

By-law to Amend the Secondary Municipal Planning Strategy for Downtown Halifax to Implement the Old South Suburb Heritage Conservation District Plan

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Secondary Municipal Planning Strategy for Downtown Halifax is hereby further amended as follows:

1. Table of Contents, Chapter 2: Downtown Halifax Urban Design Vision and Principles, 2.3 Downtown Precinct Visions, 2.3.2 Vision for Precinct 2: Barrington Street South is amended by deleting text as shown in strikeout and inserting text as shown in bold as follows:

2.3.2 Vision for Precinct 2: ~~Barrington Street South~~ **Old South Suburb Heritage Conservation District**

2. Table of Contents is amended by inserting the text as shown in bold immediately following the text “Map 7: Heritage Conservation Districts” as follows:

Map 7.5: Old South Suburb Heritage Resources

Map 7.6: Pre-Bonus Floor Area Ratio for Precinct 2

Map 7.7: Post-Bonus Floor Area Ratio for Precinct 2

3. Map 2, Downtown Precincts, is amended by adjusting the boundaries of Precincts 1, 2, and 4 as shown in Schedule A.
4. Map 4, Maximum Pre-Bonus Heights, is amended by removing the area within the boundaries of Precincts 1, 2, and 4 from Maximum Pre-Bonus Heights as shown in Schedule B.
5. Map 5, Maximum Post-Bonus Heights, is amended by removing the area within the boundaries of Precincts 1, 2, and 4 from Maximum Post-Bonus Heights as shown in Schedule C.
6. Map 7, Heritage Districts, is amended by identifying the Barrington Street Heritage Conservation District and the Old South Suburb Heritage Conservation District as Established Heritage Conservation Districts as shown in Schedule D.
7. Insert the following maps after Map 7, Heritage Districts:

Map 7.5: Old South Suburb Heritage Resources, as shown in the attached Schedule E

Map 7.6: Pre-Bonus Floor Area Ratio for Precinct 2, as shown in the attached Schedule F

Map 7.7: Post-Bonus Floor Area Ratio for Precinct 2, as shown in the attached Schedule G

8. Section 2.0, Overall Vision for Downtown Halifax, is amended by deleting the text as shown in strikeout and inserting the text as shown in bold as follows:

~~Barrington Street will be defined as the historic heart of the downtown through its immediate~~



~~designation as a heritage conservation district. Halifax's history will further be preserved through the establishment of two additional heritage districts in the area surrounding Barrington Street south and Historic Properties.~~

Downtown Halifax's built heritage will be conserved through its registered municipal heritage properties, its two existing heritage conservation districts along Barrington Street and in the Old South Suburb, and through the potential establishment of another heritage conservation district in Historic Properties.

9. Section 2.2, The Ten Big Moves, 3. A protected and vibrant historic heart, is amended by deleting the text as shown in ~~strikeout~~ and inserting the text as shown in **bold** as follows:

~~Halifax's rich heritage assets are a main attraction for tourists and locals, increasing the economic prosperity of the downtown. The protection and preservation of these heritage resources is a key pillar of this Plan. The Barrington Street Heritage Conservation District will implement stronger methods of heritage protection than currently exist, along with a preservation incentive program. Future study is also recommended in the Barrington Street South and Historic Properties areas to implement similar programs. Design guidelines and incentives will protect heritage resources outside of heritage districts.~~

Halifax's rich heritage assets are a main attraction for tourists and locals, increasing the economic prosperity of downtown Halifax. The protection and preservation of these heritage resources is a key pillar of this Plan. Heritage conservation districts in Barrington Street and the Old South Suburb have implemented strong methods of heritage protection. Future study is recommended for a potential heritage conservation district in Historic Properties. Design guidelines and incentives will also protect heritage resources outside of heritage districts.

10. Section 2.3.2, Vision for Precinct 2: Barrington Street South, is amended by deleting the text as shown in ~~strikeout~~ and inserting the text as shown in **bold** as follows:

2.3.2 Vision for Precinct 2: ~~Barrington Street South~~ Old South Suburb Heritage Conservation District

~~Centred on the historic south Barrington Street spine and anchored by Cornwallis Park, this precinct serves as downtown's southern gateway comprised of an eclectic mix of small to mid-sized specialty retail, restaurant and professional office uses. This precinct will serve as a renewed community focus for the surrounding neighbourhoods, while providing for a transition in scale and intensity between the downtown and the established low-rise residential areas to the south and west. The low to mid-rise heights, concentration of impressive historic buildings and the formal public square are defining qualities that lend to this precinct's traditional 'European' charm and character.~~

The heritage value of the Old South Suburb Heritage Conservation District lies in its associations with the early settlement of Nova Scotia as one of the first contiguous suburbs of the once fortified town of Halifax. The district is valued as an area of traditional architecture, especially from the Georgian and Mid-Victorian periods. It is also valued for its associations with the early social and economic life of the waterfront city, including its vibrant railway industry of the 1920s and 30s with Cornwallis Park, the CN Railway Station, and Hotel.

Improvements to Cornwallis Park and its framing streetscapes enhance the image of the park and serve as a catalyst for revitalizing the area. This will occur through the creation of a traditional urban square framed by continuous at-grade commercial uses, cafes, hotels and key historic buildings, including the train station. Speciality shops, restaurants and services will be drawn to the distinct architectural character of south Barrington and Hollis Streets, providing the local and surrounding residential population with convenience and complementary amenities. Infilling of vacant lots combined with streetscape improvements will greatly strengthen the precinct's role as a link between the south end, the Spring Garden Road area, the waterfront and the central downtown.

Defining landmark developments and improvements will include the enhancement of Cornwallis Park to establish and formalize its civic function as the third anchor point in the triangle of downtown public squares, which includes the Grand Parade and Public Gardens. ~~The park's signature paving and landscape treatments will extend onto the surrounding streets and to the fronts of the framing buildings.~~ The framing of Cornwallis Park will be completed with a signature development at its south face, which can integrate the existing grocery store function while providing a compelling architectural landmark and public art installations to the Barrington and Hollis view terminus sites.

11. Section 2.3.5, Vision for Precinct 5: Barrington Street Heritage Conservation District, is amended by deleting the text as shown in strikeout as follows:

~~The Barrington Street Heritage Conservation District is the downtown's heritage heart and soul, and serves as the central retail spine that connects to all but one of downtown Halifax's precincts. Building on its exceptional assets, which include great accessibility, traditional 'main street' charm, and an extraordinary assembly of historic resources, this precinct will continue to be one of the downtown Halifax's key destinations for shopping, dining, galleries, entertainment and cultural attractions. Sensitive adaptive re-use, additions and infill help to enhance the street while reinforcing its historic character. New development will be harmonious with the existing historic character of Barrington Street in terms of massing and proportion, materials, and architectural features, but will not necessarily mimic heritage architecture. A residential population and small-scale businesses in the creative sector will be drawn to the loft spaces and prestigious character associated with the grandeur of the historic buildings.~~

12. Section 3.3.2, Building Envelopes, is amended by inserting the text as shown in bold after Policy 10 as follows:

Infill and integrated development within the Old South Suburb Heritage Conservation District (Precinct 2) requires an adaptable approach that allows for the construction of low-rise and mid-rise building envelopes that fit the heritage context of the district. Floor Area Ratio is a method which allows new development to be adapted to the character of the district and its heritage buildings. New development can be taller if it is integrated behind a heritage building. Development on vacant lots will match the low-rise and mid-rise scale and spatial settings of the heritage buildings and the existing modern buildings in the district.

Policy 10A HRM shall adopt in the Land Use By-law provisions relative to floor area and floor area ratio for low-rise and mid-rise buildings to establish building massing requirements that can be adapted to fit the heritage context of the Old South Suburb Heritage Conservation District (Precinct 2) and its

unique heritage buildings, subject to the bonus zoning provisions of this Plan.

13. Section 3.3.5, Heritage Character, is amended by deleting the text as shown in strikeout and inserting the text as shown in bold as follows:

Heritage character identifies the variety of heritage resources and contexts that currently exist in the downtown that should have priority consideration where impacted by a new development. These resources are a legacy of the area's rich and proud history and comprise the most significant aspect of the downtown's distinction. Heritage policies in Chapter 4 govern heritage conservation, and distinct from those policies the purpose of this section is to:

- (a) ensure heritage streetscapes and potential Heritage Conservation Districts are reinforced with compatibly scaled and designed developments; and
- (b) ensure development abutting ~~heritage resources~~ **registered heritage properties and development within Heritage Conservation Districts** provides appropriate transitions based on the significance of the heritage resource.

One of the defining elements of the urban design character of downtown Halifax is the historic grid of the blocks that define much of the original settlement block pattern, designated as Central Blocks on Map 3. On these blocks, the scale of new developments ought to be proportional to the modest depths of the blocks and narrow street widths. Special built form provisions will be established in the Land Use By-law in consideration of the historic block pattern.

Policy 13 HRM shall adopt the term Central Blocks in the Land Use By-law as shown on Map 3 and establish in the Land Use By-law appropriate building form provisions for these blocks.

Policy 14 HRM shall include heritage guidelines in the Design Manual section of the Land Use By-law to be used in evaluating development proposals that are on or abutting registered heritage properties **and development proposals within Heritage Conservation Districts.**

14. Section 3.4.1, Site Plan Approval, is amended by inserting the text as shown in bold as follows:

Site plan approval is a development approval process enabled under the Halifax Regional Municipality Charter that will replace the use of development agreements in downtown Halifax, **except for development of properties identified on Map 7.7 as within the Landmark Development Area, as set out in Policy 15A and 18B of this Plan.** This process will help to improve clarity, predictability and timeliness in the development approval process. Under site plan approval, the approval of any development application shall occur in two parts:

15. Section 3.4.1, Site Plan Approval, is amended by inserting the text as shown in bold after Policy 15 as follows:

Development agreements will, however, be used for the redevelopment on the large lots south of Cornwallis Park to respect the heritage character of Old South Suburb Heritage Conservation District.

Policy 15A Properties south of Cornwallis Park, identified on Map 7.7 as within the Landmark Development Area, shall be redeveloped to respect and enhance the heritage character of Old South Suburb Heritage Conservation District (Precinct 2), and to create a landmark development to frame Cornwallis Park and the southern terminus of Downtown Halifax. Redevelopment of these properties shall be considered by development agreement in accordance with Policy 18B.

16. Section 3.4.3, Bonus Zoning, is amended by deleting the text as shown in strikeout and inserting the text as shown in bold as follows:

Subject to the provisions of the Land Use By-law, View Planes and Citadel Ramparts regulations, a bonus in height is offered as an incentive for specific public benefits in excess of the minimum development requirements set out in this Plan. The maximum achievable building height as shown on Map 5 can only be achieved through the bonus zoning provisions of this Plan. The pre-bonus heights as defined on Map 4 will in all cases be approximately 30% lower than those shown on Map 5. To encourage redevelopment and to provide further incentive for the conservation and re-use of heritage resources, the **height** bonus zoning provisions shall not be applied within the Barrington Street Heritage Conservation District (precinct 5), **the Old South Suburb Heritage Conservation District (Precinct 2)** ~~the two potential Heritage Conservation Districts (precincts 2 and 7),~~ or to low-rise building forms,

Subject to the provisions of the Land Use By-law, View Planes and Citadel Ramparts regulations, a bonus in FAR is offered in the Old South Suburb Heritage Conservation District (Precinct 2) as an incentive for heritage conservation within the precinct boundary or cash-in-lieu.

17. Section 3.4.3, Bonus Zoning, is amended by inserting the text as shown in bold after Policy 18:

Policy 18A Within the Old South Suburb Heritage Conservation District (Precinct 2), HRM may consider a FAR bonus in exchange for the provision of a public benefit, in accordance with the bonus zoning provisions of the *Halifax Regional Municipality Charter*. HRM shall establish provisions in the Land Use By-law to guide negotiations of appropriate public benefits, which shall be limited to:

- (a) conservation of an Old South Suburb heritage property or registered municipal heritage property as shown on Map 7.5; and
- (b) cash-in-lieu.

A FAR bonus shall not be permitted in respect of a site plan approval that proposes the demolition of a building identified as an Old South Suburb heritage property, municipally or provincially registered heritage property on Map 7.5.

Policy 18B Development of properties identified on Map 7.7 as within the Landmark Development Area shall require a development agreement if the proposed development exceeds the pre-bonus FAR identified on Map 7.6. In considering the development agreement, Council shall consider the following matters:

- (a) the architectural design, articulation, materials, and setback of the development is consistent with the Conservation Standards and the Design Manual section of the Land Use By-law, including heritage design guidelines;
- (b) the architectural design provides landmark features at the Barrington Street view terminus and Hollis Street view terminus;
- (c) requirement for incentive or bonus zoning above a FAR of 2 shall include cash in-lieu of heritage conservation;
- (d) provisions for park, open spaces, and public art;
- (e) massing of the development is compatible with the height of adjacent buildings and the post-bonus FAR shall not exceed 5;
- (f) provision for vehicular access and egress;
- (g) location of on-site parking behind buildings;
- (h) provision for site remediation, erosion control, site grading, and stormwater management;
- (i) provision for on-site signage; and
- (j) any development is reasonably consistent with all other provisions of this Plan and the Old South Suburb Heritage Conservation District Plan.

18. Section 4.1, Downtown Halifax Heritage Conservation Districts, is amended by deleting the text as shown in strikeout and inserting the text as shown in bold as follows:

~~In addition, in 2003, HRM adopted a procedure for public participation in the heritage conservation district planning process which includes input from a Stakeholder Steering Committee, property owners, and the public through required public meetings and a public hearing.~~

It is important to recognize that demolition protection for registered municipal heritage properties outside of heritage conservation districts is limited to a ~~one-year~~ **three-year** demolition delay. It is only by designating a heritage conservation district, under the authority of the Heritage Property Act, wherein municipal councils are able to establish their own stronger policies, that improved demolition control can be achieved for registered municipal heritage resources. It should be noted that provincially registered properties are permanently protected from demolition, which suggests that an important conservation tool for heritage resources outside of conservation districts is to seek provincial registration. The designation of heritage districts and the ongoing registration of resources at the municipal and provincial level is a key pillar of HRM's heritage conservation strategy for the

downtown.

19. Section 4.3, Potential Heritage Conservation Districts, is amended by deleting the text as shown in ~~strikeout~~ and inserting the text as shown in **bold** as follows:

4.3 **Existing and** Potential Heritage Conservation Districts

As of 2019, there are two Heritage Conservation Districts within downtown Halifax: the Barrington Street Heritage Conservation District and the Old South Suburb Heritage Conservation District. Both Districts were adopted after significant public consultation and integrated with this Plan, as shown on Map 7.

In addition to the Barrington Street **and the Old South Suburb Heritage Conservation Districts**, there are cohesive concentrations of heritage resources in Precinct 7 (Historic Properties Area) **and surrounding area to the south** and ~~Precinct 2 (Barrington Street South Area)~~ that warrant consideration for formal designation as ~~heritage conservation districts~~ **a heritage conservation district**.

Historic Properties Area

The Historic Properties area has long been recognized as one of the most cohesive heritage environments in Halifax. The late 18th century waterfront warehouses were designated as a National Historic Site in 1963 and by the mid 1980s, all of the buildings in the three block area bounded by Duke and former Buckingham Street between the Harbour and Granville Street had been registered as municipal heritage properties. Also, in 2006 the entire “Granville Block” between Hollis Street and Granville Street was designated as a National Historic Site. Securing strengthened protection for this precinct through formal heritage conservation district designation, is a key objective of this Plan.

Barrington Street South Area

~~The Barrington Street South Area between Bishop Street and Cornwallis Park and including the parallel blocks along Hollis Street, also has a distinct character influenced by the many heritage buildings within it. As described in Part 2, this area is envisioned as a district that “will serve as a renewed community focus for the surrounding neighbourhoods, while providing for a transition in scale and intensity between the downtown and the established low-rise residential areas to the south and west.” At the same time, given its proximity to the downtown core, the area is under pressure for redevelopment. In this context, it is important that ongoing heritage preservation and strengthened protection through heritage district designation be considered through a formal background study and public consultation.~~

The designation of ~~these potential heritage conservation districts~~ **this potential heritage conservation district** will be considered in accordance with **the *Heritage Property Act, Heritage Conservation Districts Regulations*** ~~the formal process outlined in section 4.1.~~ In addition **and consider the following provisions:**

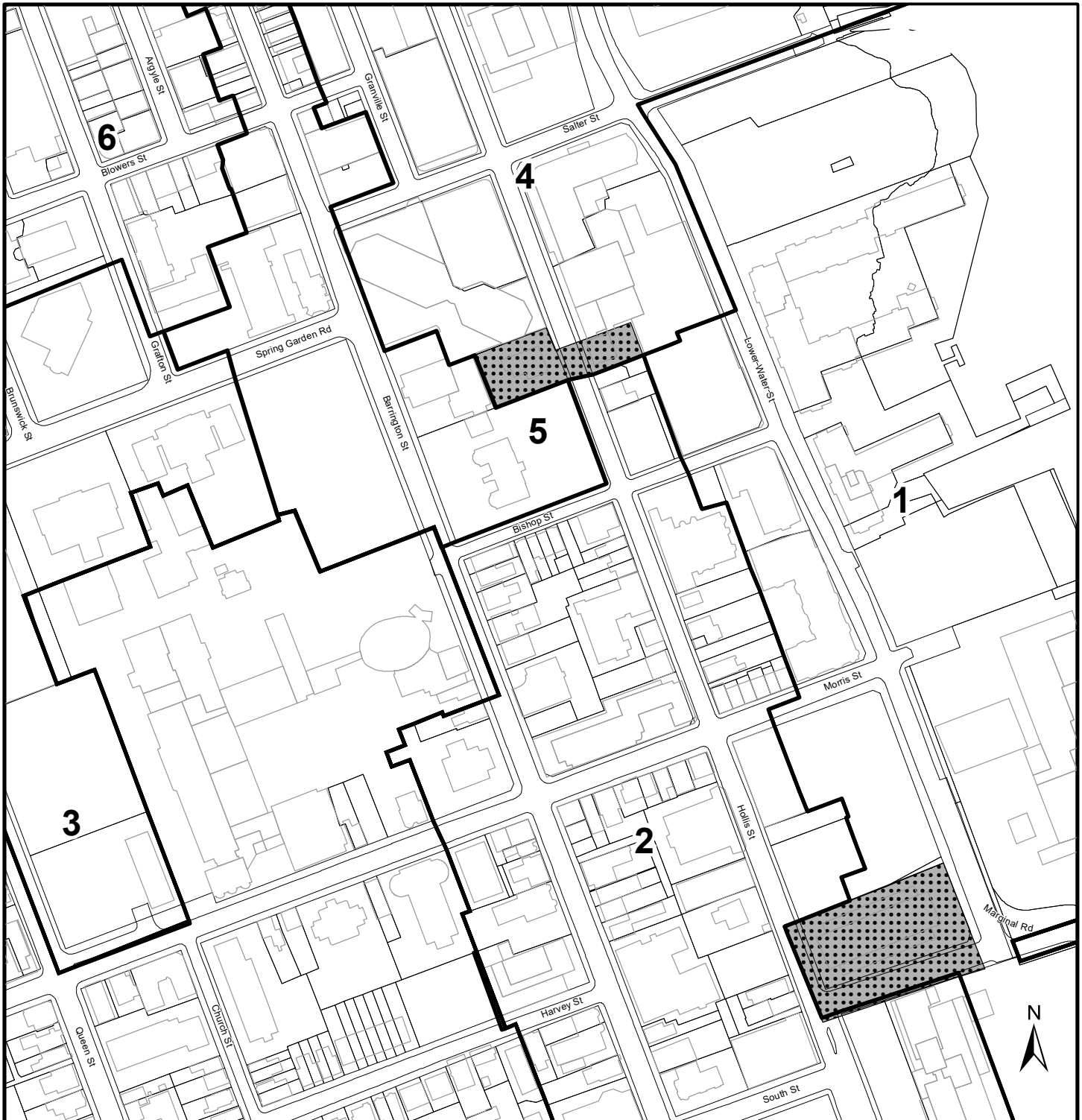
- (a) background studies shall consider the role of existing building forms, heights, and rooflines in defining the historic character of the district, and the effect that regulations respecting the maximum height and stepbacks of permitted additions may have on historic character;
- (b) HRM shall require new developments to reinforce the distinct built form qualities that define the character of each district, subject to the analysis of these defining qualities through background studies; and
- (c) HRM should support Heritage Conservation Districts by undertaking high quality public realm improvements that will strengthen and enhance their distinct identities.

Policy 34 HRM shall consider undertaking background studies and developing policies, strategies, and programs for ~~potential heritage conservation districts~~ a **potential heritage conservation district** in the Historic Properties area ~~and the Barrington Street South area~~ as shown on Map 7.

THIS IS TO CERTIFY that the by-law of which
this is a true copy was duly passed at a duly
called meeting of the Council of Halifax
Regional
Municipality held on the day of
,
A.D. 20____.

Given under the hand of the Municipal Clerk
and
under the corporate seal of the said
Municipality
this _____ day of _____, A.D. 20____.

Kevin Arjoon



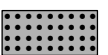
Schedule A - Amendments to Downtown Precincts

HALIFAX

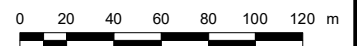
Downtown Halifax



Existing Precincts



Areas to be Removed from Precinct 1 (Southern Waterfront) and Precinct 4 (Lower Central Downtown) and added to Precinct 2 (Old South Suburb Heritage Conservation District)



The accuracy of any representation on this plan is not guaranteed.

Downtown Halifax Secondary Municipal Planning Strategy/ Downtown Halifax Land Use By-Law



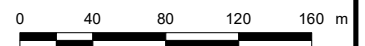
Schedule B - Amendments to Pre-Bonus Heights

Downtown Halifax

HALIFAX



Area to be removed from the Pre-Bonus Heights shown on Map 4 of the Downtown Halifax SMPS and on Map 4 of the Downtown Halifax LUB.



The accuracy of any representation on this plan is not guaranteed.

Downtown Halifax Secondary Municipal Planning Strategy/ Downtown Halifax Land Use By-Law



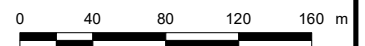
Schedule C - Amendments to Post-Bonus Heights

Downtown Halifax

HALIFAX

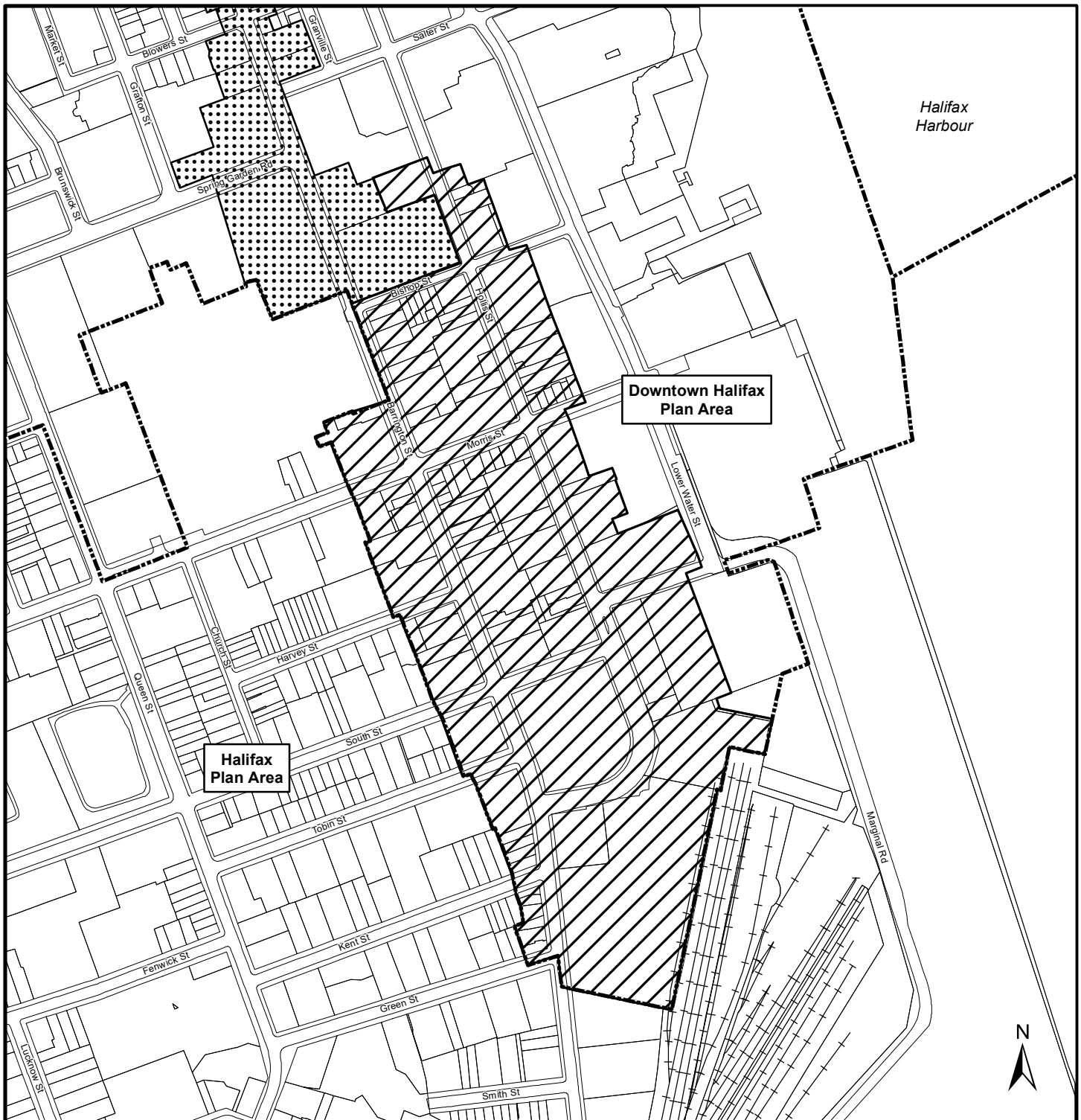


Area to be removed from the Post-Bonus Heights shown on Map 5 of the Downtown Halifax SMPS and on Map 5 of the Downtown Halifax LUB.



The accuracy of any representation on this plan is not guaranteed.

Downtown Halifax Secondary Municipal Planning Strategy/ Downtown Halifax Land Use By-Law

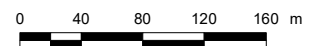


Schedule D - Amendment to Map 7 Heritage Districts

Downtown Halifax

HALIFAX

-  Rename existing "Barrington Street Heritage Conservation District" to "Established Heritage Conservation District" in Legend
-  To be added as an "Established Heritage Conservation District" and referred on map as "Old South Suburb"
-  Plan Area Boundary

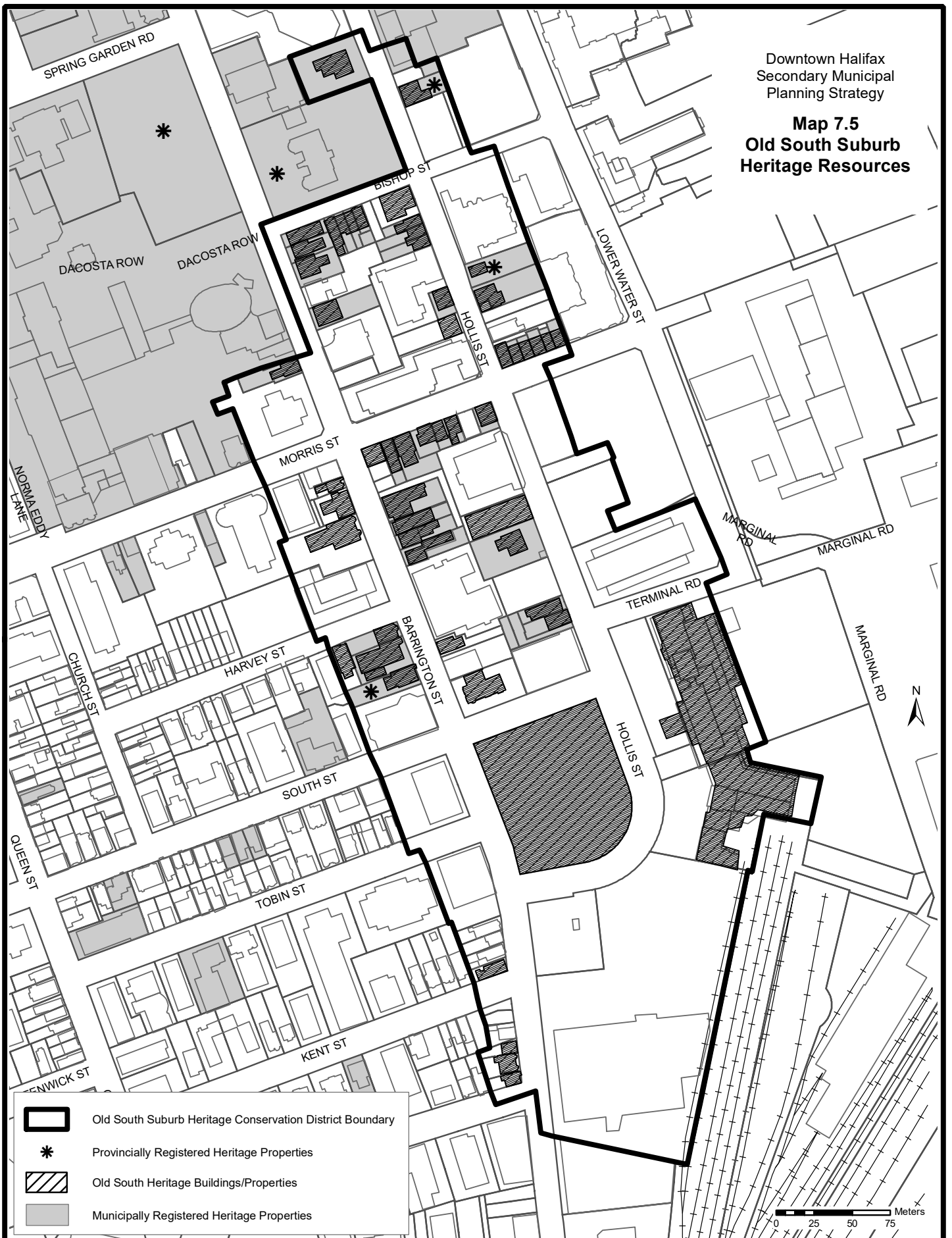


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Schedule E

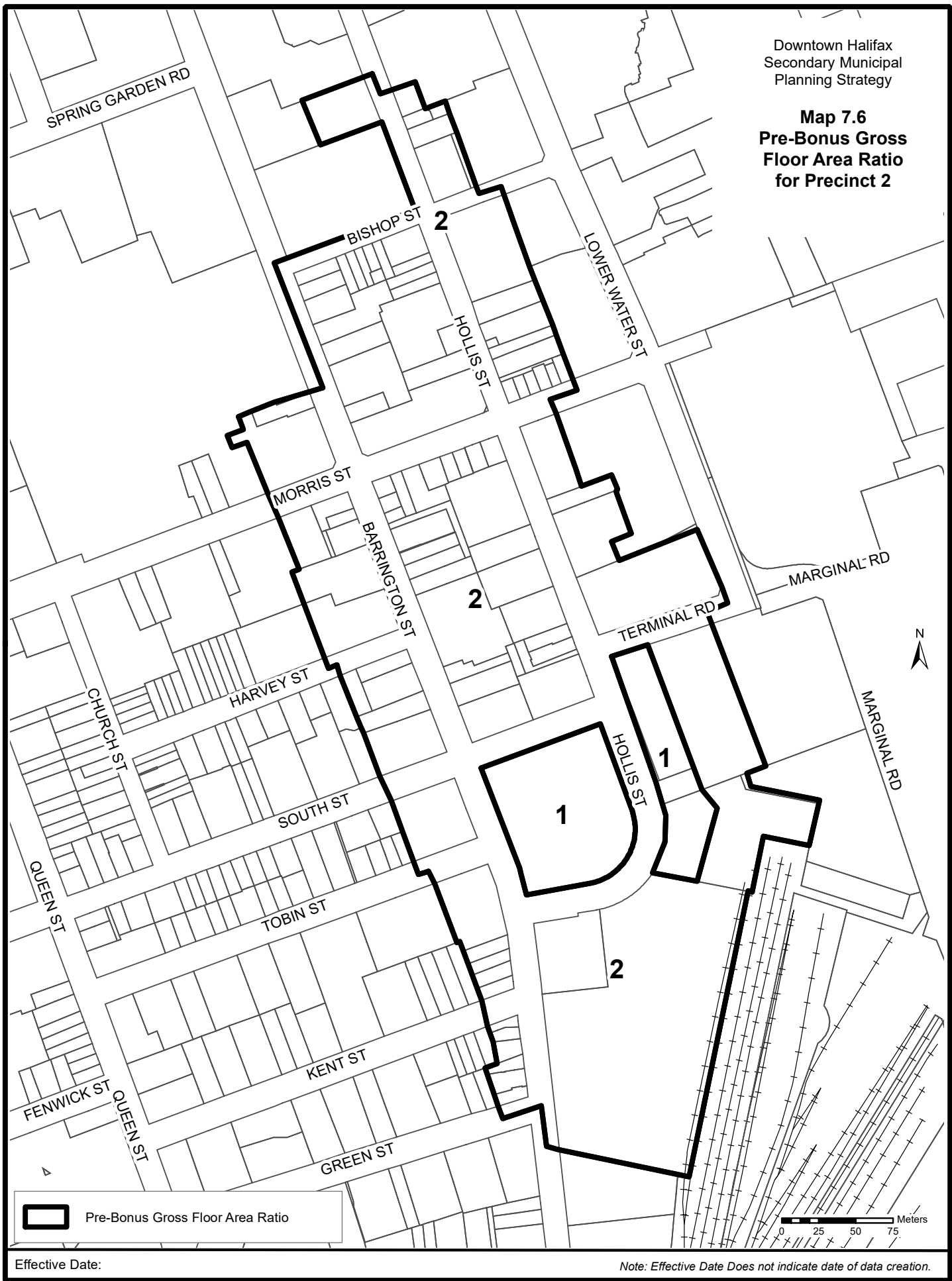
Downtown Halifax
Secondary Municipal
Planning Strategy

Map 7.5 Old South Suburb Heritage Resources



Downtown Halifax
Secondary Municipal
Planning Strategy

Map 7.6
Pre-Bonus Gross
Floor Area Ratio
for Precinct 2

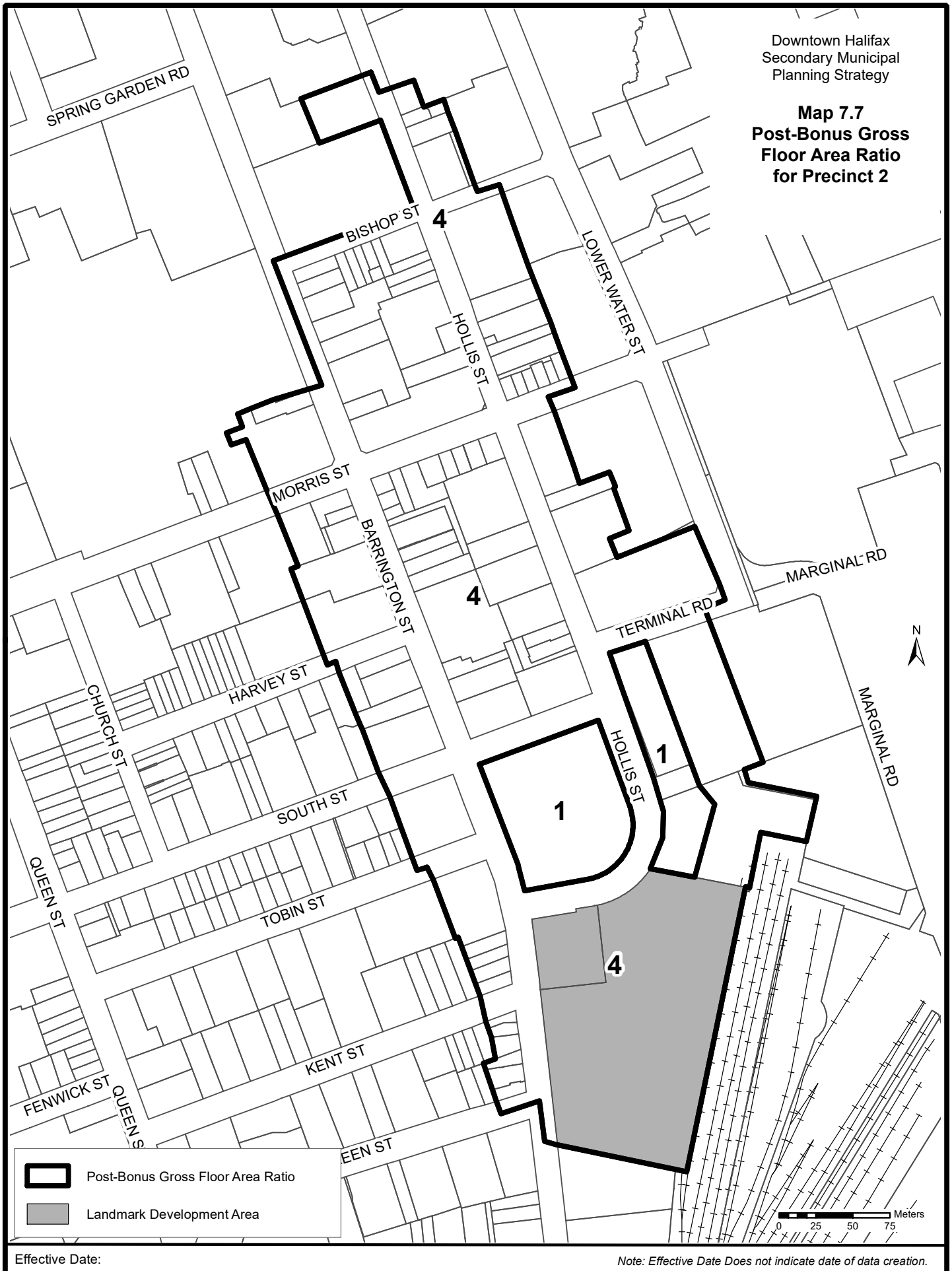


Effective Date:

Note: Effective Date Does not indicate date of data creation.

Downtown Halifax
Secondary Municipal
Planning Strategy

**Map 7.7
Post-Bonus Gross
Floor Area Ratio
for Precinct 2**



-  Post-Bonus Gross Floor Area Ratio
-  Landmark Development Area

Effective Date:

Note: Effective Date Does not indicate date of data creation.