

24505 – 10 Kirk Road

Application for Development Agreement on a Registered Heritage Property at 10 Kirk Road, Halifax

Application

Applicant: Mackay-Lyons Sweetapple Architects Limited (MLS Architects)

Location: 10 Kirk Road, Halifax

Proposal: Application by MLS Architects, on behalf of the property owner, to enable the construction of 15 single-unit residences as a bare land condominium on the registered heritage property located at 10 Kirk Road, Halifax.



10 Kirk Road identified in red

Substantial Alteration

On August 22, 2023, Regional Council approved a substantial alteration to the property, which included:

- Removal of the existing ‘Annex’ addition (circa 1965) and restoration of the south elevation;
- Retention and rehabilitation of the gabled dormers and bay window;
- Replacement in-kind of doors and windows;
- Alteration to include 14 residential building sites, additional driveway circulation, and a shared guest parking area;
- Alterations to the concrete swimming pool and surrounding hardscape to meet building code; and,
- Preservation and repairs of the stone walls and rehabilitation of naturalized areas on the property.



10 Kirk Road
(March 2023)

Heritage Property Summary

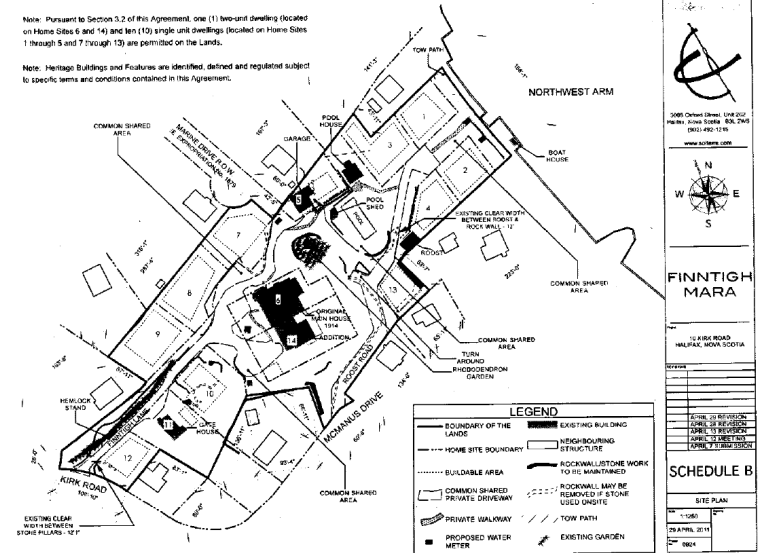
- Arts and Crafts style building designed by well-known Halifax architect William Brown;
- Historical associations with property owner Dr. R. Evatt Mathers, local eye doctor and surgeon;
- Contributing to the heritage value of the property include: the Roost (outbuilding), and landscape features such as several stone retaining walls, in-ground concrete pool, stands of trees and rhododendron garden.



**Arts and Crafts Style
residence at 10 Kirk Road
(March 2023)**

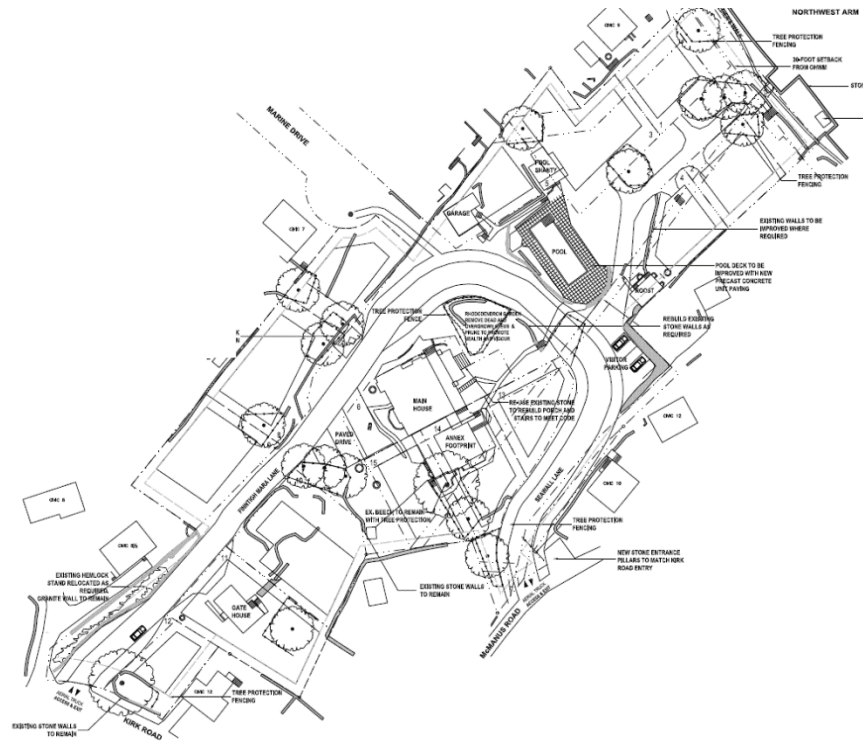
2011 Development Agreement

- Development Agreement on the subject property approved in 2011 (amended 2016)
- Agreement has lapsed, and property ownership changed
- Approved agreement was for bare land condominium with 10 building sites and two units within the heritage building
- Agreement is in the process of being discharged



Proposal

- Bare land condominium with 15 single-unit residences
- Rehabilitated Arts and Crafts style building will contain one single-unit residence
- The Roost outbuilding, rhododendron garden, stone walls, hemlock tree stand, and concrete pool will be retained



10 Kirk Road – Proposed Landscape Plan

Proposal

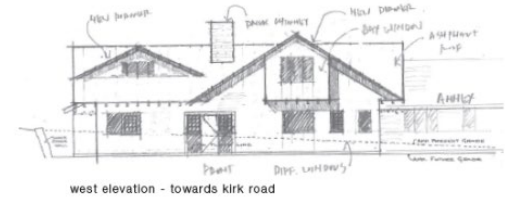
- 14 Home Sites will contain new construction
- Designed to be compatible with, subordinate to and distinguishable from the existing heritage resource:
 - Traditional building materials (e.g., wood, granite) for Cottage and Arts and Crafts style, with contrasting materials (e.g., corten steel, aluminum) for Farmhouse, Modern and Coastal



Design Styles for New Construction

Conservation

- Removal of the 'Annex' addition circa 1965 and restoration of south elevation based on 1914 blueprints;
- Retention and rehabilitation of the gabled dormers and bay window on the west elevation;
- Replacement in-kind of doors and windows; and
- Preservation and repairs as needed of concrete pool and stone walls, rehabilitation of naturalized areas.



Land Use Policy and Regulation



- Low Density Residential Designation
 - Single-unit dwellings, auxiliary dwelling units, row houses permitted
 - Multi-unit dwellings, institutional uses and commercial uses not permitted
- Single-Family Dwelling Zone (R-1):
 - Permits limited residential use;
 - Maximum height of 10.7m (35 ft); and,
 - Lot frontage minimum of 15.24m (50ft)
 - Lot area minimum: 464.51m (5000 sq.ft)₈

Policy 6.8 – Halifax MPS

In any building, part of a building, or on any lot on which a registered heritage building is situated, the owner may apply 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:

- 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, particularly residential uses, is minimized in terms of intensity of use, scale, height, traffic generation, noise, hours of operation, and other impacts;
- The level of proposed investment in conservation measures on the property is generally proportional with the additional development rights provided through the agreement;
- The proposal is generally consistent with the other policies of the secondary plan area.

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.

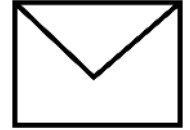
- Character-defining elements retained, including Arts and Crafts style residence, the Roost, concrete pool and landscape features;
- Minimal intervention approaches have been applied, with a later modification being removed (i.e., the Annex); and
- Minimal visual and physical impact to the surrounding streets.

HALIFAX

Public Engagement Feedback

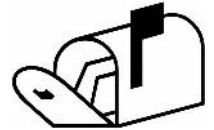
- A public mailout was sent to property owners within the notification area to inform residents of the proposal, provide information to submit feedback, and advising of the upcoming Public Information Meeting (held on February 23, 2023). Staff received written submissions from 20 residents.
- Feedback from the community included supportive comments regarding:
 - Increasing housing units and types.
- Feedback from the community also included concerns such as:
 - Emergency access, parking, traffic, construction and noise generation, increased density, groundwater supply, electrical grid capacity, and tree retention.

Notifications
Mailed



191

Responses
Received



20

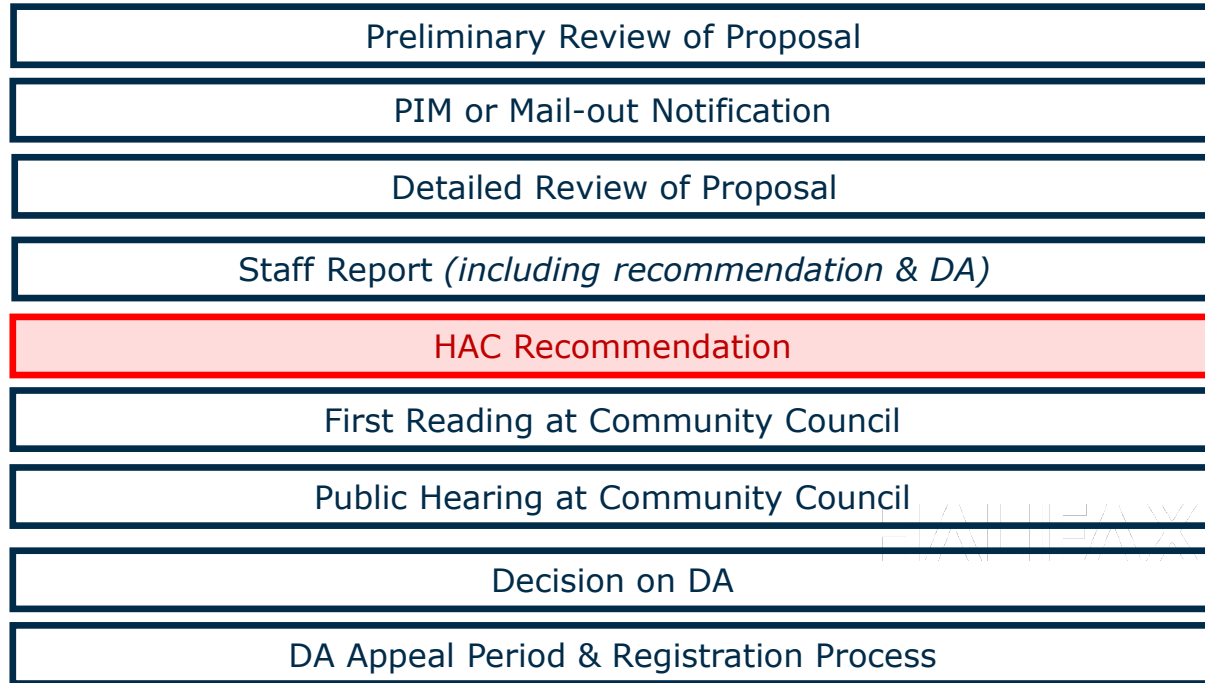
Response

- Each Home Site will have own paved driveway and garage, and five guest parking spaces
- On-street parking removed from surrounding streets
- Halifax Regional Fire and Emergency consulted: a 9m access route within the proposed development will be implemented
- No concerns identified by N.S. Power / Halifax Water
- Applicant will be required to develop a Construction Mitigation Plan



10 Kirk Road – Tree Stand and Stone Wall

Heritage Development Agreement Process



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 15 single-unit residences as a bare land condominium on the registered heritage property located at 10 Kirk Road, and schedule a public hearing;
2. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; 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.