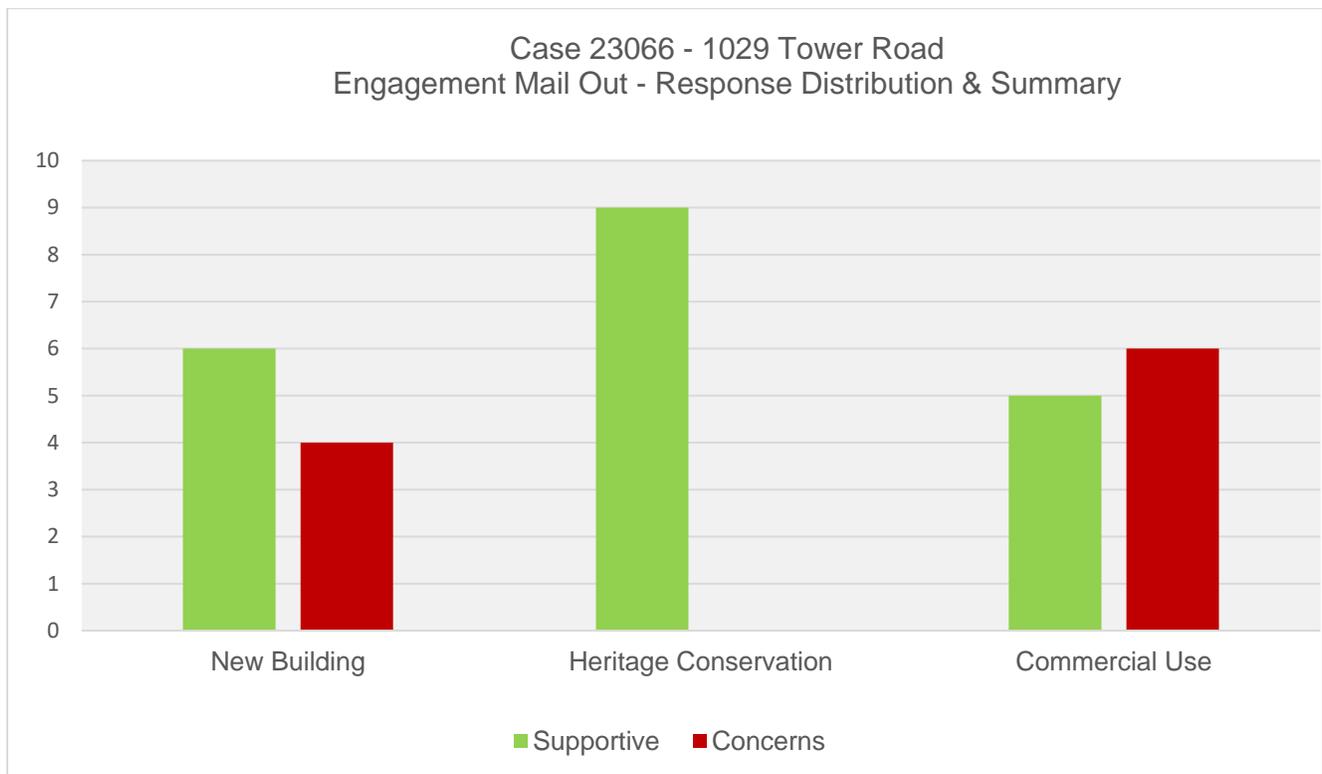
The Heritage Team requested public input on Case 23066 via mail out and webpage notifications. At the conclusion of the eight-week submission period, staff received 13 submissions regarding the applicant's proposed development:

- Nine respondents **supported** the proposal; and
- Three respondent offered **mixed support**; and
- One respondent **did not support** the proposal



**Response Summary**

The 13 respondents provided both supportive comments and concerns, which are summarized in three categories below:



## **New Building**

### Supportive Comments

- Five respondents expressed support for the design of the new building because it fits the three-storey character of the Victorian homes further north on Tower Road, makes better use of the property, and the proposal will preserve the heritage building on the same property; and
- One respondent expressed support that the proposed development will provide more housing in an area that needs more apartment units for students and young professionals.

### Concerns

- Two respondents expressed concerns about the impact of construction on noise levels, traffic and pedestrian circulation, as well as emergency vehicle access;
- One respondent expressed concerns that on-street parking is already next to impossible in the area and would prefer to see a requirement for onsite parking on the property;
- One respondent expressed concern that the drawings of the new building look a bit mundane and would prefer to see more artistic effort that better complements the Dr James Doull House; and
- One respondent expressed concern that the units in the new building will not be affordable and that affordable housing is a need in the neighbourhood.

## **Heritage Conservation**

### Supportive Comments

- Nine respondents expressed support for the development agreement because the Dr James Doull House, registered heritage building, will be preserved as part of the proposal.

### Concerns

- There were no concerns expressed about the conservation of the heritage building.

## **Commercial Use**

### Supportive Comments

- Five respondents expressed support for the café use of the Dr James Doull House because it will not disrupt the quiet neighbourhood, it will draw the public into the main level of the heritage building and it will be combined with residential units on the upper and basement levels.

### Concerns

- Four respondents expressed concern that the commercial use will increase vehicular and pedestrian traffic in the neighbourhood:
  - The streets are already narrow with parking on both sides.
  - Winter traffic will be even more congested.
  - Cars and pedestrians sometimes pass through private properties.
  - Cars and people also collide with each other and increasing both on the narrow street is dangerous.
  - Cars make illegal stops or park in “No Parking” areas to access coffee shops; and
- Two respondents expressed concern that a franchise coffee shop will operate in the heritage building and would prefer to see a local coffee shop operate in the small heritage building.