

**HERITAGE DEVELOPMENT BOARD
OF
THE CITY OF SAINT JOHN**

WEDNESDAY AUGUST 7TH, 2013

The meeting of the Heritage Development Board was held in the 10th Floor Boardroom of City Hall, commencing at 5:30 pm.

IN ATTENDANCE:

Leona Laracey, Chair
Gordon Hewitt, 1st Vice Chair
Patrick McCaffrey, 2nd Vice Chair
Councillor Donna Reardon
Scott Rinehart
Bob Boyce
Elizabeth McGahan
Colin Waldschutz

Jill Flecknell, Recording Secretary
Amy Poffenroth, Acting Commissioner
Alice Fudge, Heritage Analyst

REGRETS:

Jim Bezanson, Secretary/Heritage Development Officer
Alex Pesold

ITEM 1.0 AGENDA

The following items were added for discussion under Other Business:

- 7.1 Update on 111 Orange Street*
- 7.2 Expression of Interest: Peel Plaza Surplus Buildings*
- 7.3 King Square Bandstand*

MOVED by Elizabeth McGahan, ***SECONDED*** by Patrick McCaffrey to approve the agenda as amended.

CARRIED.

ITEM 2.0 MINUTES

ITEM 2.1 MINUTES OF THE JULY 24TH, 2013 MEETING

MOVED by Gord Hewitt, ***SECONDED*** by Scott Rinehart to approve the July 24th, 2013 minutes as amended.

CARRIED.

ITEM 3.0 BUSINESS ARISING**3.1 REQUEST FOR REMOVAL OF HERITAGE DESIGNATION: 100 WATSON STREET**

Susan Jack, Churchwarden of St. George's-St. Jude's Church was present representing the property at 100 Watson Street. She advised the Board that a letter on behalf of the Anglican Parish of West Saint John requesting the removal of 100 Watson Street and 183 Duke Street West from the Heritage Conservation Area of King Street West had been submitted to the Board for their consideration. Ms. Jack explained that they had not been aware of the property's heritage designation. In 2004 when the form was signed for the Historical Places Initiative they had been of the understanding that there would be an additional step in the process which would allow them to opt out of the Heritage Conservation Area, prior to designation, however this was not the case. Ms. Jack advised the Board that the church currently faces financial hardship even with the recent amalgamation of the two parishes. She explained that the request to be removed from Heritage designation stems from the recent building permit application to install vinyl siding on the east wall, a contemporary material which is prohibited by the Saint John Heritage Conservation Areas By-Law. Ms. Jack explained that only the east wall and the church's steeple is clad in cedar shingles and that it would be cost prohibit to revert to shingles when the majority of the building is covered in vinyl.

Heritage Officer, Alice Fudge reviewed with the Board the process for the removal of a property from heritage designation. Chair, Leona Laracey provided the Board with some background that the King Street West Heritage Conservation Area was designated by request of the residents of the area at the time. She explained that in 2004-2005 it was Board practice to designate an entire streetscape, letters would have been sent out to those affected and she explained that she did not recall that there were any objections to the designation at the time. Ms. Jack advised the Board that they did not have a letter on file indicating that 100 Watson Street had been designated.

Susan Jack explained that although the resources of two parishes have been recently combined it is very likely that they will have to close the church in the next two to three years regardless. The Board held a lengthy discussion and expressed concerns that removal from heritage designation would remove it from the protection of the Saint John Heritage Conservation Areas By Law and that the decisions of the Board should not be influenced by the owner's financial hardships as there is the potential for a new owner to purchase the property and that the grant program assists heritage home owners as well. Leona Laracey explained that heritage designation allows the heritage homeowners to have access to grant funding annually and having a Conservation Plan in place allows the owners to prioritize maintenance of their building.

Donna Reardon expressed her concerns that while the Heritage Board cannot control the finances of the church, the Board can aid the church by ensuring the proper maintenance of the property. The Board discussed the potential for allowing vinyl to be installed on top of the existing wooden shingles, which would allow for future restoration. Board members agreed that the property at 100 Watson Street is a key part of the King Street West Conservation Area and that ensuring that the existing wooden shingles remain by applying the vinyl siding over top, would be in the best interest of the building.

MOVED by Donna Reardon, ***SECONDED*** by Elizabeth McGahan that *whereas St. Georges-St. Judes Church has been clad in vinyl siding except on the east wall, the Board*

desires to protect the existing wood shingles and approves the installation of vinyl siding on top of the existing wooden shingles, to allow for future restoration.

CARRIED.

The Board determined that it is in the best interest of the building to remain designated under the King Street West Conservation Area to ensure its longevity within the community, and continue to be eligible for funding under the Grants for Heritage Conservation Program.

***MOVED** by Bob Boyce, **SECONDED** by Elizabeth McGahan that the Board recommend to Common Council that it deny the removal of 100 Watson Street from the King Street West Heritage Conservation Area.*

CARRIED.

The Board requested that staff provide more background information on the historical significance of the rectory building at 183 Duke Street West. Once adequate historical information has been reviewed by the Board, they advised that they would consider the request for removal from the King Street West Conservation Area.

***MOVED** by Patrick McCaffrey, **SECONDED** by Scott Rinehart to table the request for the removal of 183 Duke Street West from the King Street West Heritage Conservation Area, pending a background report of the property from staff.*

CARRIED.

Staff advised Ms. Jack that recommendations to Common Council for the two properties will be submitted after the Board arrives at a resolution for this outstanding request. The property at 183 Duke Street will be on the agenda of the Heritage Development Board meeting on September 4th, 2013.

ITEM 4.0 INTRODUCTION OF APPLICANTS/GUESTS

Susan Jack, churchwarden of St. Georges-St. Jude's was present representing 100 Watson Street. Jennifer Murray was present representing 260 Prince William Street.

ITEM 5.0 CERTIFICATES OF APPROPRIATENESS AND GRANTS

ITEM 5.1A APPLICATION FOR A HERITAGE PERMIT 2013-52 CHRISTOPHER MURRAY, 260 PRINCE WILLIAM STREET

Alice Fudge advised that the application is for a Certificate of Appropriateness to reconstruct the stone retaining wall on the west facing property line. She explained that the proposed project will reuse existing stone with the integration of drainage pipe to prevent future deterioration. She recommended approval.

ITEM 5.1B APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 2013-52
CHRISTOPHER MURRAY, 260 PRINCE WILLIAM STREET

MOVED by Patrick McCaffrey, *SECONDED* by Elizabeth McGahan to approve the following:

Demolish existing stone retaining wall;

Reconstruct wall using original/existing stones in a masonry pattern that resembles the original retaining wall; mortar and concealed structural reinforcement shall be used.

This work to be carried out under the following conditions:

1. The proposed work shall be carried out using traditional detailing and materials as required under Section 8 of the Saint John Heritage Conservation Areas By-law and to the satisfaction of the Heritage Officer;
2. The City of Saint John's Buildings & Inspections Services Division be contacted for necessary permits, and no work shall commence prior to the issuance of any and all required Municipal permits, including building permits.
3. No work shall commence until expiry of a fifteen day appeal period pursuant to Section 70(3) of the Act, and providing no appeal is filed with the Assessment & Planning Appeal Board on or before August 21st, 2013.

CARRIED.

ITEM 6.0 REPORTS

ITEM 6.1 REVISION OF TABLED GRANTS JANUARY-JULY 2013

114-116 WENTWORTH STREET

Alice Fudge advised the Board that in March 2013 property owner Mr. Jim Bezanson had applied for two heritage conservation grants under the two civic addresses of 114 and 116 Wentworth Street. She explained that in the past, applications for this duplex-style building had been processed as two properties, however, the building is identified by the province of New Brunswick and by the City of Saint John as one property. The applications had been tabled pending further clarification from the Board regarding grant approvals for multiple civic addresses on one PID.

Alice explained to the Board that it is staff's understanding that the grant funding provided by the heritage grant program is administered on a per property basis. Amy Poffenroth reported that in New Brunswick, a property is identified by Property Identification Number, or PID. In highly dense areas of the City, particularly in the City's designated Heritage Areas, it is very common for a property (identified by PID) to have multiple civic addresses. There are many examples of properties in the City where there is one building on the PID, with multiple civic addresses, and multiple doorways into the building. One doorway may even be on a different street, in the situation of a corner lot.

Patrick McCaffrey questioned if the applicant had been required to apply for two conservation plans, to which Alice Fudge replied that there is no evidence of the necessity for the two prescribed Conservation Plans for this property in the heritage records or meeting minutes. Ms. Fudge explained that it is the view of staff that this practice not continue since it does not conform with the intent of the Heritage Grant Program.

Colin Waldschutz questioned if there was grant policy around owners versus tenants applying for grant funding. Amy Poffenroth explained that this concern would be addressed with the consultant that has been hired to review the heritage grant program and staff will report back to the Board.

MOVED by Colin Waldschutz, ***SECONDED*** by Donna Reardon to deny the application for Heritage Conservation Grant for 114-116 Wentworth Street for continuation of the previously approved work in Certificate of Appropriateness (Heritage Permit) 10-47 and the expanded scope of work in Certificate of Appropriateness (Heritage Permit) 13-09 on the basis that heritage grants are awarded to projects based on the property's one identification number, the PID number, not based on individual civic addresses within that building.

CARRIED.

Alice Fudge advised the Board that the scope of work outlined in the original CoA [08-33] is for the construction of a new brick addition at the rear of the building. The original single-storey wood framed ell that was demolished was replaced with the proposed two-storey brick addition. Ms. Fudge advised the Board that as per the policies for approval for the Grants for Heritage Conservation Program, "*Heritage Grants are not construction subsidies; they are intended to assist owners to retain traditional materials and details of character-defining elements and, if necessary, replace them with new components, matching the original materials and profiles*". She explained that this policy applies to the new construction on this property.

MOVED by Donna Reardon, ***SECONDED*** by Patrick McCaffrey to deny the application for Heritage Conservation Grant for 114-116 Wentworth Street for any work on the new addition at the rear of the building on the basis that grants are not awarded to new infill construction projects; dually, on the bases that heritage grants are awarded to projects based on the property's one identification number, the PID number, not based on the individual civic addresses within that building.

CARRIED.

The Board discussed that a Heritage Conservation Grant for 114-116 Wentworth Street, PID# 00010165 up to a maximum of \$5,000.00 be conditionally approved for the previously approved scope of work, to be completed in accordance with Policies for Approval: Grants for Heritage Conservation Program, but not include any work to the new addition at the rear of the property.

MOVED by Donna Reardon, ***SECONDED*** by Elizabeth McGahan to approve a Heritage Conservation Grant for 114-116 Wentworth Street, PID# 00010165 up to a maximum of

\$5,000.00 based on project estimates for the previously approved scope of work in accordance with Policies for Approval: Grants for Heritage Conservation Program.

CARRIED.

91 PRINCESS STREET

Alice Fudge advised the Board that the applicant, Historica Development proposed to install five new wood vertical-sliding windows, one on the South facade, and four on the East façade of this non-original addition to the Hayward & Warwick building, located in the Trinity Royal Heritage Conservation Area. The concrete-block garage/warehouse structure is currently being renovated to fit apartment units in the upper-storey and the proposed windows include new openings in the exterior walls. During the April 17th, 2013 meeting Acting Commissioner Amy Poffenroth explained that it was understood that grant funding would no longer be allocated to new infill or additions to heritage properties because the grant program is focused on maintaining traditional character defining elements of a heritage building. The Board determined that more time was needed to review the changes to the Heritage Grant Program and review the application for 91 Princess Street.

Alice advised that since the meeting of April 17th, 2013 she has met with Mr. Brideau of Historica Developments on site came to an agreement concerning the configuration of the windows, these new developments are currently underway. Ms. Fudge explained that as per the policies for approval for the Grants for Heritage Conservation Program, *“Heritage Grants are not construction subsidies; they are intended to assist owners to retain traditional materials and details of character-defining elements and, if necessary, replace them with new components, matching the original materials and profiles”*. She advised that this policy applies to the new development on this property, including the installation of new windows in the new openings of the exterior walls.

***MOVED** by Donna Reardon, **SECONDED** by Elizabeth McGahan to deny the application for Heritage Conservation Grant for the installation of four new wood windows at 91 Princess Street on the basis that grants are not awarded to new infill construction projects; dually, that the installation of new windows in new openings in an exterior wall does not meet the intent of the grant program as outlined in the Policies for Approval: Grants for Heritage Conservation Program.*

CARRIED.

24 KING SQUARE SOUTH

Ms. Fudge updated the Board that the applicant, Imperial Theatre has completed the Conservation Plan for their building at 24 King Square South. Once a copy is provided to heritage staff, they will return to the Board with a grant application as they will be eligible for a Heritage Conservation Grant for the proposed scope of work outlined in Certificate of Appropriateness [13-17].

265-271 CHARLOTTE STREET

The application for the Heritage Conservation Grant Renewal of Certificate of Appropriateness [09-61] for 265-271 Charlotte Street had been tabled at the June 26th,

2013 meeting pending a review of the subject property's file to ensure there are no outstanding violations or building permit deficiencies pursuant to the Policies for Approval: Grants for Heritage Conservation Program set forth by Common Council. Ms. Fudge advised that upon review of the property file, there are no outstanding violations at this time, but that the applicant has yet to secure a Building permit for the 2013 scope of work. A letter will be sent to the applicant advising him of the requirement for a building permit along with a copy of the Policies for Approval Appendix.

MOVED by Donna Reardon, SECONDED by Patrick McCaffrey to approve a Heritage Conservation Grant Renewal of a funding ratio of 25% up to a maximum of \$2000.00 for brick repointing and 15% up to a maximum of \$825.00 for the repairs to non-original doors/windows for repairs/repainting.

CARRIED.

ITEM 7.0 OTHER BUSINESS

ITEM 7.1 UPDATE ON 111 ORANGE STREET

Acting Commissioner, Amy Poffenroth updated the Board that a "Notice to Comply" pursuant to the *Unsanitary Premises and Dangerous Buildings and Structures By-law* had been issued August 7th, 2013 to 111 Orange Street, which advised the owner to complete repairs to the building to bring it up to National Building Code Standards or the building would be demolished as the building is in disrepair. Ms. Poffenroth advised that although the building is in the Orange Street Heritage Conservation Area, section 16 of the Saint John Heritage Conservation Areas By Law states "*Nothing in this by-law shall be construed so as to affect the demolition of any building that Common Council has found, under the by-law entitled "A By-law Respecting Dangerous or Unsanitary Premises within the City of Saint John", to be dangerous.*". Board members expressed their displeasure with the loss of another heritage building to poor maintenance.

Ms. Poffenroth advised that the owners have approximately 60-90 days to comply to the notice, if they do not the file will be brought to the following Common Council meeting to request the authority to enter into the process for purchasing services from demolition companies. By the end of 2013, the property at 111 Orange Street could potentially be demolished if the owners do not conduct the necessary repairs to the building.

(Donna Reardon left the meeting)

ITEM 7.2 EXPRESSION OF INTEREST: PEEL PLAZA SURPLUS BUILDINGS

Leona Laracey brought forth the Expression of Interest for the Peel Plaza Surplus buildings which was issued by the City of Saint John's Real Estate Department. She explained that the call is for interest in five properties in the Wellington Row/Union Street area. She advised that the call for expression of interest closes Thursday August 8th at 4:30pm. Ms. Laracey questioned the process for proposal calls and Board members questioned if there would be interest in the buildings outside of the city and whether or not there would be importance for the owners to retain the historical character, to which Amy Poffenroth advised the Board should contact Real Estate Manager, Brian Irving for further details.

ITEM 7.3 KING SQUARE BANDSTAND

Chair Leona Laracey updated the Board that on August 1st, 2013 the City of Saint John hosted along with the donors John Irving and Richard Currie the unveiling of the King Square Bandstand. It was very well attended and Board members agreed that there was a renewed sense of pride for those that attended the ceremony.

The Board discussed the possibility of requesting the City of Saint John's Facility Management Department to develop an annual maintenance program for the bandstand, to ensure that it does not fall into disrepair. Leona Laracey advised that she would request that fellow Board member and Councillor Donna Reardon to present the idea before Common Council.

ITEM 8.0 NEXT MEETING

The next regular Board meeting will be held August 21st, 2013 at 5:30 pm.

ITEM 9.0 ADJOURNMENT

There being no further business, the meeting adjourned 7:30 PM

Amy Poffenroth, P.Eng, MBA
Acting Commissioner,
Growth & Community Development Services