

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

**WEDNESDAY OCTOBER 12<sup>TH</sup>, 2011**

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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  
Colin Waldschutz, 1<sup>st</sup> Vice Chair  
Grant Heckman, 2<sup>nd</sup> Vice Chair  
Richard Gradon  
Gordon Hewitt  
Patrick McCaffrey  
Alex Pesold  
Heather Urquhart

Ken Forrest, Commissioner  
Jim Bezanson, Secretary/ Heritage Development Officer  
Jeff Gauley, Secretary/Heritage Officer  
Colleen O'Connor, Recording Secretary

REGRETS:

Councillor Donnie Snook

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**ITEM 1.0      AGENDA**

*MOVED* by Richard Gradon, *SECONDED* by Colin Waldschutz, to approve the agenda as amended.

Leona Laracey asked to have a discussion as to the next steps the Board will take in terms of delegation of approval of Heritage Permits added to Other Business. Jim Bezanson requested to have Item 5.1 moved to the end of the Certificates of Appropriateness and Grants applications.

*CARRIED.*

**ITEM 2.0      MINUTES**

**ITEM 2.1      MINUTES OF THE SEPTEMBER 28<sup>TH</sup>, 2011 MEETING**

*MOVED* by Patrick McCaffrey, *SECONDED* by Gordon Hewitt, to approve the September 28<sup>th</sup>, 2011 minutes, as (amended).

Richard Gradon requested that the following changes be made to the amendments offered by the Board for Item 5.2:

- The addition of the words vertical insulation when describing the type of fibreglass insulation the Board is proposing the applicant use to create a drainage slip-plane and bond breaker in section a).

- The addition of the words horizontal polystyrene to describe the type of insulation the Board is proposing the applicant use to prevent frost heave in the area of the steps in section b).
- The addition of the term 100% solid when describing the type of concrete block the Board is proposing the applicant use in section d).

**CARRIED.**

**ITEM 3.0 BUSINESS ARISING**

**ITEM 3.1 LISTING OF BLUEBERRY HILL NATURE PRESERVE ON THE SAINT JOHN HERITAGE REGISTER OF HISTORIC PLACES – UPDATE**

Jan and Ray Riddell were in attendance to provide an update to the Board on this item. Mrs. Riddell advised that the Town of Grand Bay- Westfield had received a grant from the Heritage Branch of Wellness, Culture and Sport to conduct research to determine eligibility for listings on the Register of Historic Places. According to Mrs. Riddell, the current owner of the property is interested in developing the area as a nature preserve with walking trails. There is interest in registering this property on the Saint John Register of Historic Places due to evidence of the original road from Fredericton to Saint John is still visible as well as the original farm that was located on the property and the marsh that opens up onto the Saint John River.

The area is in the City of Saint John and sits on the boundary of the Town of Grand Bay- Westfield. Mrs. Riddell is approaching the the city first along with Nature Trust NB to in order to gain permission to investigate the property to see if it would meet the criteria to be placed on the Saint John Register of Historic Places.

Leona Laracey advised that the staff report recommended that further investigation should proceed and the results of that research would be required to be presented to the Board before it could send an endorsement to Common Council to have the area placed on the register. Mrs. Riddell advised the Board that she would send a letter along with the results of the research.

**ITEM 3.2 PHILIP HUGGARD, 147-149 ORANGE STREET LETTER – FOR INFORMATION**

The Board asked Heritage Staff if Mr. Huggard had been made aware of the consequences if he failed to comply with the terms and deadline set out by the Board in the letter to grant permission to temporarily install vinyl windows on the front façade of the building while waiting for the permanent wood windows to be manufactured and delivered. Heritage Staff advised that Mr. Huggard expected the windows in October and that the Board had not outlined additional steps to be taken at the time of the discussion as Mr. Huggard had provided proof that the wood windows had been ordered. The Board advised that it was comfortable with monitoring the situation.

The Board inquired what the remedies were available to the Board in the event that Mr. Huggard did not comply with the terms and deadline set out by the Board. Planning and Development Commissioner Ken Forrest advised the Board that the Board had the authority through the provincial Heritage Conservation Act to issue a violation order and

follow up with a fine to Mr. Huggard if the deadline of May 1<sup>st</sup> to replace the vinyl windows with wood is not met. Mr. Forrest advised that the remedies found in the Heritage Conservation Act provide greater ability to enforce the Boards will than the Community Planning Act does. Mr. Forrest advised the Board that Heritage Officer Jeff Gauley has been given the power by Common Council on October 11<sup>th</sup> to act as an inspector for the means of being able to enforce the Heritage By-Law.

*MOVED by Patrick McCaffrey, SECONDED by Gordon Hewitt, to have Heritage Staff investigate with the City's Legal Department if the Board has the ability to ask for a bond or some other financial instrument in situations where applicants are granted temporary exemptions from Heritage standards and policies.*

**ITEM 3.3 LETTER TO NOMINATING COMMITTEE RE HDB CHAIR END OF TERM  
– FOR INFORMATION AND UPDATE**

Recording Secretary Colleen O'Connor advised the Board that the letter has been submitted to the Common Clerk's office and that the Nominating Committee will be meeting in the next week. The result of their discussion would be then sent to Common Council for approval. Ms. O'Connor advised that Board that the earliest date the letter would be on Common Council's agenda would be October 24<sup>th</sup>.

**ITEM 3.4 111 PRINCE WILLIAM STREET – UPDATE**

Ken Forrest advised the Board that he and Heritage Staff had met with the City lawyers and that they were in the process of working under the authority of the Heritage Act to compel the owner of this building to comply with Heritage Area regulations. Mr. Forrest advised the Board that the Heritage Act provided stricter measures than the Community Planning Act in regards to enforcement in this situation. Mr. Forrest advised that the measures that could be taken under the Heritage Act include stricter fines and the ability to issue an order to return the building to its original, or as close as possible, condition.

*MOVED by Patrick McCaffrey, SECONDED by Gordon Hewitt, to have Heritage Staff pursue matter with the City staff with respect to enforcement measures available to be taken against the property owner.*

**CARRIED.**

**ITEM 3.5 29- 31 DOUGLAS AVENUE - UPDATE**

Heritage Officer Jeff Gauley advised the Board that the owner of the building, David Williston, was using strapping and siding in order to straighten exterior walls of the building, which were bowed in. As a result, the buildings walls were being built out by 3 inches and would cause the character defining elements at the corners and eaves to be lost. Mr. Gauley advised that he had spoken to Mr. Williston to detail his concerns and to offer suggestions. He indicated that Mr. Williston seemed to be agreeable to making the changes but the work on the exterior of the building has continued in the same manner.

Mr. Gauley advised the Board that he would continue to work with Mr. Williston to enforce the terms of the Certificate of Appropriateness. Ken Forrest advised the Board that enforcing the Certificate of appropriateness was time intensive and that Heritage Staff resources were short. Mr. Forrest advised that Board the Heritage Staff would do

what could be done to enforce the Heritage Permit. Mr. Gauley advised the Board that if the conversations continue to go poorly, the next step in dealing with Mr. Williston was to issue a stop work order.

**ITEM 4.0 INTRODUCTION OF APPLICANTS/GUESTS**

**JAN AND RAY RIDDELL WERE IN ATTENDANCE, AS NOTED IN ITEM 3.1**

**ITEM 5.0 CERTIFICATES OF APPROPRIATENESS AND GRANTS**

(Jim Bezanson declared a conflict with the following item and stepped out of the meeting)

**ITEM 5.1A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-28B  
JIM BEZANSON, 66 SYDNEY STREET**

Heritage Officer Jeff Gauley advised the Board that the application is for a Heritage Permit [Certificate of Appropriateness] to repair/replace windows/window components and paint. He recommended approval.

**ITEM 5.1B DRAFT CERTIFICATE OF APPROPRIATENESS 11-28B  
JIM BEZANSON, 66 SYDNEY STREET**

*MOVED by Gordon Hewitt, SECONDED by Patrick McCaffrey, to approve the amended recommendation:*

**Replace** four (4) existing vertical-sliding wood windows (on north facade) with new vertical-sliding wood windows, sized to completely fill the existing original openings and matching the original sash details and sash configurations;

**Replace** one (1) existing vertical-sliding wood window (on ground floor level of south facade) with a new wood casement window to meet egress requirements – casement window to be detailed and proportioned to appear similar to wood storm window;

**Replace** the lower sashes of six (6) existing vertical-sliding wood windows (two on ground floor of west facade and four on ground floor of south facade) with new wood sashes, matching the original sash details and sash configurations – sash to be treated with preservative (Sancin or similar);

**Repair**, and/or replace as necessary, various windows, window sills and frames, using materials and profiles to match original;

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

**Repair** and/or replace, as necessary, any deteriorated wood components, including portions of interior wood windows, metal glazing frames and trim, with new wood or metal components, matching the profiles and detailing of the original components;

**Remove** old and deteriorated putty; replace any cracked, broken, or missing glass and re-putty;

**Scrub** all surfaces to be painted with TSP (tri-sodium phosphate); rinse thoroughly with clean water; allow surfaces to dry completely prior to painting (typically 3 days); **Prime** and paint or stain all new and existing wood components using the approved colour scheme, in keeping with guidelines found in Practical Conservation Guidelines for Paint & Colour:

This work is 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 Development Officer;
2. The Buildings & Inspection Services Department be contacted for necessary permits;
3. No work shall commence until the expiry of a fifteen-day appeal period pursuant to Section 15(2) of the Act, and providing no appeal is filed with the Provincial Appeal Board on or before October 27, 2011;

Heritage Staff informed the Board that Mr. Bezanson had submitted a letter outlining an amendment to forego the metal clad windows and replace the lower sashes only.

**CARRIED.**

The Board asked if there were any changes to the applicant's previously approved work concerning the decks and rails. Heritage Staff advised that the windows were the only scope of work in this application to be amended.

The Board asked if the work on the windows was included in the application. Heritage staff advised that this work covered under the clause that spoke to repairing and/ or replacing various windows, windows sills and frames.

**ITEM 5.1C      APPLICATION TO AMEND A HERITAGE REHABILITATION GRANT 11-28B**  
**JIM BEZANSON, 66 SYDNEY STREET**

Jeff Gauley advised the Board that the application is to amend a Heritage Rehabilitation Grant to include repair/replacement of windows/window components and additional painting as eligible for funding. He recommended approval.

***MOVED by Patrick McCaffrey, SECONDED by Alex Pesold, to amend a Heritage Rehabilitation Grant to include the repair/replacement of windows/window components and additional painting as eligible for funding at 40% of costs for repairs to original windows and 20% of costs for the installation of new wood windows and for painting, subject to available funding under the Heritage Grants program.***

**CARRIED.**

**ITEM 5.2A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-95**  
**KAREN BIRD- DAVIS, 139 GERMAIN STREET**

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Heritage Development Officer Jim Bezanson advised the Board that the application is for a Heritage Permit [Certificate for Appropriateness] to extend the decks and construct a covered “gazebo”. He recommended approval of the application.

**ITEM 5.2B DRAFT CERTIFICATE OF APPROPRIATENESS 11-95**  
**KAREN BIRD- DAVIS, 139 GERMAIN STREET**

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*MOVED by Alex Pesold, SECONDED by Grant Heckman, to approve the recommendation:*

As indicated on Dwg. 2011-95 revised on October 6, 2011 by Larry McKay:

*Construct* extensions to the decks and related handrail balustrades, using materials and details to match existing;

*Relocate* two sets of stairs; and

*Construct* a new free-standing “gazebo” shelter supported on four columns to match the existing, complete with brackets to match those on the existing building.

This work to be carried out under the following conditions:

1. The proposed work to be carried out using traditional detailing and materials as required under Section 9 of the Saint John Heritage Conservation Areas By-law;
2. The Buildings & Inspections Services Department be contacted for necessary permits, and
3. No work shall commence until expiry of a fifteen day appeal period pursuant to Section 15(2) of the Act, and providing no appeal is filed with the Provincial Appeal Board on or before October 27, 2011.

**CARRIED.**

The Board asked where the adjacent building was located in relation to the applicant’s. Heritage Staff advised that the lot for this building was irregular in shape. The Board asked if the new structure would butt up against and be attached to the adjacent building. Heritage Staff advised that it would not.

The Board asked if the exterior was made of brick. Heritage Staff confirmed that the exterior of the buildings was brick. The Board asked if the neighbour at 145 Germain Street had been advised of the building plan. Heritage Staff stated that the neighbour had not been directly advised of the applicants building plans.

(Patrick McCaffrey declared a conflict with the following item and stepped out of the meeting)

**ITEM 5.3A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-96**  
**BILL RYAN, 147 GERMAIN STREET**

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Jim Bezanson advised the Board that the application is for a Heritage Permit [Certificate of Appropriateness] to dismantle the brick soldier course above the garage door, install new galvanized angle iron and reinstall the bricks, replacing any that are spalled or damaged with Shaw Smooth Red bricks to match existing. He recommended approval.

**ITEM 5.3B DRAFT CERTIFICATE OF APPROPRIATENESS 11-96**  
**BILL RYAN, 147 GERMAIN STREET**

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*MOVED* by Alex Pesold, *SECONDED* by Colin Waldschutz, to approve the recommendation:

*Remove* loose and deteriorated mortar and bricks of the soldier course above the garage door;

*Salvage* for re-use any existing undamaged bricks which are removed;

*Replace* spalled/damaged bricks with Shaw Smooth Red to match existing;

*Install* new galvanized angle iron; and

*Reinstall* the bricks using Type 'N' mortar.

This work is 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 Development Officer;
2. The Buildings & Inspection Services Department be contacted for necessary permits;
3. No work shall commence until the expiry of a fifteen-day appeal period pursuant to Section 15(2) of the Act, and providing no appeal is filed with the Provincial Appeal Board on or before October 27, 2011.

**CARRIED.**

The Board inquired if the scope of work was limited to the right half of the building. Heritage Staff confirmed that the application involved the right half of the building only.

(Patrick McCaffrey re-joined the meeting)

**ITEM 5.4A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-97**  
**CYRUS HAJZADEH, 127- 141 CHARLOTTE STREET**

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Jeff Gauley advised the Board that the application is for a Heritage Permit [Certificate of Appropriateness] to repair/replace deteriorated bricks with salvaged bricks to match; repoint with lime-based mortar and repair/replace roof edge flashings. He recommended approval.

**ITEM 5.4B DRAFT CERTIFICATE OF APPROPRIATENESS 11-97  
CYRUS HAJIZADEH, 127- 141 CHARLOTTE STREET**

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*MOVED* by Grant Heckman, *SECONDED* by Gordon Hewitt, to approve the recommendation:

**Remove** loose and deteriorated mortar and bricks, using hand tools - DO NOT USE GRINDERS;

Where possible, salvage for re-use any existing undamaged brick which requires removal; Joints to be raked out not to exceed original joint width; Do not round corners of brick;

**Install** replacement brick where required, using brick of similar size, porosity and colour;

**Repoint** existing brick and lay new brick, 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; Carefully match colour and texture of the original mortar;

**\*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 and no greater than 28 degrees Celsius ambient temperature.**

**Wash** down masonry at modified openings using mild restoration cleaner (Sure Klean 600 or similar);

**Repair**, and/or replace as necessary, any deteriorated portion of the metal roof edge flashings, in conjunction with repairs to the upper wall, using material to match the gauge and profile of the original flashing;

This work is 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 Development Officer;
2. The Buildings & Inspection Services Department be contacted for necessary permits;
3. No work shall commence until the expiry of a fifteen-day appeal period pursuant to Section 15(2) of the Act, and providing no appeal is filed with the Provincial Appeal Board on or before October 27, 2011.

**CARRIED.**



The Board asked if the repointing work is currently ongoing. Heritage Staff confirmed that the work was currently ongoing. The Board requested that a stop work order be issued if the building was not shrouded to provide weather protection as the evening temperatures were dropping below 10 degrees Celsius.

The board inquired if the upper floors are heated. Heritage Staff advised that the owner has indicated he has no intention of developing the upper floors despite having been eligible for grants to do so.

**ITEM 5.4C APPLICATION FOR A HERITAGE REHABILITATION GRANT 11-97**  
**CYRUS HAJIZADEH, 127- 141 CHARLOTTE STREET**

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Jeff Gauley advised the Board that the application is for a Heritage Rehabilitation Grant to repair/repoint masonry and repair/replace roof edge flashings. He recommended approval.

***MOVED** by Alex Pesold, **SECONDED** by Colin Waldschutz, to approve a Heritage Rehabilitation Grant for 20% of costs to repair/repoint masonry and repair/replace roof edge flashings, up to \$1,000.00, subject to available funding under the Heritage Grants program.*

***CARRIED.***

**ITEM 5.5A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-100**  
**MARLENE WOWCHUK, 76 PRINCESS STREET**

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Jim Bezanson advised the Board that the application is for a Heritage Permit [Certificate of Appropriateness to repair / replace deteriorated bricks with salvaged bricks to match; repoint with lime based mortar (1:2:8) and parge the parapet area with lime based parging. He recommended approval.

**ITEM 5.5B DRAFT CERTIFICATE OF APPROPRIATENESS 11-100**  
**MARLENE WOWCHUK, 76 PRINCESS STREET**

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***MOVED** by Grant Heckman, **SECONDED** by Gordon Hewitt, to approve the recommendation:*

***Remove** loose and deteriorated parging and spalled bricks of parapet;*

***Remove** loose and deteriorated mortar, using hand tools – DO NOT USE GRINDERS. Joints to be raked out not to exceed original joint width; Do not round corners of bricks;*

***Install** replacement bricks where required, using bricks of similar size and porosity;*

***Repoint** 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; Carefully match colour and texture of the original mortar;

**\*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 or no greater than 28 degrees Celsius ambient temperature.**

*Wash* down repaired masonry using mild restoration cleaner (Sure Klean 600 or similar).

1. The proposed work to be carried out using traditional detailing and materials as required under Section 8 of the Saint John Heritage Conservation Areas By-law;
2. The Buildings & Inspections Services Department be contacted for necessary permits, and
3. No work shall commence until expiry of a fifteen day appeal period pursuant to Section 15(2) of the Act, and providing no appeal is filed with the Provincial Appeal Board on or before October 27, 2011.

**CARRIED**

The Board expressed concern about the compatibility of the mortar being used. Heritage Staff advised that the mortar mixture being used was compatible with the original material used.

**ITEM 5.5C      APPLICATION FOR A HERITAGE REHABILITATION GRANT 11-100  
MARLENE WOWCHUK, 76 PRINCESS STREET**

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Jim Bezanson advised the Board that the application is for a Heritage Rehabilitation Grant to repair/repaint/repare masonry. He recommended approval.

***MOVED** by Patrick McCaffrey, **SECONDED** by Richard Gradon, to approve a Heritage Rehabilitation Grant for 20% of costs to repair/repaint/repare masonry up to \$1,000.00, subject to available funding under the Heritage Grants program.*

**CARRIED.**

**ITEM 6.0      REPORTS**

**ITEM 7.0      OTHER BUSINESS**

**ITEM 7.1      HDB CHRISTMAS PARTY – DATE AND LOCATION**

Colleen O’Connor advised the Board that there were two dates available in December for the HDB Christmas Party, December 14<sup>th</sup> and 21<sup>st</sup>. The Board decided on December 21<sup>st</sup> as the date to hold the Christmas Party.

Ms. O’Connor advised that the locations being considered for the party were Billy’s Seafood and Church Street Steakhouse. The Board suggested that the restaurants that had been previous Heritage Award winners, such as Magnolia and Bourbon Quarter, be

considered as options for the location of the party. Ms. O'Connor advised that an email would be sent to poll where the Board would like to go.

**ITEM 7.1 DELEGATION**

Leona Laracey advised the Board that she had resurrected the proposed amendment to the Rules of Procedure for the Board regarding delegation of approval of heritage permits to the Heritage Development Officer. Ms. Laracey asked the Board if they would like to have further discussion on this issue or if they would prefer to form a subcommittee to draft a proposal. The Board determined that they would prefer the option to have a subcommittee formed to draft a proposal for the Board to review and discuss. Ms. Laracey and Patrick McCaffrey agreed to be members of the subcommittee with the goal to have a proposal drafted for discussion at the next HDB meeting.

**ITEM 8.0 NEXT MEETING**

The next regular Board meeting is scheduled for October 26th.

**ITEM 9.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 7:30 p.m.

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Jim Bezanson,  
Secretary/Heritage Development Officer

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Ken Forrest,  
Commissioner

JB: CO'C