

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

**WEDNESDAY MAY 15<sup>TH</sup>, 2013**

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

IN ATTENDANCE:

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

Amy Poffenroth, Acting Commissioner  
Jill Flecknell, Recording Secretary

REGRETS:

Alice Fudge, Heritage Analyst  
Jim Bezanson, Secretary/Heritage Development Officer

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**ITEM 1.0      AGENDA**

*The following items were added for discussion under Business Arising:*

*3.1 Update on letter to Council and letter to Legal*

*The following items were added for discussion under Other Business:*

*7.1 Staff Update*

*7.2 Grant Approval for 213 Germain Street 13-27*

*It was requested that the applications for Items 5.3, 5.4 & 5.5 be moved up to accommodate those applicants that were present for the meeting.*

***MOVED*** by Donna Reardon, ***SECONDED*** by Elizabeth McGahan to approve the agenda as amended.

***CARRIED.***

**ITEM 2.0 MINUTES****ITEM 2.1 MINUTES OF THE MAY 1<sup>ST</sup> 2013 MEETING**

*MOVED* by Donna Reardon *SECONDED* by Gord Hewitt to approve the May 1<sup>st</sup>, 2013 minutes as circulated.

*CARRIED.*

**ITEM 3.0 BUSINESS ARISING****ITEM 3.1 UPDATE ON LETTER TO COUNCIL & LETTER TO LEGAL**

Chair Leona Laracey advised the Board that the letter of thanks on behalf of the Heritage Development Board has been signed and forwarded to the Common Clerk's Office for Common Council. Ms. Laracey advised that a letter had been drafted and submitted to the City of Saint John's Legal Department regarding Conflict of Interest Policy, no response has been received to date.

**ITEM 4.0 INTRODUCTION OF APPLICANTS/GUESTS**

- Susan Jack was present representing *Item 5.3 100 Watson Street*.
- Patrick Sohy of Avant-Garde was present representing, *Item 5.4 King Square Bandstand*.
- Harold Wright, Custodian of the Records of the Band, was present for *Item 5.4 King Square Bandstand*
- Paul Tobias of Tobias Properties was present representing *Item 5.5 237 Germain Street*.

**ITEM 5.0 CERTIFICATES OF APPROPRIATENESS AND GRANTS****ITEM 5.3A APPLICATION FOR A HERITAGE PERMIT 2013-31  
SAINT GEORGE'S CHURCH, 100 WATSON STREET**

Leona Laracey advised that the application is for the installation of new vinyl siding on the east façade. Staff recommended:

- 1 Deny a Heritage Permit [Certificate for Appropriateness] to replace existing vinyl siding with vinyl siding;
- 2 Approve a Heritage Permit [Certificate for Appropriateness] to replace existing vinyl siding with wood clapboards, complete with corner boards, plinth boards and fascia boards, prime and paint with an approved colour scheme;

**ITEM 5.3B APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 2013-31  
SAINT GEORGE'S CHURCH, 100 WATSON STREET**

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

*Remove* existing vinyl siding on the East side (Duke Street West wall)

**Install** wood clapboard siding East side, complete with corner boards, plinth boards and fascia boards;

**Prime** and paint all wood components using an approved colour scheme in keeping with guidelines found in Practical Conservation Guidelines for Paint & Colour to be approved in consultation with the Heritage Officer.

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 May 30, 2013.

Susan Jack was present representing the application for 100 Watson Street. Ms. Jack indicated that she was not in favour of the decision to deny the installation of vinyl siding. She explained that the Church was unaware that they were a part of the King Street West Conservation Area until they applied for a building permit. She advised the Board that Saint Georges Church currently faces financial hardships and that the entire building is in a state of disrepair. Chair Leona Laracey advised Ms. Jack that the Church would be eligible for a Heritage Maintenance Grant upon the installation of the recommended wooden clapboards, and questioned if the Church had undergone an Energy Conservation study. Ms. Jack indicated that the Church had not completed an Energy Conservation study due to the high costs involved.

### **CARRIED**

#### **ITEM 5.4A APPLICATION FOR A HERITAGE PERMIT 2013-32 AVANT-GARDE, KING SQUARE BANDSTAND**

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Leona Laracey advised the application is for the restoration of the Bandstand in King Square, which will include:

1. Supply and installation of bird roost inhibitor spikes for perimeter of high roof;
2. Installation of two ventilation panels to increase airflow in canopy;
3. Removal of wood flooring and wooden supports at second level, supply and install hemlock 4 ½"x5" support structure onto existing metal as per existing conditions and supply and install hemlock 2"x5" new solid wood flooring for second floor level;
4. Installation of new granite slab for the new rolling ladder location inside the red brick perimeter;
5. Design and supply rolling ladder to access the upper mezzanine and capable of being rolled into the Imperial Theatre;
6. Clean existing roof to copper finish and polish;

7. Sand blast all metal structure back to raw metal, apply one coat of Carboline Cabozinc 859 primer, apply one coat of Carbomastiic 615 epoxy intermediate coat and apply one coat of Carbothane 134HG polyurethane topcoat;
8. Paint existing wood soffit and accent color on trims;
9. Original brass sign to be sand blasted, grinded, polished and lacquered with a chocolate-color background and brass letters;
10. Removal of existing panel conduit, junction boxes, light fixtures, and electrical outlets back to existing meter. Supply and install a new weatherproof panel, conduit as required, four new vandal-resistant lights below 2<sup>nd</sup> level flooring and 48 new recessed pot lights with acrylic lenses at existing light locations, and;
11. Fountain refurbishment by the removal of existing fountain rockwork, the supply and installation of a 3' diameter by 12" high granite cylindrical fountain base drilled to allow for a new recessed fountain head and the supply and installation of a new fountain pump and fountain head with stainless steel plate cover for pump access.

Staff recommended approval.

**ITEM 5.4B APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 2013-32**  
**AVANT-GARDE, KING SQUARE BANDSTAND**

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*MOVED by Patrick McCaffrey, SECONDED by Scott Rinehart to approve the following:*

**Install** bird roosts inhibitor spikes for perimeter of high roof, using non-corrosive fasteners;

**Install** two ventilation panels to increase airflow in canopy, using non-corrosive fasteners;

**Remove** wood flooring and wooden supports at second level, supply and install hemlock 4 ½"x5" support structure onto existing metal as per existing conditions and supply and install hemlock 2"x5" new solid wood flooring for second floor level;

**Install** new granite slab for the new rolling ladder location inside the red brick perimeter;

**Install** rolling ladder to access the upper mezzanine and capable of being rolled into the Imperial Theatre ensuring the use of non-corrosive fasteners;

**Clean** existing roof to copper finish and polish; Sand blast all metal structure back to raw metal, apply one coat of Carboline Cabozinc 859 primer, apply one coat of Carbomastiic 615 epoxy intermediate coat and apply one coat of Carbothane 134HG polyurethane topcoat;

**Paint** existing wood soffit and accent colour on trims using previously approved paint colours which follow the *Practical Conservation Guidelines* for Paint & Colour;

**Clean** original brass sign to be sand blasted, grinded, and polished;

**Removal** of existing panel conduit, junction boxes, light fixtures, and electrical outlets back to existing meter. Install a new weatherproof panel, conduit as required, four new vandal-resistant lights below 2nd level flooring and 48 new recessed pot lights with acrylic lenses at existing light locations, and;

**Refurbishment** of the existing fountain rockwork and consideration be given to the replication of the glass globe previously situated above the fountain by reviewing photo documentation to be provided by the Custodian of the Records of the Band.

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 May 30, 2013.

Patrick Sohy of Avant-Garde was present representing the application for the restoration of the King Square Bandstand. He indicated that he will oversee the construction which has been funded by an anonymous donor and is expected to be complete by July 1<sup>st</sup>, 2013. The Board reviewed the outlined work proposed and requested that historian, Harold Wright speak on behalf of the application.

**MOVED** by Scott Rinehart, **SECONDED** by Donna Reardon to allow Harold Wright, Custodian of the Records of the Band speak on the King Square Bandstand application.

**CARRIED.**

Harold Wright explained to the Board that he is the Custodian of the Records of the Band. He expressed the importance that the original paint colors be kept as they were previously chosen through paint analysis. Mr Wright explained that the current fountain is a replica of the original 1970's fountain, that the proposed fountain design pre-dates the bandstand entirely. Mr. Wright recommended that the applicant revise the design to replicate the existing 1970's fountain, he advised that he could provide Mr. Sohy with historical photo documentation to aid in the design. Harold Wright expressed his concerns that the original brass plaque not be painted as proposed, as it was not originally painted and should only be cleaned to maintain its heritage character, to which Mr. Sohy agreed.

Mr. Wright requested that the applicant consider the restoration of the glass globe of lights that was originally above the fountain, for which he advised he could provide photo documentation as well. Mr. Sohy replied that he was certain that if a replica of the glass globe could be made vandal proof that the donor would have no issues with amending the scope of work to include it. Board members were in favour of the changes proposed by Mr. Wright and expressed their gratitude to Mr. Sohy to pass along to the anonymous donor.

**CARRIED.**

**ITEM 5.5A APPLICATION FOR A HERITAGE PERMIT 2013-20A**  
**PAUL TOBIAS, 237 GERMAIN STREET**

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Leona Laracey advised the application is for the installation of [eight] new wood balcony decks, two on each of the four levels, at rear of apartment building and the installation of eight glass metal framed doors. Staff recommended:

1. Approve a Heritage Permit [Certificate of Appropriateness] for the installation of [eight] new wood balcony decks, two on each of the four levels, at rear of apartment building.
2. Deny a Heritage Permit [Certificate of Appropriateness] to replace eight existing windows with glass metal framed doors.
3. Approve a Heritage Permit [Certificate of Appropriateness] for the installation of eight wooden doors, subject to the approval of the Heritage Officer.

**ITEM 5.5B APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 2013-20A**  
**PAUL TOBIAS, 237 GERMAIN STREET**

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*MOVED* by Elizabeth McGahan, *SECONDED* by Colin Waldschutz to approve the following:

**Construct** eight new 8' x 8' (95" x 100") wood deck balconies at the west side (rear) of the building, complete with 2x2" wood balusters, wood hand railings, and 6x6" posts with chamfered edges and wood composite decking, colour of decking to be chosen in consultation with the Heritage Officer - see attached sketches;

**Remove** eight windows at the west side (rear) of the building.

**Install** eight metal storm doors as per photograph provided to the Board and if possible install eight original interior wooden doors leading to the balconies.

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 May 30, 2013.

The Board held a lengthy discussion concerning the use of metal storm doors with brass work at the rear of the building and the use of aluminium checker plate decking. Mr Tobias indicated that the doors would not be visible from the street and are high quality. The Board indicated that because the proposed metal doors are to be installed at the rear of an addition that there is room for flexibility. Board members expressed their concerns with the use of aluminium decking and recommended wood composite decking as an alternative. Mr Tobias explained that he was in favour of the amendment to the proposed materials and would choose a colour of wood composite decking in consultation with Heritage staff.

Mr Tobias indicated he would like to make an amendment to the detailing of the hand railing dimensions to change them to a 2" x 2".

**CARRIED.**

**ITEM 5.1A      APPLICATION FOR A HERITAGE PERMIT 2013-29**  
**HAZEN INVESTMENTS C/O DONALD HAZEN, 47 DUKE STREET**

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Leona Laracey advised that the application is to stabilize/repair/repoint the brick masonry at the second level on the south wall. Staff recommended approval.

**ITEM 5.1B      APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 2013-29**  
**HAZEN INVESTMENTS C/O DONALD HAZEN, 47 DUKE STREET**

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*MOVED* by Patrick McCaffrey, *SECONDED* by Alex Pesold to approve the following:

**Remove** mortar and bricks at the south wall of the building, using hand tools and rotary grinders ONLY on middle of horizontal joints. DO NOT USE GRINDERS ON VERTICAL JOINTS; Where possible, salvage for re-use any existing undamaged brick which require removal - Joints to be raked out not to exceed original joint width - Do not round corner edges of bricks;

**Repair** as necessary the damaged portion of wall behind masonry;

**Replace** spalled or deteriorated brick, salvaged brick of similar porosity size and colour;

**Repoint/relay** original bricks, using lime-based mortar, consisting of:

- 1 part White Portland (type 10- grey is not acceptable);
- 2 parts hydrated lime (high calcium soaked minimum 24 hours; dolomite-based lime, used for agricultural purposes, is not acceptable); and
- 8 parts screened sand

Mix the lime and sand to create roughage, or “rough stuff”, then add the White Portland just prior to use

**\*Note: Measures or precautions need to be undertaken to ensure mortar is allowed to cure a minimum of 28 days at no less than 10 degrees Celsius ambient temperature.**

*Wash* down masonry using Sure Klean Restoration Cleaner;

This work to be carried out under the following conditions:

1. Joints to be raked out not to exceed original joint width (use grinder only on middle of horizontal joints only, the remove remainder with hand tools.) Do not use grinders on vertical joints.
2. Do not round corner edges of bricks;
3. Carefully match colour and texture of original white lime mortar;
4. 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;
5. 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.
6. 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 May 30, 2013.

**CARRIED.**

**ITEM 5.1C      APPLICATION FOR A HERITAGE MAINTENANCE GRANT 13-29**  
**HAZEN INVESTMENTS C/O DONALD HAZEN, 47 DUKE STREET**

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Leona Laracey advised that the application is for a Heritage Maintenance Grant to stabilize/repair/repoint the brick masonry at the second level on the south wall. There is no Conservation Plan in place for the building located in the Trinity Royal Heritage Conservation Area. She recommended approval.

*MOVED* by Donna Reardon, *SECONDED* by Elizabeth McGahan to approve a Heritage Maintenance Grant of 15% of costs up to \$500.00 based on the estimate provided to stabilize/repair/repoint the brick masonry at the second level on the south wall.

**CARRIED.**

**ITEM 5.2A      APPLICATION FOR A HERITAGE PERMIT 2013-30**  
**HISTORICA DEVELOPMENTS, 89-91 CANTERBURY STREET**

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Leona Laracey advised that the application is for painting of the concrete foundation walls on all four sides of the building. Staff recommended approval.

**ITEM 5.2B APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 2013-30**  
**HISTORICA DEVELOPMENTS, 89-91 CANTERBURY STREET**

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*MOVED* by Donna Reardon, *SECONDED* by Elizabeth McGahan to approve the following:

**Remove** loose and deteriorated paint from foundation walls, using hand scrapers or infrared heat guns. DO NOT USE OPEN FLAME of propane torch (flame may wick into building with disastrous results);

**Prime** and paint all surfaces using a colour scheme selected from an approved historic colour palette, in keeping with guidelines found in Practical Conservation Guidelines for *Paint & Colour*.

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 May 30, 2013.

Staff indicated that the applicant proposes to repaint the exterior concrete foundation walls which will be compatible with the character defining elements of the historic building. The color chosen, Nantucket gray: HC-111, will complement the sandstone masonry details and the new entrance at 35 Duke Street.

**CARRIED.**

**ITEM 5.2C APPLICATION FOR A HERITAGE MAINTENANCE GRANT 13-30**  
**HISTORICA DEVELOPMENTS, 89-91 CANTERBURY STREET**

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Leona Laracey advised that the application is for a Heritage Maintenance Grant for painting of the concrete foundation walls on all four sides of the building. There is no Conservation Plan in place for the building located in the Trinity Royal Heritage Conservation Area. Staff recommended approval.

*MOVED* by Donna Reardon, *SECONDED* by Patrick McCaffrey to approve a Heritage Maintenance Grant of 15% of costs up to \$225.00 based on the estimate provided.

**CARRIED.**

**ITEM 6.0 REPORTS**

There were no reports.

**ITEM 7.0 OTHER BUSINESS**

**ITEM 7.1 STAFF UPDATE**

Acting Commissioner, Amy Poffenroth advised the Board that Heritage Officer, Alice Fudge has undergone surgery and will require recovery time. She indicated that once more information is known on Ms. Fudge's expected recovery time, she will determine if there is a need for a temporary position in Alice's absence.

**ITEM 7.2 GRANT APPROVAL FOR 213 GERMAIN STREET 13-27**

Amy Poffenroth presented to the Board that at the Heritage Development Board meeting of May 1, 2013, a grant was approved for 213 Germain Street for the installation of brick pavers. Ms. Poffenroth indicated that the grant approval given on May 1, 2013 does not meet the Policies for Approval that was approved by Common Council at its meeting of August 27, 2012. The grant application does not meet the requirements because the project does not "retain traditional materials and details of character-defining elements", the key objective of the Heritage grant program. She explained that it was her understanding that had Mr. Christopher Waldschutz proposed a traditional material (ie. cobblestone) and was able to show that the pathway previously existed (or likely existed), then the Board could have considered the grant application. Ms. Poffenroth gave a recommendation that the Heritage Development Board revoke the grant approval for 213 Germain Street – brick pavers project and advise the applicant accordingly.

Leona Laracey explained that the Board had determined that because the application was for a heritage grant renewal from 2012 that approval was incumbent. Board member, Colin Waldschutz advised that he was in favour of Ms. Poffenroth's recommendation as the August 27, 2012 resolution of Council stated that it was retroactive to any Certificates of Appropriateness to January 1, 2012. The Board discussed that the eligibility of grant funding for landscaping would be reviewed. The Board questioned if the grant could be revoked legally as the applicant has been provided letter stating he was approved for renewal.

*MOVED by Bob Boyce, SECONDED by Patrick McCaffrey to refer to the City Solicitor's Office for a legal opinion on protocol for grant revocation.*

**CARRIED.**

**ITEM 8.0 NEXT MEETING**

The next regular Board meeting will be held May 29<sup>th</sup>, 2013, at 5:30 pm.

**ITEM 9.0 ADJOURNMENT**

There being no further business, the meeting adjourned 6:52 PM



Amy Poffenroth, P.Eng, MBA  
Acting Commissioner