

Regional Council – Public Hearing
December 10, 2024

Re: Item No. 12.1

HALIFAX

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 Schidville Heritage Conservation District (HCD)**

Application

Applicant: Archdiocese of Halifax-Yarmouth

Location: 1259 South Park Street, Halifax
(The Cemetery Keeper's House, which includes a circa 1846 dwelling, modified to the late-Victorian plain style circa 1914)

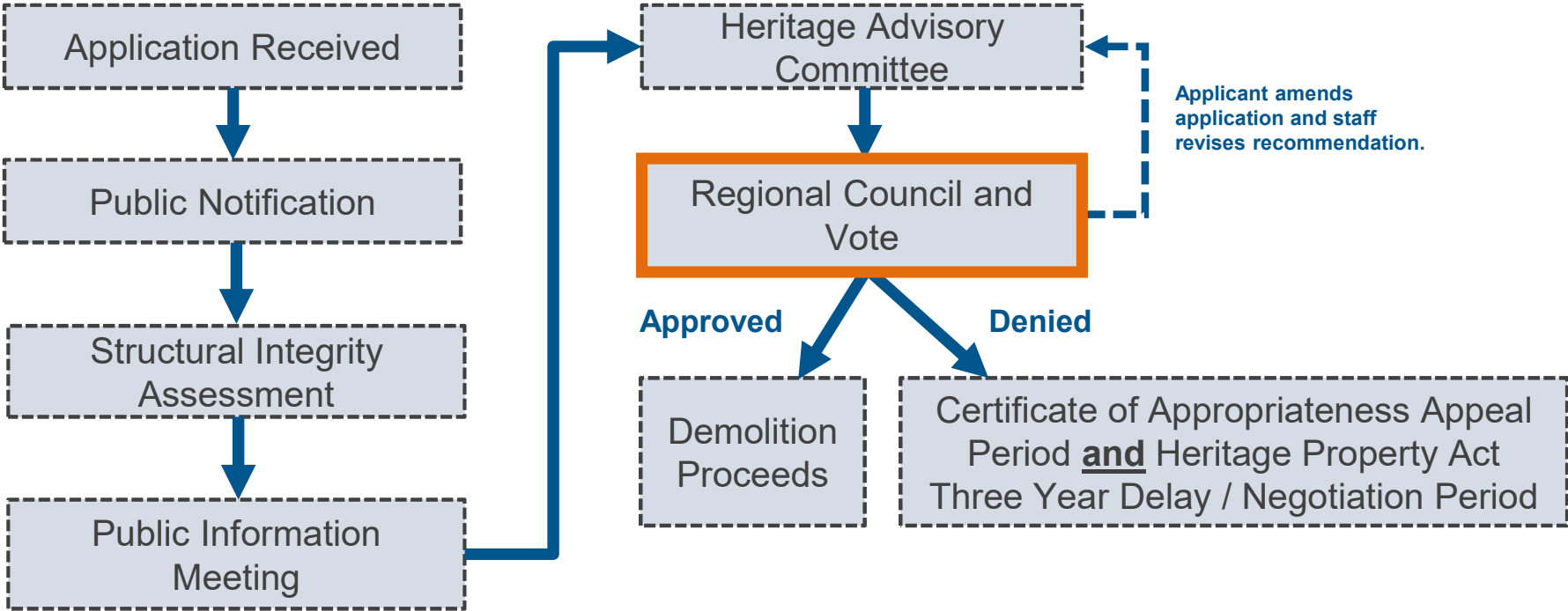
Amended Proposal: Demolish the registered heritage property & contributing heritage resource **subject to conditions.**



1259 South Park Street, Halifax, a.k.a. "The Cemetery Keeper's House" (May 31st, 2023)

Demolition Approval Process

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



Site Context



Subject Property



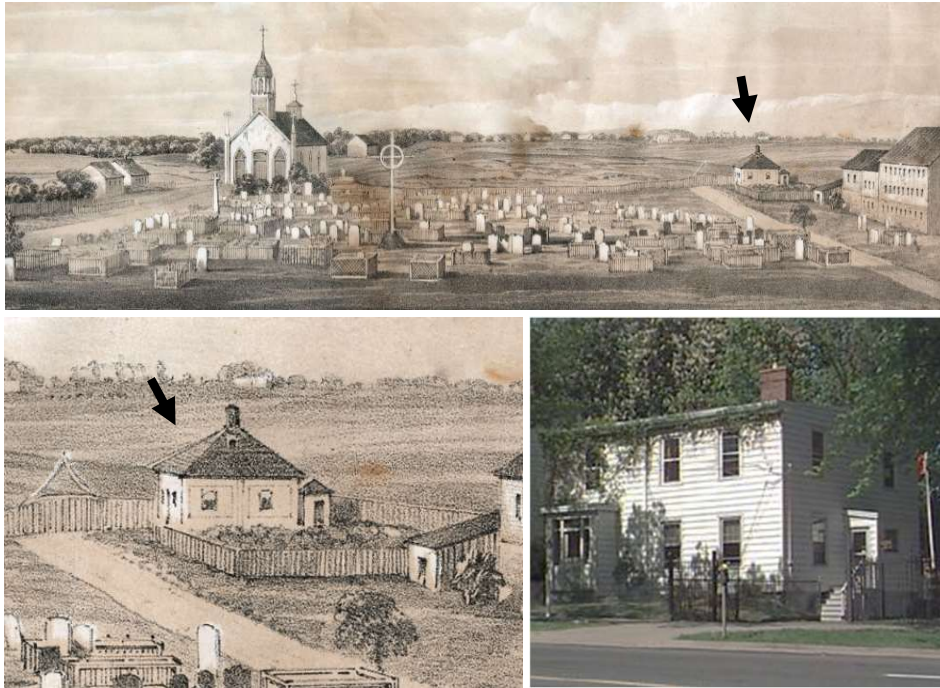
Registered Heritage Streetscape



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 along the northern boundary associated with Letson's Tannery

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, concluding 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

Rezoning

- Subject property is presently zoned Schmidville Heritage Conservation District (HCD-SV)
- HCD-SV zone already permits columbarium use as a “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 Schmidville 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 cemetery grounds conveyed to trustees by an 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 and be bound by its associated regulations
 - Would remain a registered heritage property under the *Heritage Property Act*

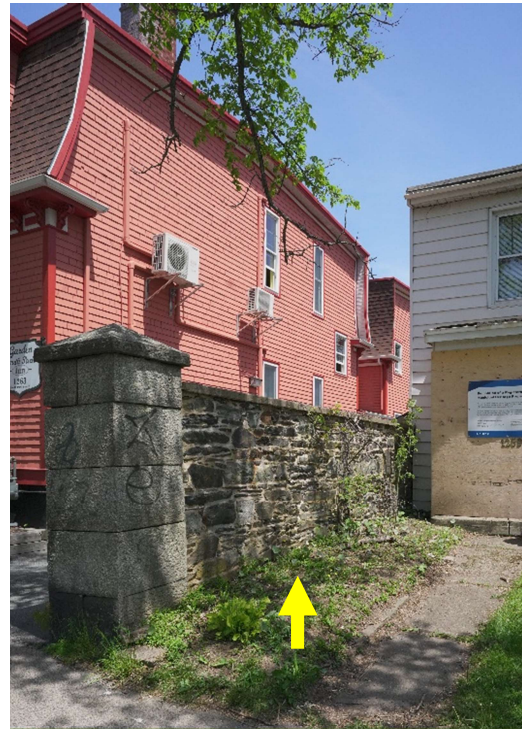
Amended Demolition Application

- In the time since the request for a supplementary report, the applicant has amended their demolition application via letter submitted August 21, 2024
- This letter establishes several 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

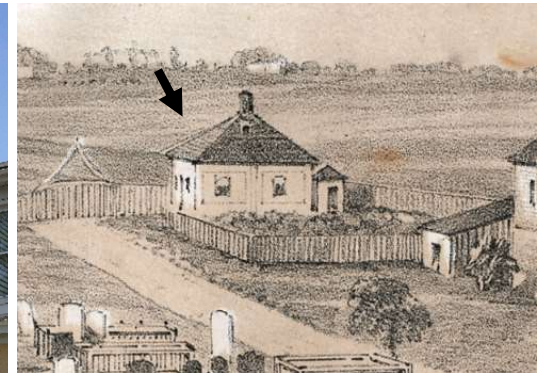
Amended Demolition Application

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 elements largely date from the 1910s renovation
- Preserve the foundations in-situ and daylight the tops of these foundations
- Install interpretive signage
- 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)



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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, which has served as a residence for successive cemetery keepers, has lost its original cemetery-affiliated use
- The terms of the 1843 Act of Assembly hinder the property owner's ability to re-use the house as a (non-cemetery-affiliated) residence, commercial office, or other income-generating non-cemetery use that might financially support the expense of rehabilitation
- Staff 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

Other Considerations

- If this demolition application is approved with conditions and the 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 will require a Certificate of Appropriateness (CoA) and thus will be subject to review by heritage staff for appropriateness and compliance with the conditions of this recommendation

Conclusion

- Given the Cemetery Keeper's House's poor condition, limited potential for adaptive re-use, and extensive modification from its original 1846 form and style, staff find that the proposed approach of partial conservation and interpretation, and 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 recommendation, to ensure that the proposed partial-conservation, interpretation, and re-use measures are carried out

Recommendation

It is recommended that Halifax Regional Council:

1. 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:
 - a. The stone masonry wall on the northern boundary of the subject property must be retained in-situ;
 - b. 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);
 - c. Interpretive signage explaining the heritage significance of the foundations must be installed by the applicant near the foundations;
 - d. 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
 - e. The applicant must comply with Schmidville Heritage Conservation District By-law requirements for a Certificate of Appropriateness for any new buildings or structures, including columbaria; and,
2. 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.

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HALIFAX

Thank You