

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

**WEDNESDAY SEPTEMBER 14, 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 5:00 pm.

IN ATTENDANCE:

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

Jacqueline Hamilton, Deputy 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 Gordon Hewitt, *SECONDED* by Patrick McCaffrey, to approve the agenda as presented.

*CARRIED.*

The Board opted to move the items listed under section 5 of the agenda, Certificates of Appropriateness and Grants, to the beginning of the meeting in order to ensure they were dealt with in a timely manner.

**ITEM 2.0      MINUTES**

**ITEM 3.0      BUSINESS ARISING**

The Board had requested, as this meeting had few applications, to take the allotted meeting time to address issues and questions that the Board felt required more discussion. The areas/ topics dealt with were as follows:

**ITEM 3.1          ROLE AND AUTHORITY OF BOARD – INTERPRETING AND ENFORCING STANDARDS AND GUIDELINES**

Heritage Development Officer Jim Bezanson advised the Board that Common Council and consequently the Heritage Development Board as an appointed body of Council, derives its authority from the enabling legislation which in New Brunswick is the *Municipal Heritage Conservation Act M-21.1*. Mr. Bezanson stated that the most relevant Sections for the work carried out by the Board are Sections 46 to 67 inclusive and the *general role and authority* of the Heritage Development Board is laid out in Section 53. Mr. Bezanson noted that the Board is required to make consistent approvals based on precedent. He summarized, saying that under authority of the Municipal Heritage Conservation Act M21-1, Council established the Heritage Conservation Areas By-Law which requires that property owners in those areas obtain approval from the Heritage Development Board before developing or working on their building, including altering the surface texture and colours (i.e. painting) of their building.

In regards to the difference between standards and guidelines and whether a guideline has any stature in law, or simply provides guidance, he offered the following for discussion. The Standards of the Saint John Heritage Conservation Areas By-Law outline the conservation practice expected of property owners when carrying out development on their buildings. Guidelines provide additional information which elaborates and elucidates these Standards. He noted that if the guideline information was contained in the By-Law, the By-Law would become unwieldy and unusable because all the possible scenarios which property owners might encounter while developing their historic place could never be anticipated

He elaborated that “descriptive” guidelines such as those found in the City’s series of Practical Conservation Guidelines describe the steps in the process of carrying out appropriate work on an historic place. By contrast, the guidelines contained in the national *Standards & Guidelines for the Conservation of Historic Places in Canada* are referred to as “prescriptive guidelines”. Rather than describing the best conservation approach, prescriptive guidelines indicate whether or not proposed development is “recommended” or “not recommended” as an appropriate conservation practice which would meet the expectations laid out in the Standards.

**ITEM 3.2          POLICY DEVELOPMENT – COLOUR, SIGNAGE, USE OF CONTEMPORARY MATERIALS AND GRANTS**

Due to a lack of time, the Board agreed to continue this discussion at a future meeting.

**ITEM 3.3          BY-LAW REVIEW COMMITTEE, WRIGHT REPORT, HEMSON REPORT AND BOARD DISCUSSIONS – REVIEW OF REMAINING ITEMS**

This item also was not addressed due to a lack of time. The Board agreed to discuss this also at a future meeting as well.

**ITEM 4.0 INTRODUCTION OF APPLICANTS/GUESTS****ITEM 5.0 CERTIFICATES OF APPROPRIATENESS AND GRANTS****ITEM 5.1A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-57B  
BLOSSOMS FRESH FRUIT ARRANGEMENTS, PRINCE WILLIAM ST.**

Jeff Gauley advised the Board that the application is for a Heritage Permit [Certificate for Appropriateness] to paint the storefront. He recommended approval.

**ITEM 5.1B DRAFT CERTIFICATE OF APPROPRIATENESS 11-57B  
BLOSSOMS FRESH FRUIT ARRANGEMENTS, PRINCE WILLIAM ST.**

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

*Prime* and paint all metal storefront components using the approved heritage colours, in keeping with the Practical Conservation Guidelines for Paint & Colour.

- *Black* (existing original cornice band)
- *Benjamin Moore HC-61* 'New London Burgundy' (pre-finished metal siding).

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;

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 September 29, 2011;

The Board verified with Heritage Staff that the sign was constructed of wood. Heritage Staff confirmed that the design of the sign was based on the corporate identity of the business. The Board inquired if the sign was in compliance with the previously issued Certificate of Appropriateness. Heritage Staff advised the Board that the design, as executed, was slightly different than what had been approved by the Board. As a result, the Board decided to defer discussion on the applicant's Heritage Rehabilitation Grant until after staff had met with the applicant.

***CARRIED.***

**ITEM 5.1C APPLICATION FOR A HERITAGE REHABILITATION GRANT 11-57B  
BLOSSOMS FRESH FRUIT ARRANGEMENTS, PRINCE WILLIAM ST.**

This item was deferred pending discussions between Heritage Staff and the applicant.

**ITEM 5.2A APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS 11-87**  
**SUSAN MAY, 8 QUEEN STREET**

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Jeff Gauley advised the Board that the application is for a Heritage Permit [Certificate for Appropriateness] to undertake roofing and flashing repairs. He recommended approval.

**ITEM 5.2B DRAFT CERTIFICATE OF APPROPRIATENESS 11-87**  
**SUSAN MAY, 8 QUEEN STREET**

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

*Remove* existing built-up roofing material to expose existing roof deck;

*Repair/* replace as necessary, existing roof deck;

*Repair/* replace as necessary, existing metal flashings, using new material to match original materials and detailing;

*Install* layer of recovery board, or protection board – ¼” [65mm] thick with minimum 12 flange washers per 3’x4’ [900mm x 1200mm] sheet;

*Install* new modified membrane roofing material, consisting of 180 lb base sheet (mop-on with hot tar) and 250 lb cap sheet (torch-on).

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 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 September 29, 2011.

The Board asked if this application had been submitted by the new owner of the building. Heritage Staff confirmed that the building had just been purchased and advised that the seller and buyer were sharing the costs of having the roof replaced as one of the conditions of sale. The Board verified with Staff that the new owner would have work completed on the roof in compliance with the terms outlined in the Certificate.

*CARRIED.*

**ITEM 5.2C APPLICATION FOR A HERITAGE REHABILITATION GRANT 11-87**  
**SUSAN MAY, 8 QUEEN STREET**

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Jeff Gauley advised the Board that the application for a Heritage Rehabilitation Grant to undertake roofing and flashing repairs. No Conservation Plan is in place for the building, located in the Princess Street Heritage Conservation Area. He recommended approval.

***Moved** by Colin Waldschutz, **SECONDED** by Patrick McCaffrey, to approve a Heritage Rehabilitation Grant for 20% of costs for roofing replacement and for repairs/replacement of roof edge flashings, up to a maximum of \$1,000.00, **subject to available funding under the Heritage Grants program.***

***CARRIED.***

**ITEM 6.0      REPORTS**

**ITEM 7.0      OTHER BUSINESS**

**ITEM 8.0      NEXT MEETING**

The next regular Board meeting is scheduled for September 28th.

**ITEM 9.0      ADJOURNMENT**

There being no further business, the meeting adjourned at 8:10 p.m.

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Jeff Gauley,  
Secretary/Heritage Officer

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Jacqueline Hamilton,  
Deputy Commissioner

JG: CO'C