

June 19, 2024

Item 9.1.1  
**HALIFAX**

# **Case 24359 – 2537-39 Agricola Street, Halifax**

Application for Development Agreement on a Registered Heritage Property at 2537-39 Agricola Street, Halifax

# Application

**Applicant:** Ecogreen Homes

**Location:** 2537-39 Agricola St, Halifax

**Proposal:** Application by Ecogreen Homes on behalf of the property owner, requesting to enter into a heritage development agreement on lands at 2537-39 Agricola Street to permit an 8-storey plus amenity penthouse (27.3-metre) mixed-use addition to the registered heritage property.

HALIFAX

# Location

## 2537-39 Agricola St, Halifax

The subject property consists of the registered heritage property 2539 Agricola Street (Open Mic House) **and** the neighbouring property at 2537 Agricola Street (Carlo Auto).



2537-39 Agricola St, Halifax (August 2023)



Map of surrounding area with the subject property in red

# Application

**Substantial Alteration:** Heritage Advisory Committee reviewed an application to substantially alter Open Mic House and provided a positive recommendation. Regional Council approved the alterations on February 6, 2024, which included:

- Removal of the existing rear addition (circa 1911-1918), removal of the rear portion (46%) of the building, and construction of a 27.3m tall, mixed-use addition;
- Replacement of the existing unsound foundation;
- Replacement of the modified front door with a front entry appropriate to the building; and
- Installation of a second-storey side-entrance appropriate to building, to provide access to the second-storey balcony of the new mixed-use addition.



2539 Agricola St, Halifax  
(August 2023)

# Heritage Property Summary

## Registered in 2020, Open Mic House's Heritage Value is embodied in:

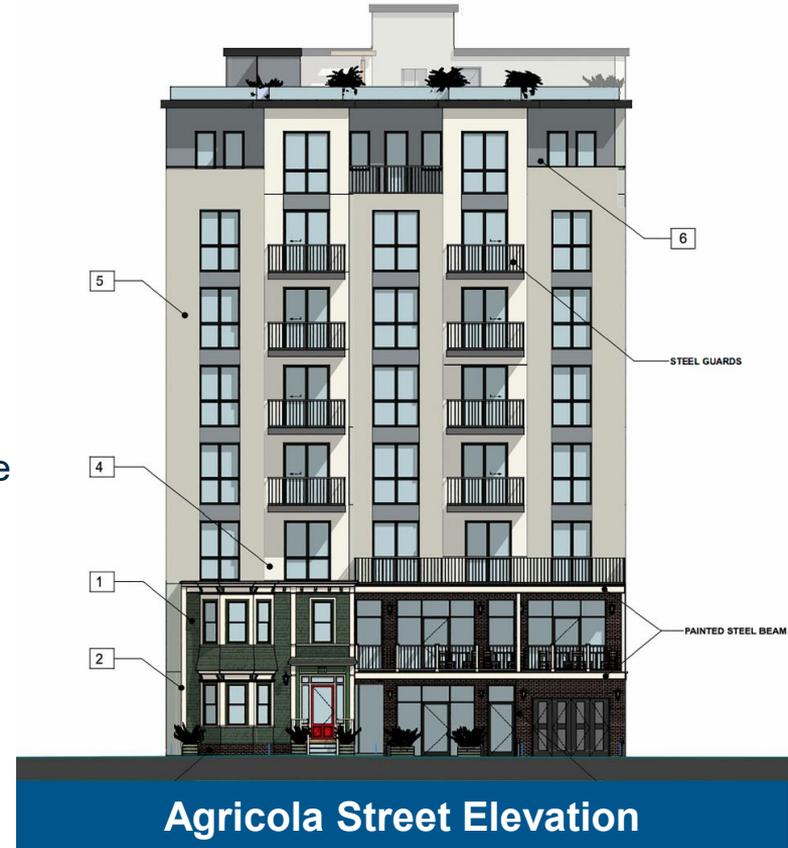
- Circa 1900-1905 Halifax Box style dwelling with two-storey bay window, bracketed cornice, plain frieze, corner boards, wood shingle cladding, etc.;
- Has housed a variety of working- and middle-class rental tenants and owner-occupiers: marine engineer, carpenter, fisherman, fireman, rabbi, etc.;
- Property has earned the name “Open Mic House” for its role since 2008 as a live music venue; and
- The cultural contributions of this venue have been recognized by local media and the provincial government.



**2539 Agricola St, Halifax  
(August 2023)**

# Proposal

- Construction of a 27.3-metre mixed-use addition (residential and commercial)
- The front half (54%) of the Open Mic House will be rehabilitated and adaptively reused as commercial space
- “Piazza” open space will activate the street frontage and second storey balcony will repair the streetwall
- Rooftop amenity/mechanical penthouse
- One level of underground parking accessible from Agricola Street (10 vehicular spaces, with 2 accessible)



# Proposal



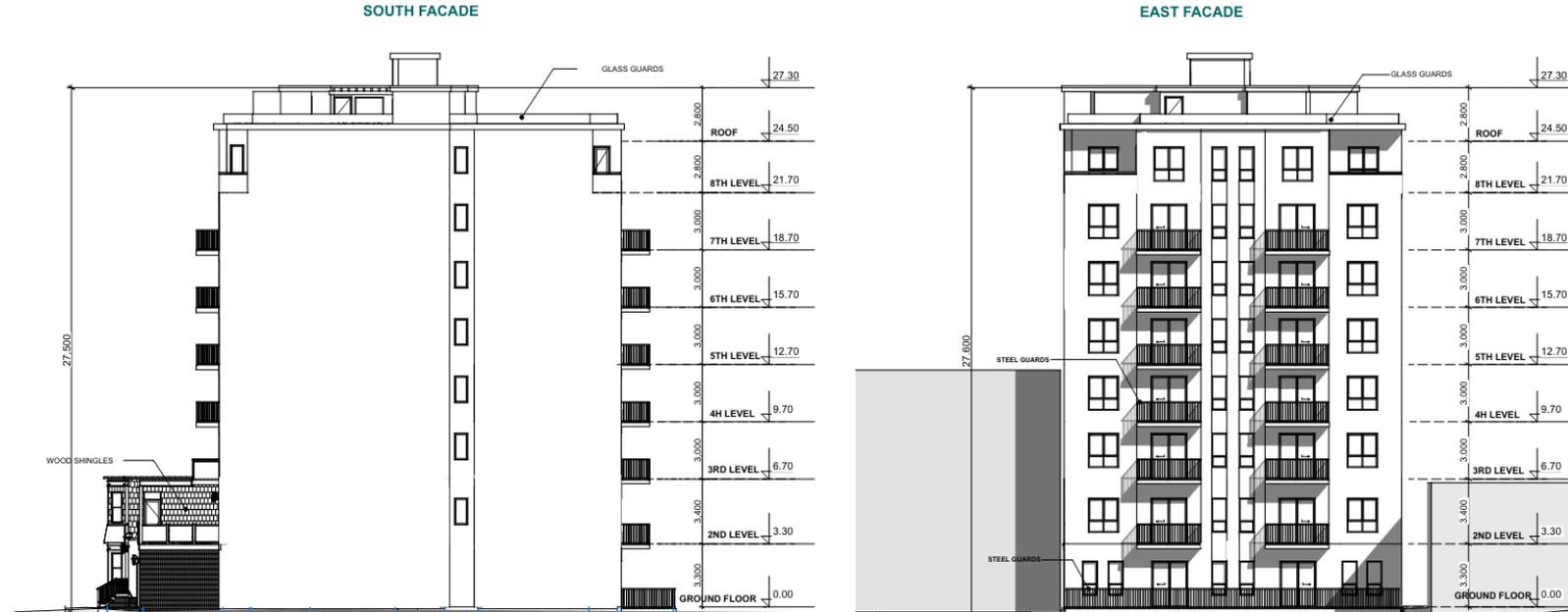
Rehabilitated Open Mic House, Piazza, and Balcony



Rooftop Amenity Space

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# Proposal

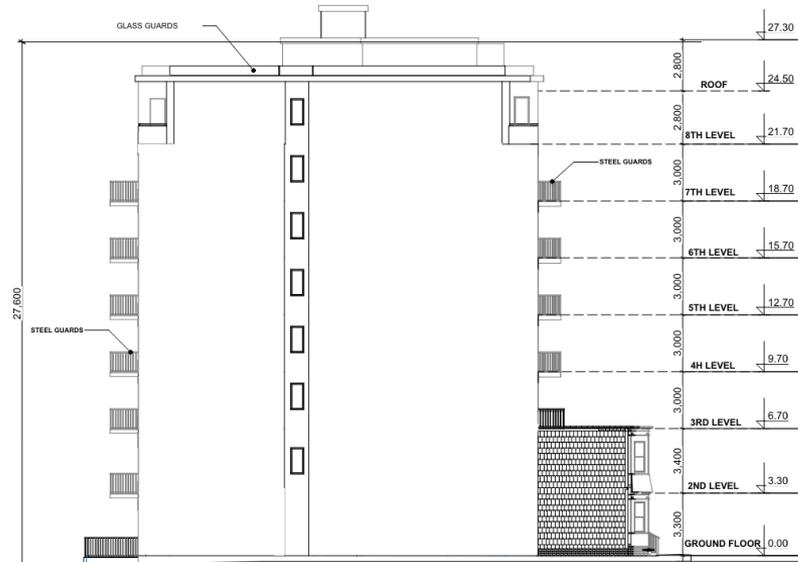


Southern Side Elevation (left) & Eastern Rear Elevation (right)

# Proposal

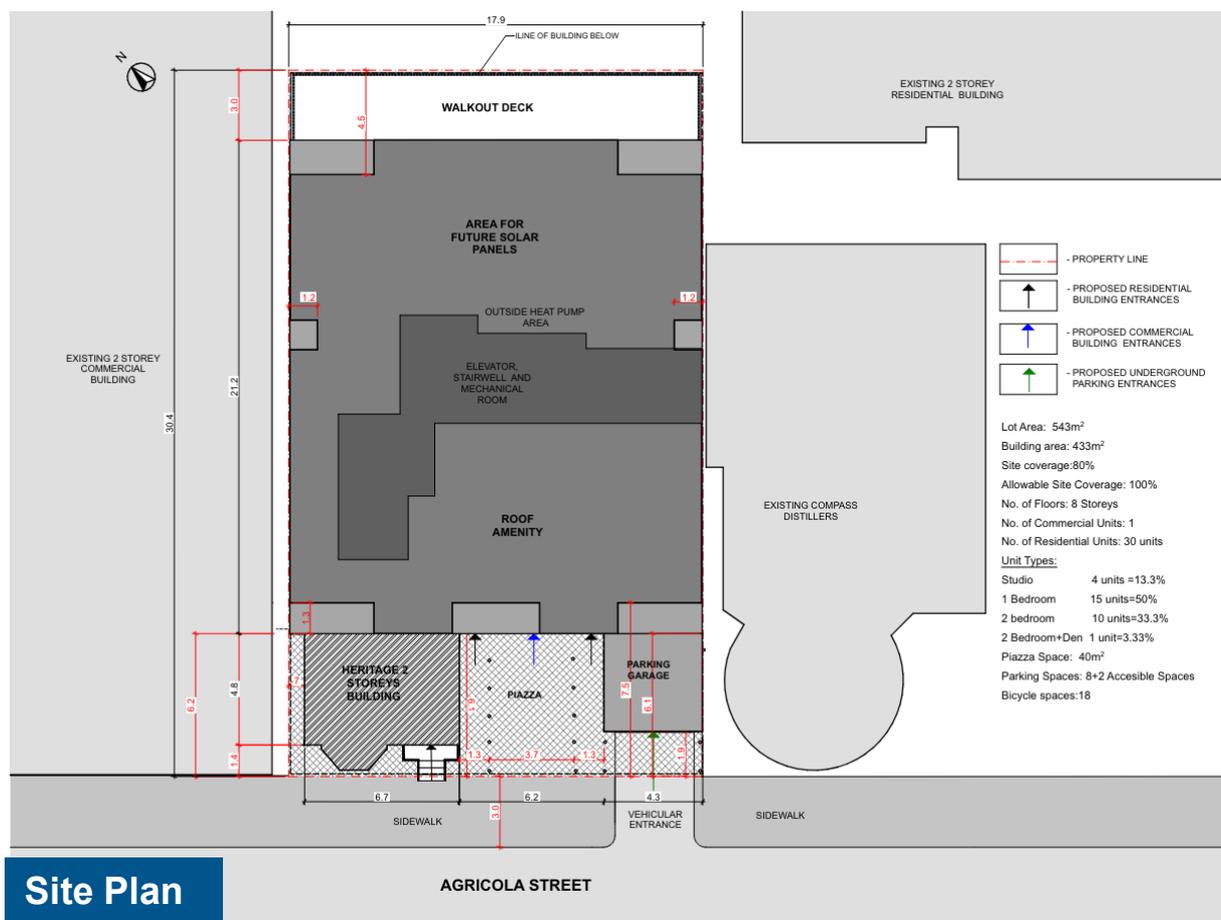
NORTH FACADE

WEST FACADE



Northern Side Elevation (left) & Western Front Elevation (right)

# Proposal



## Site Plan

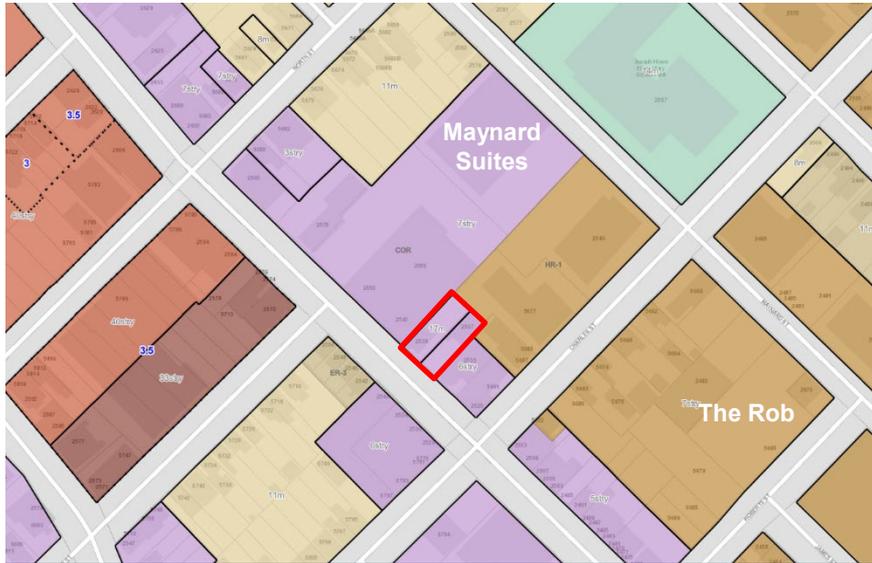
AGRICOLA STREET

# RCSMPS Policy CHR-7 & Land Use Impacts

CHR-7 enables a development agreement on a registered heritage property for any development or change in use not otherwise permitted by the land-use designation and zone, including proposals that exceed the maximum building heights/FAR, subject to considerations (see Attachment B) such as:

- The heritage value of the registered heritage property should be maintained;
- The impact on adjacent uses should be minimized;
- Any new construction, additions, or renovations should substantially maintain the predominant streetwall height, setbacks, scale, and rhythm of the surrounding properties;
- The proposal should comply with the Pedestrian Wind Impact and Shadow Impact Assessment performance standards, the public views and view terminus site policies, and incentive or bonus zoning provisions; and
- That any un-registered historic buildings on the lot that contribute to neighbourhood character are preserved.

# RCSMPS Policy CHR-7 & Land Use Impacts



2537-39 Agricola St, Halifax (highlighted in red)

## Zoning:

Corridor (**COR**)

Centre (**CEN-2**)

Higher Order Residential (**HR-1**)

Established Residential (**ER-2** and **ER-3**)

## Maximum height (as-of-right):

17 metres (5 storeys) at 2539 Agricola St (Open Mic House) and (6 storeys) at 2537 Agricola St (Carlo Auto)

Surrounding properties: 7-storey maximum to the north and east, 6-storey maximum to the south, 6-storey maximum across the street (3-storeys for the Four Sisters)

# Conservation



2539 Agricola St, Halifax  
(August 2023)



2539 Agricola St, Halifax  
(Front Elevation Drawing)

- Retention of the front 54% of the building
- Replacement of the existing failed foundation
- Repair/replacement-in-kind of all character-defining elements
- New wood frame windows & new wood shingle cladding
- Replacement of modified front entrance with historically appropriate design & materials

# Standards and Guidelines Analysis

*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.*

- Proposal retains all character-defining elements of the Open Mic House and will restore the cultural function of the property as live music venue.
- The design of the new addition sets the bulk of the new massing to the rear of the heritage building and employs a neutral and simplified design and materiality to subordinate the addition to the heritage building
- The design of the new streetwall, including its materiality and the second-storey balcony and pergola take cues from the heritage building
- Based on the conservation of character-defining elements, setbacks/stepbacks, materials and design elements, the proposal satisfies Standards 1 through 12

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# Public Engagement Feedback

- A public mailout was sent to property owners within the notification area in the Fall of 2023, which sought to inform them of the proposal and solicit their feedback. Staff received six (6) submissions from residents.
- Feedback from the community included supportive comments regarding:
  - The additional density being added to the site, the rehabilitation of the heritage building, the inclusion of underground parking, and the piazza and balcony.
- Feedback from the community also included concerns, principally regarding building height and the provision of sufficient parking.

Notifications  
Mailed



802

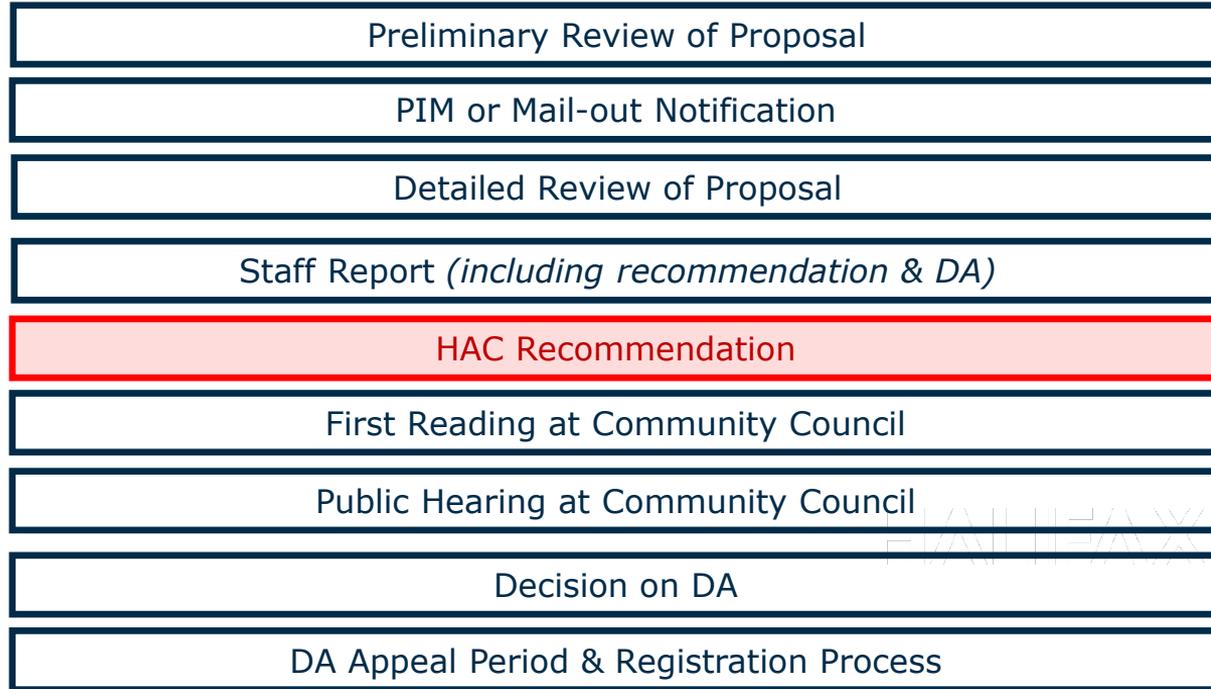
Responses  
Received



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# Heritage Development Agreement Process



# Amendment to Development Agreement

Staff have identified a requirement in Section 3.5.5 of the Proposed Development Agreement (Attachment A) which should (for clarity) defer to the requirements of the underlying Land Use Bylaw. Staff therefore recommend that the Heritage Advisory Committee recommend an amendment to the Proposed Development Agreement as follows:

- 3.5.5 The New Addition shall have a maximum height of 27.3m above average grade, and shall contain no more than 8 storeys plus an Amenity / Mechanical Penthouse storey, as generally shown in Schedule C. Furthermore, **any elevator enclosure shall be subject to the requirements of the Regional Centre Land Use By-law, as amended from time to time.** ~~no mechanical penthouse shall exceed 4.5 metres in height.~~

(Addition)

(Deletion)

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# Recommendations

It is recommended that the Heritage Advisory Committee recommend that the Halifax and West Community Council:

1. Give notice of motion to consider the proposed development agreement, as set out in Attachment A, to enable the construction of a 27.3m mixed-use addition to the registered heritage property located at 2539 Agricola Street, **with amendments to the second sentence of section 3.5.5 of the proposed development agreement to read “Furthermore, any elevator enclosure shall be subject to the requirements of the Regional Center Land Use By-law, as amended from time to time,”** 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.

# Thank You

Application for Development Agreement on a  
Registered Heritage Property at 2537-39 Agricola  
Street, Halifax