

Heritage Advisory Committee
October 8, 2024

HALIFAX
Item 9.1.4

HRTG-2023-00650 [Supplementary Report] Demolition Application for 1259 South Park Street, Halifax

Request to Demolish a Municipally Registered Heritage Property and Contributing Heritage Resource in the Schmitville Heritage Conservation District (HCD)

Application

Applicant: Archdiocese of Halifax-Yarmouth

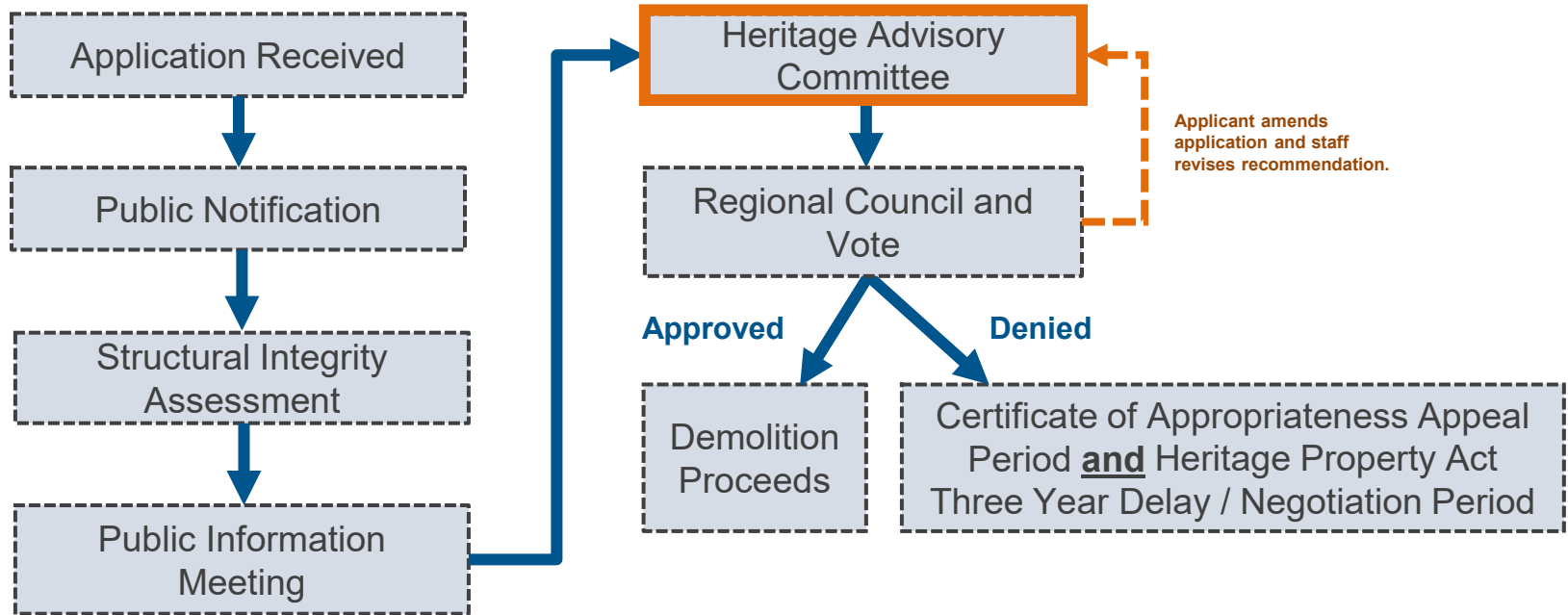
Location: 1259 South Park Street, Halifax
(*The Cemetery Keeper's House, which includes a Late-Victorian Plain style, circa 1846 dwelling*)

Amended Proposal: Demolish the registered heritage property & contributing heritage resource **subject to conditions.**



Demolition Approval Process

Process for demolition of a Municipally Registered Heritage Property and a Contributing Heritage Resource in the Schmutville Heritage Conservation District



Site Context



Subject
Property



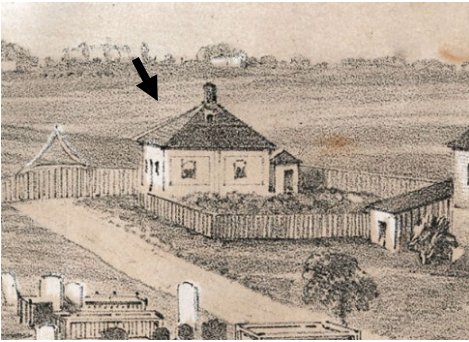
Registered
Heritage
Streetscape



Schmidtville
HCD
Boundary



1259 South Park Street



Top and bottom-left: 1849 J.S. Clow Lithograph of Holy Cross Cemetery

Bottom-right: 1997 photograph of the property

- Originally a vernacular style dwelling constructed circa 1846 by carpenter Rowland Eustace for the cemetery sexton, William F. Stoker
- Expanded and heavily modified c.1910s in the Late-Victorian Plain style to its present form
- Home to successive cemetery keepers / superintendents
- Stone wall running along the northern boundary of the property associated with Letson's Tannery (c. mid 1800s)

1259 South Park Street – Structural Condition



Elevation photos taken during site visit (May 31, 2023)

- The building’s condition is generally poor, as it has been left vacant since 2015
- The applicant has submitted a Condition Report from August 2017 asserting the building is beyond repair.
- An HRM Building Official inspected the building on May 31st, 2023, and concluded that “repairing this structure would require an extensive amount of work, however the building could be repaired”

Supplementary Report Origin

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Item 15.4.4 HRTG-2023-00650 – Proposed Demolition of a Municipally Registered Heritage Property at 1259 South Park Street, Halifax be deferred to a future meeting Regional Council pending a supplementary report regarding the process and implications to restore the property at 1259 South Park to Holy Cross Cemetery and rezoning the property to PCF.

MOTION TO DEFER PUT AND PASSED UNANIMOUSLY

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Rezoning

- Subject property is presently zoned Schmidtville Heritage Conservation District (HCD-SV)
- HCD-SV zone already permits columbarium use under the RC-LUB definition of “Religious Institution Use”
- Rezoning is **not required** to enable the desired columbarium use
- If the applicant were to apply for and successfully rezone the property anyway to Parks and Community Facilities (PCF) zone, the subject property:
 - Would remain in the Schmidtville HCD and be bound by its associated regulations
 - Would remain a registered heritage property
 - Would additionally permit use of the land for in-ground burials



Consolidation / Subdivision

- Historical mapping suggests the subject property was:
 - Originally part of the Holy Cross Cemetery grounds conveyed to trustees for Halifax's Catholic population by Act of Assembly in 1843
 - Subdivided from the cemetery grounds between 1914 and 1918
- Consolidation (subdivision) of the subject property is **not required** to enable the desired columbarium use
- If the applicant were to apply for and successfully consolidate (subdivide) the property anyway, the subject property:
 - Would remain in the HCD-SV zone
 - Would remain in the Schmitville HCD boundary and be bound by its associated regulations
 - Would remain a registered heritage property under the *Heritage Property Act*

Amended Demolition Application

- In the time since Regional Council's motion requesting this supplementary report, the applicant has amended their demolition application via letter submitted August 21, 2024
- This letter establishes a series of conditions for the demolition application to which the applicant is prepared to commit in order to secure the support of staff and Council
- Council may approve a demolition application with conditions as enabled by Section 17 of the *Heritage Property Act*
- The conditions proposed by this amended demolition application constitute a partial conservation, interpretation, and re-use approach

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Amended Demolition Application

Proposed Partial Conservation Approach:

- Retain and conserve the property's most historically valuable character-defining elements:
 - mid-1800s stone masonry wall
 - original 1846 stone foundations
- Demolish the rest of the building, whose character-defining elements largely date from the 1910s renovation
- Infill the basement with dirt, preserving the foundations in-situ and daylight the tops of these foundations
- Install interpretive signage explaining the foundations' significance and history of the cemetery
- Treat the foundations as a landscape element around which a new columbarium could be constructed



Mid-1800s stone masonry wall
(May 31, 2023)



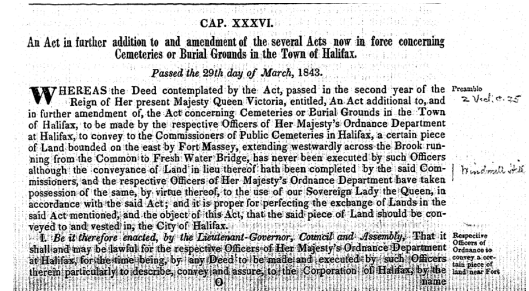
Above: 1849 J.S. Clowe Lithograph
Below: Front elevation (May 31, 2023)

Conceptual Example (Not a final design proposal)



1843 Act of Assembly and Limited Re-Use Potential

- Holy Cross Cemetery was established by an 1843 Act of Assembly which restricts the landowner from using the lands for non-cemetery uses
- 1259 South Park Street has served as a residence for successive cemetery keepers; however, it has lost its original cemetery-affiliated use
- The terms of the 1843 Act of Assembly remain in-effect today, hindering the property owner's ability to adaptively re-use the Cemetery Keeper's House as a (non-cemetery-affiliated) residence, commercial office, or other income-generating non-cemetery use that might financially support the significant expense of its rehabilitation
- Staff also do not anticipate setting any precedent with the approval of this application, as the legislative context of the 1843 Act of Assembly renders this a unique case



1843 Act of Assembly establishing Holy Cross Cemetery



Other Considerations

- If this demolition application is approved with conditions and the Cemetery Keeper's House is demolished in accordance with those conditions, the property will:
 - no longer be considered a contributing heritage resource in the Schmitdville HCD;
 - remain a registered heritage property with the character-defining elements of the foundations and wall protected under the *Heritage Property Act*
- No amendments to the Schmitdville HCD Plan or By-law would be required
- Any new development (such as a columbarium) will still require a Certificate of Appropriateness (CoA) per the Schmitdville HCD By-law and thus will be subject to review by heritage staff for appropriateness and compliant with the conditions of this recommendations

Conclusion

- Given the Cemetery Keeper's House's poor condition, limited potential for adaptive re-use, and extensive modification from its original 1846 vernacular form and style, staff find that the proposed approach of partial conservation and interpretation, as well as the proposed new columbarium use to be an appropriate mitigative strategy
- The proposed columbarium use is permitted as-of-right, without any requirement for rezoning or consolidation (subdivision)
- Staff therefore recommend approval of this demolition application with conditions, as laid out in the recommendations section of this report, to ensure that the proposed partial-conservation, interpretation, and re-use measures are carried out



Recommendation

It is recommended that the Heritage Advisory Committee:

1. Rescind the motion passed on February 27, 2024 as item 9.1.3.
2. Recommend that Halifax Regional Council:
 - a) Set a public hearing date to consider the proposed demolition of the registered heritage property and contributing heritage resource at 1259 South Park Street, Halifax, in accordance with Attachment G of the staff report dated January 31, 2024 and By-law H-700 (the Schmidville Heritage Conservation District By-law);
 - b) After the public hearing, approve the application by the Archdiocese of Halifax-Yarmouth under the Heritage Property Act to demolish the registered heritage property at 1259 South Park Street, Halifax, subject to the following conditions:
 - i. The stone masonry wall on the northern boundary of the subject property must be retained in-situ;
 - ii. The original 1846 stone foundations of the Cemetery Keeper's House (1259 South Park Street) must be retained in-situ and daylighted (made visible to the public);
 - iii. Interpretive signage explaining the heritage significance of the foundations must be installed by the applicant near the foundations;
 - iv. Any columbaria or other structures to be erected on the property must be built within and/or around the foundations without removing or unduly obscuring the foundations; and
 - v. The applicant must comply with Schmidville HCD By-law requirements for a Certificate of Appropriateness for any new buildings or structures, including columbaria; and,
 - c) Direct the Heritage Officer to issue a Certificate of Appropriateness in accordance with the Schmidville Heritage Conservation District Plan and By-law for the demolition of the contributing heritage resource.



Heritage Advisory Committee
October 8, 2024

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Thank You