

Case 22728

Application for Development Agreement on a Registered Heritage Property at 5241-5247 South Street, 5230 Harvey Street, and 5240-5246 Harvey Street

Heritage Advisory Committee
Wednesday, July 27th, 2022

Application

Applicant: WSP Canada Inc.

Location: 5241-5247 South Street, 5230 Harvey Street, and 5240-5246 Harvey Street

Proposal: A development agreement to allow the construction of an eight storey (plus penthouse), multi-unit dwelling containing up to 112 units as an addition to a Registered Heritage Building.

Substantial Alteration Approval: HAC reviewed an application to substantially alter Stairs House and provided a positive recommendation. Regional Council subsequently approved the alterations on November 17, 2020 which included:

- Removal of the existing rear addition and reinstate the building's original two-storey height;
- Restoration of character-defining elements of the heritage building; and
- Construction of an 8-storey building on a consolidated through-lot with Harvey Street.



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Context



View of subject property facing northwest. Front of registered heritage property faces South Street, and the lands extend to Harvey Street through the mid-block.

Planning Context:

- 2,185 sqm (35,000 SF) lot with frontage on South and Harvey Streets
- Higher-Order Residential Designation and HR-1 Zone
- Surrounded by a mix of residential building forms from two 7-storeys in height, as well as commercial buildings on Barrington Street
- Lands currently contain four smaller multi-unit residential buildings

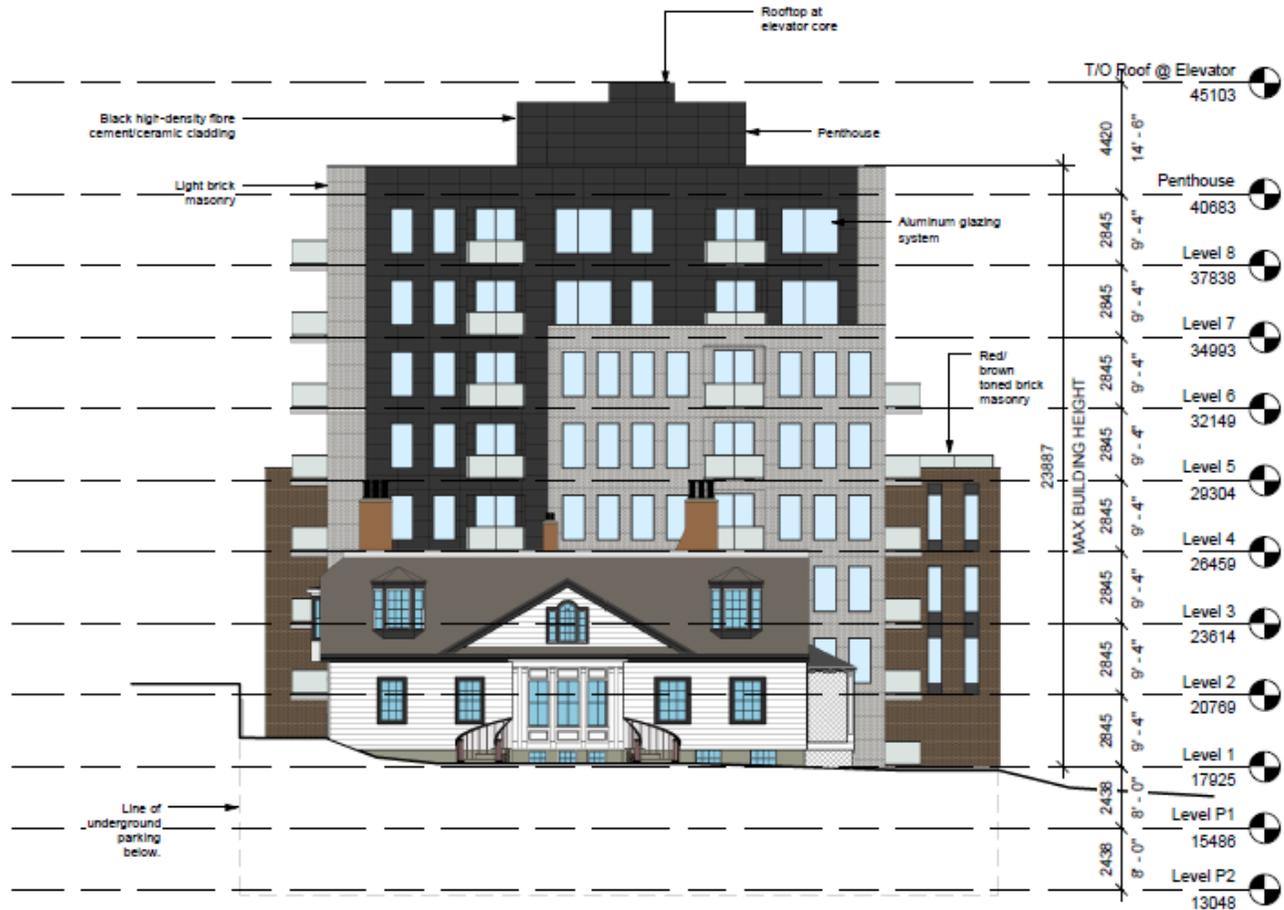
Heritage Property Summary



Stairs House

- Constructed c. 1838 with additions dating into the late 20th century
- Built by Norman Fitzgerald Uniacke, a prominent lawyer, judge, and political figure. Associated with William James Stairs, who purchased the building in 1859.
- Strong historical associations with early 19th century residential suburban development in Halifax
- Character-defining elements relate to the Georgian architectural style, and many of these elements remain
- The building has undergone interior conversion to a small multi-unit dwelling

Proposal



Proposal Details:

- Construction of an 8-storey plus penthouse residential building containing up to 112 units
- Rehabilitated Stairs House will contain either dwelling units or resident amenity space
- A minimum of 30% of all units must be two or more bedrooms
- Applicant has proposed an underground parking structure, but is not required to provide parking
- Requirement to complete all approved heritage rehabilitation and conservation work detailed in Schedule E

Proposal (continued)



Aerial view of project showing addition in the mid-block between Harvey and South Streets



Pedestrian perspective on South Street facing southwest

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Proposal (continued)



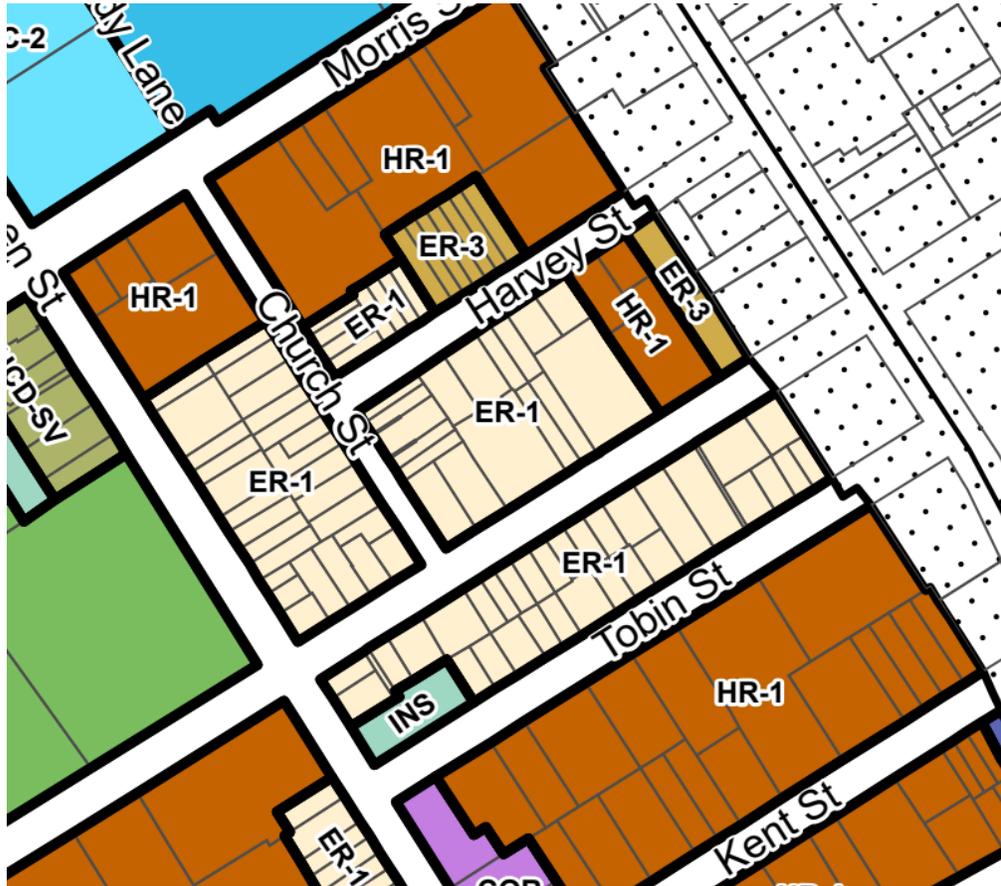
Harvey Street townhouses



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Land Use Policy and Regulation

Regional Centre Secondary Municipal Planning Strategy & Land Use By-law



Regional Centre Land Use By-Law (Schedule 2)

- **Higher-Order Residential Designation**
 - Encourages a mix of residential uses including low to tall mid-rise multi-unit residential buildings, in addition to a limited range of commercial and institutional uses.
- **Higher-Order Residential (HR-1) Zone**
 - Permits multi-unit buildings as-of-right with lot requirements that control siting, built form, and massing.
 - Permits 11 m height and would require 1 parking space for every 3 units (beyond the first 12 units)
- **Enabling Policy**
 - Policy CHR-7

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Policy CHR-7

Regional Centre SMPS

Enables a development agreement on a registered heritage building for any development or change in use not otherwise permitted by the land use designation and zone, including proposals that exceed the max. building heights, subject to the following considerations:

- A development maintains the heritage value of the registered heritage property and does not propose to demolish any registered heritage buildings on the lot;
- The impact on adjacent uses such as traffic generation, noise, hours of operation, parking requirements and other land use impacts should be minimized;
- Any new construction, additions, or renovations facing a street substantially maintain the predominant streetwall height, setbacks, scale, and rhythm of the surrounding properties
- The proposal complies with the Pedestrian Wind Impact and Shadow Impact Assessment performance standards, the public views and view terminus sits policies, and the incentive or bonus zoning provisions in the LUB; and
- That any un-registered historic buildings on the lot that contribute to neighbourhood character are preserved.

Policy CHR-7

Design Revisions

Initial Design

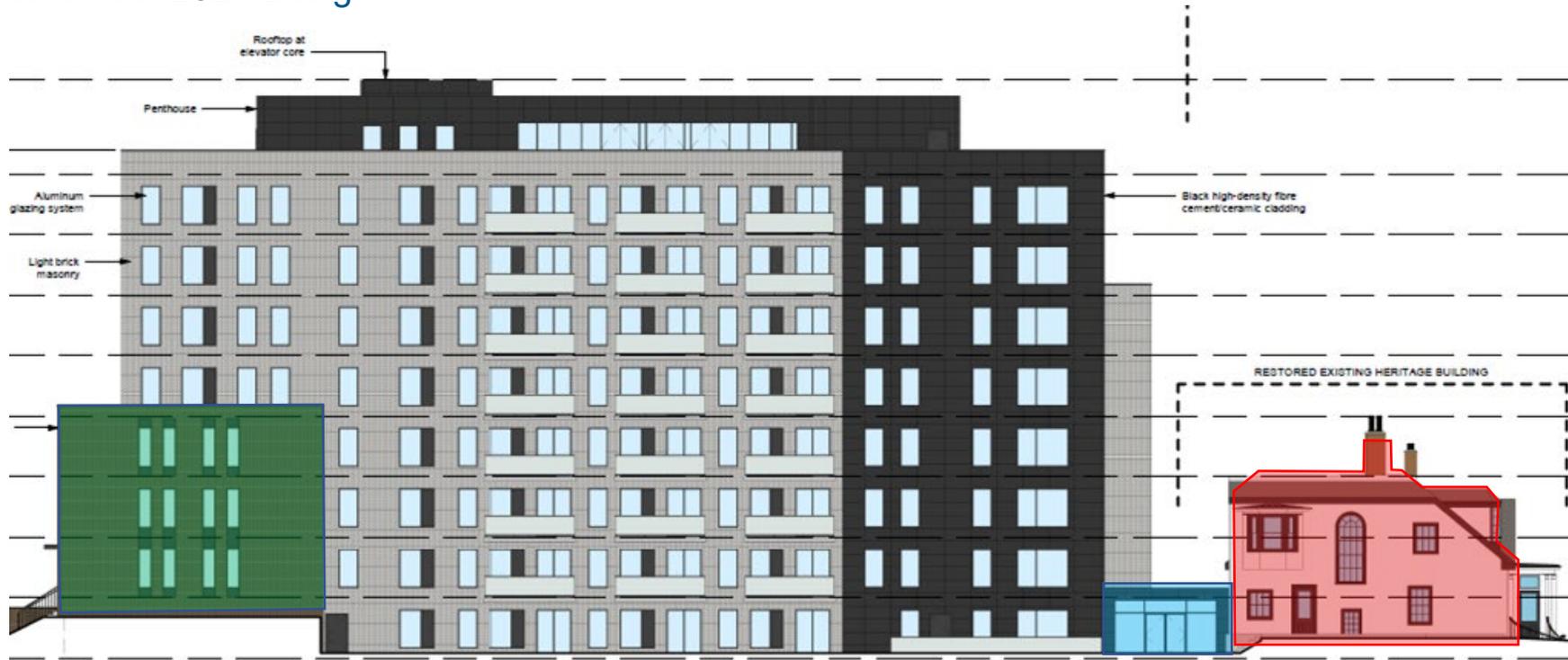


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Policy CHR-7

Design Revisions

November 2021 Design



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Standards and Guidelines

Application review against the *Standards and Guidelines*

- A detailed review of the proposal under the *Standards and Guidelines* was completed as part of the substantial alteration and development agreement application. The review included a consideration of the height and design of the modern addition and the restoration plans for Stairs House.
- Standard 11 specifically pertains to the new addition:
*11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. **Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.***

Staff advise that the setback, step-backs, materials, colour scheme and articulation of the new construction contribute to mitigating its visual impact on Stairs House and considered along with the proposed rehabilitation and conservation work are generally consistent with the *Standards and Guidelines*.

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Public Engagement Feedback

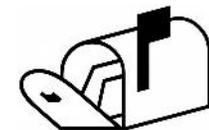
- A public mailout was sent to property owners within the notification area on April 16th, 2020 to inform residents of the proposal and provide contact information to submit feedback. Staff received 19 submissions from residents.
- Feedback from the community included a number of supportive comments including:
 - Support for restoration of the registered heritage building
 - Support for the design of the modern addition
 - Support for the façade and townhouses on Harvey Street
- Feedback from the community also included a number of concerns including:
 - Impact of the multi-unit building on traffic congestion and on-street parking
 - Impact of the height of the new building on views and sunlight for existing residents and overall negative impact on neighbourhood character
 - Impact of construction on noise levels, traffic and pedestrian circulation, as well as emergency vehicle access

**Notifications
Mailed**



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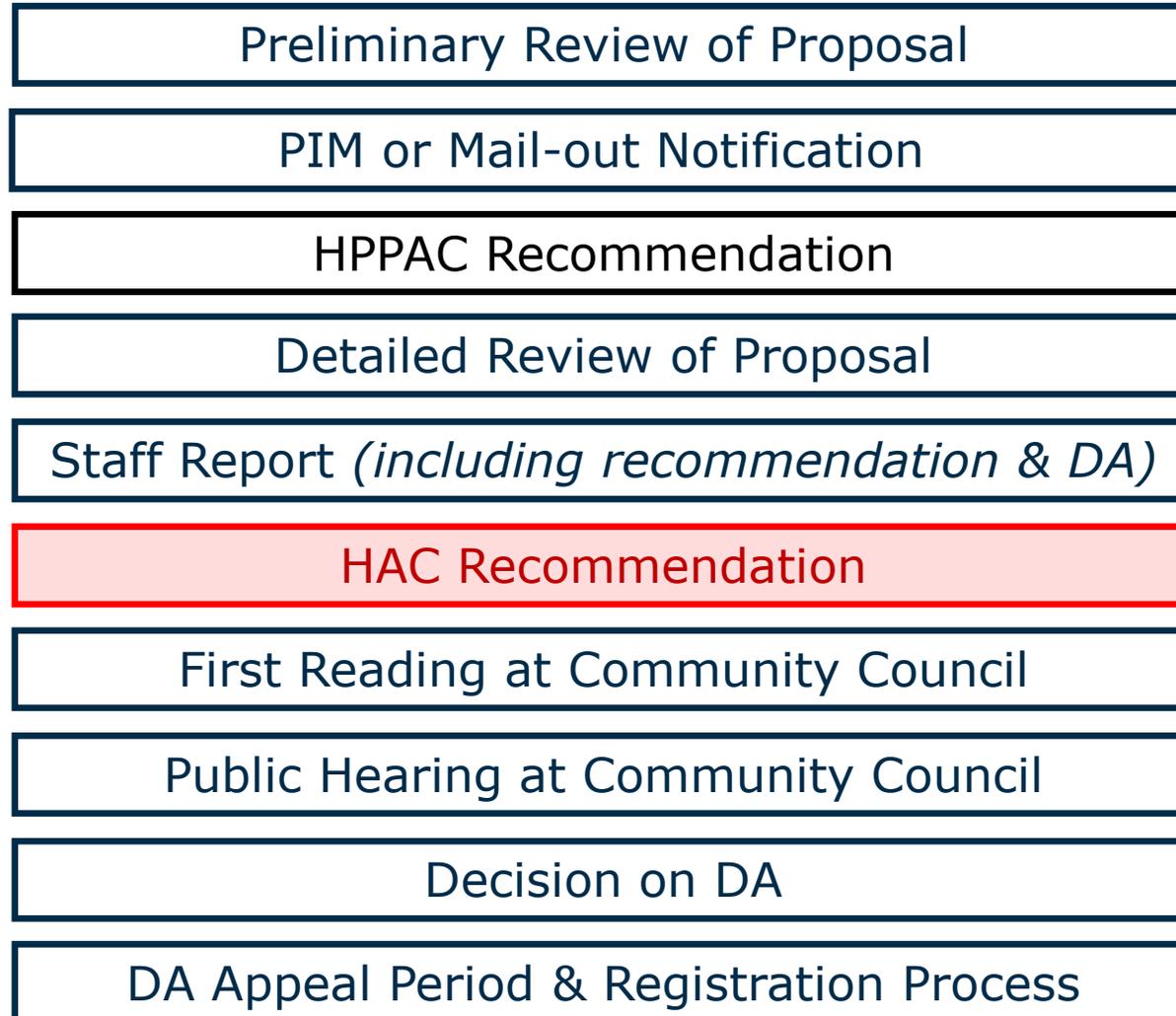
**Responses
Received**



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Heritage DA Process



Recommendation

It is recommended that the Heritage Advisory Committee recommend that the Halifax & West Community Council (HWCC):

1. Give notice of motion to consider the proposed development agreement, as set out in Attachment A, to enable an eight-storey plus penthouse multi-unit residential building as an addition to the Registered Heritage Building located at 5241-5247 South Street 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; and
3. Require the 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.