

HERITAGE ADVISORY COMMITTEE
MINUTES

January 27, 2010

- PRESENT: Mr. Stephen Terauds, Chair
Ms. Catherine Thibeault, Vice Chair
Mr. Arthur Irwin
Ms. Lisa Miller
Ms. Carly Soresen
Ms. Tori Jarvis
Mr. David Chu
Ms. Susan Carroll
Councillor Lorelei Nicoll
Councillor Jennifer Watts
- REGRETS: Mr. Adam Conter
Mr. Mark Archibald
- STAFF: Ms. Maggie Holm, Heritage Planner
Mr. Bill Plaskett, Heritage Planner
Ms. Sheilagh Edmonds, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 3:04 p.m. in Halifax Hall, City Hall.

2. APPROVAL OF MINUTES

The Chair referred to page 7 of the November 25, 2009 minutes and advised that he would like to revise the motion concerning the plaque to provide more clarity. He added that, if the Committee was in agreement, he would follow up with the Legislative Assistant and provide revised wording in this regard.

MOVED by Mr. Irwin, seconded by Ms. Miller that the minutes of November 25, 2009 be approved with the revision as noted by the Chair. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Chair advised that staff have approached him with an added item to the agenda. He explained that the first application under the new Downtown Halifax Site Plan approval process is proceeding through the Design Review Committee, and staff are requesting a special meeting of the Heritage Advisory Committee be held to provide advice on the application. However, prior to this staff have requested today that they provide a presentation to the Committee on the new process. The Chair advised that if the Committee was in agreement to add the presentation, he would place it on the agenda before item 7. The Committee **agreed to add** the presentation and the following item was added to the agenda:

Additions:

- 8.1 Staff presentation on the Downtown Halifax Site Plan Approval Process.

In addition to staff presentation, the Chair advised that Mr. Plaskett was requesting an item also be added to the agenda. He asked Mr. Plaskett to explain the item.

Mr. Plaskett advised that, if the Committee agreed to add his item, he had a report to circulate in regard to the 'Applications Under the 2009 Barrington Street Heritage Conservation District Incentive Program'. He noted that there was some urgency to this matter as the 2009 applications have to be dealt with before the end of the fiscal year.

Mr. Plaskett also pointed out that the process of dealing with the current applications have led staff to clarify certain terms and conditions for next year's applications, and staff would like to review this with the Committee as well if time permitted.

The Committee **agreed to add** the following item to the agenda:

- 8.2 Heritage Incentives: Barrington Street Heritage District

The Chair noted that a new member had been appointed to the Committee to fill a vacancy. He introduced Mr. David Chu and roundtable introductions were made.

4. BUSINESS ARISING FROM THE MINUTES:

4.1 Role of the Committee Re: Heritage Grant Applications - Staff Update

The Chair advised that staff is still working on gathering information on this matter.

4.2 Status of the Review Process of the Committee's Role in Applications and Heritage Conservation Districts - Staff Update

The Chair noted that this item would be covered in the presentation that was added to the agenda.

5. DEFERRED ITEMS: None

6. CORRESPONDENCE, PETITIONS & DELEGATIONS:

6.1 Correspondence: None

6.2 Petitions: None

6.3 Presentations: None

6.4 Updates from HAC Members - HRM Committees and HAC Sub-committees: None.

During the approval of the order of business, the Chair advised that the added items would be deal with prior to agenda item 7 - Reports.

8. ADDED ITEMS:

8.1 Staff Presentation on the Downtown Halifax Site Plan Approval Process

Ms. Kelly Denty, Supervisor, Planning Applications addressed the Committee and advised that the first meeting of the Design Review Committee was held this past Friday, and mainly dealt with the new site plan approval process the Committee. In this regard, she noted that the Design Review Committee, when reviewing applications, would like to get the Heritage Advisory Committee's advice before it makes a recommendation on an application.

Ms. Denty advised that under the new site plan approval process there are established timelines for an application to be processed, i.e. the Design Review Committee has to make a decision within 60 days of an application being received. She explained that the Heritage Advisory Committee's role is the same as it has always been in regard to making recommendations to Regional Council; and that the change pertains to the heritage conservation standards and the heritage design guidelines section of the design manuel. And, as well, there is design criteria. Ms. Denty advised that the next Design Review Committee meeting is February 11, 2010 and they will be reviewing an application. She added that, ideally, they would like to have the Heritage Advisory

Committee's advice on the application prior to their meeting.

For the information of the Committee, Ms. Denty circulated two Downtown Halifax Site Plan Approval Process charts—one in regard to Outside the Heritage Conservation District and one pertaining to Inside the Heritage Conservation District—and explained that, in the new process the Heritage Advisory Committee will continue to provide decisions to Regional Council and the decisions will be copied to the Design Review Committee.

Ms. Denty advised that there was only one difference between the two charts. She pointed out that the process for outside the heritage conservation district has a one year wait concerning demolition controls, but inside the heritage conservation district there is the ability to appeal to the Utility and Review Board.

Mr. Andy Fillmore, Project Manager, Urban Design distributed binders to the Committee members containing the following information:

- Downtown Halifax Secondary Plan
- Downtown Halifax Land Use Bylaw
- Barrington Plan
- Barrington Bylaw
- Site Plan Approval Application Forms

Mr. Fillmore provided an overview of Section 4 - Heritage Design Guidelines of the Downtown Halifax Land Use Bylaw and noted that this was the section which the Heritage Advisory Committee would use to evaluate applications of developments in the downtown area.

Ms. Denty noted that staff will be coming back to the Committee with a full report on the new process. She also indicated that a report would be forthcoming on the first application that is going through the new process.

Ms. Denty and Mr. Fillmore responded to questions.

8.2 Heritage Incentives: Barrington Street Heritage District

Mr. Bill Plaskett, Heritage Planner, circulated copies of a staff report dated December 7, 2009.

Mr. Plaskett provided background information on the incentives program advising that following Regional Council's adoption of the Barrington Street Heritage Conservation District Plan, and Ministerial approval, the Plan became effective in October 2009. He indicated that the Plan included a financial incentive program to encourage exterior restoration and interior upgrading of buildings within the Heritage Conservation District. Mr. Plaskett added that it was established as a five year program with a \$3 million budget, with \$1 million in the form of grants and \$2 million in the form of tax credits. He noted that the grant budget for 2009 was \$200,000.

Mr. Plaskett outlined the structure of the program highlighting, in particular, interior and

exterior costs which would be eligible for coverage and those aspects which would not be eligible. He noted that this program was roughly modelled on the program of the City of Winnipeg

Mr. Plaskett then provided a PowerPoint presentation on the three applications under consideration for 2009, as outlined in the circulated staff report. The grants and tax credits for the three applications were recommended by staff as follows:

- Freemasons Hall (1533 Barrington Street)
\$96,878 - Grant; and \$203,033 - Tax Credit
- Green Lantern Building (1585 Barrington Street)
\$96,878 - Grant; and \$488,020 - Tax Credit
- Colwell Building (1673 Barrington Street)
\$6,244 - Grant; and \$5,085 - Tax Credit

In his comments, Mr. Plaskett advised that because the program started late, not all of the projects will be completed in 2009. He pointed out that the Freemason building is substantially complete, but the other two will not be by the end of the fiscal year, so staff are recommending that the grant funding for these two be carried over in reserve account.

Mr. Plaskett referred to an attachment of amended recommendations to the staff report in which he circulated and advised that, subsequent to the sign-off process of the staff report, and based on advice from HRM Legal Services, recommendations # 1 and #3 in the December 7, 2009 staff report were reformatted into three separate recommendations dealing with the specific recommended grants, tax credits, and conditions of payment for each of the three applications.

Mr. Plaskett responded to questions.

In response to a question, Mr. Plaskett advised that the Freemason Building or the Green Lantern building projects would not be reviewed by the Design Review Committee because there are no substantial changes to the buildings.

In response to a further question, Mr. Plaskett advised that there is no disbursement of funds until the work has been completed.

Councillor Watts, noting that Mr. Jeff Webber, the owner of the Green Lantern building was in attendance, asked Mr. Webber for comment on how he found the process.

Mr. Webber expressed his appreciation to Mr. Plaskett in guiding him through the process, advising that he was very helpful and has worked very hard in regard to the program. Mr. Webber added that up until this point, his experience in dealing with HRM has been negative, noting that he has found HRM trying to prevent him from doing a good portion of what he wanted to do; however, working with Mr. Plaskett has turned around his perspective and now feels the Municipality is willing to work with him rather than against him.

Mr. David Garrett, representing the architectural firm working on the Freemason Building advised that the Heritage District Designation is going to be welcomed and will have a great impact over the next five years to an area that has lost its shine over the past couple of generations. With regard to the program, Mr. Garrett added that he was very pleased and impressed with the rigour at which the City was approaching it and noted Mr. Plaskett's participation, attention to detail, and level of effort he has gone through in regard to the program.

MOVED by Ms. Thibeault, seconded by Ms. Carroll that the Heritage Advisory Committee recommend Regional Council:

- 1. Approve a grant of no more than \$96,878 and a tax credit of no more than \$203,033 for the Freemasons Hall building, located at 1533, Barrington Street, as set out in the staff report dated December 7, 2009. The approval of this grant and tax credit is conditional upon, and payment to the applicant shall not be made until, the applicant has:**
 - a) completed the work as set out in the application to the satisfaction of the municipality,**
 - b) provided receipts and invoices to support the total amount approved, and**
 - c) executed and registered at the Registry of Deeds/Land Registration Office an agreement that they will not apply to demolish, nor will they demolish, the property for 20 years from the date of the agreement.**

- 2. Approve a grant of no more than \$96,878 and a tax credit of no more than \$488,020 for the Green Lantern building, located at 1585 Barrington Street, as set out in the staff report dated December 7, 2009. The approval of this grant and tax credit is conditional upon, and payment to the applicant shall not be made until, the applicant has:**
 - a) completed the work as set out in the application to the satisfaction of the municipality,**
 - b) provided receipts and invoices to support the total amount approved, and**
 - c) executed and registered at the Registry of Deeds/Land Registration Office an agreement that they will not apply to demolish, nor will they demolish, the property for 20 years from the date of the agreement.**

- 3. Approve a grant of no more than \$6,244 and a tax credit of no more than \$5,085 for the Colwell building, located at 1673 Barrington Street, as set out in the staff report dated December 7, 2009. The approval of this grant and tax credit is conditional upon, and payment to the applicant shall not be made until, the applicant has:**
 - a) completed the work as set out in the application to the satisfaction of the municipality,**
 - b) provided receipts and invoices to support the total amount approved, and**
 - c) executed and registered at the Registry of Deeds/Land Registration Office an agreement that they will not apply to demolish, nor will they**

demolish, the property for 20 years from the date of the agreement.

4. Approve the transfer of any unused grant funds from the 2009 Barrington Street Heritage Conservation District Incentives Program budget of \$200,000 (account C310-8004 Planning & Application-Grants) to the Heritage & Cultural Tourism reserve account Q312.

MOTION PUT AND PASSED.

7. REPORTS:

7.1 Staff:

7.1.1 Barrington Street Heritage District Incentives Program Revised Terms and Conditions

- A memorandum dated January 21, 2010 regarding Barrington Street Heritage District Incentives Program Revised Terms and Conditions was submitted from Mr. Bill Plaskett, Heritage Planner.
- A draft document entitled, Attachment "A", Barrington Street Heritage Conservation District Financial Incentives Program Terms and Conditions for Capital Grants, Tax Incentives, and Permit Fee Waivers - Proposed Revisions January 2010 was circulated.

Mr. Kurt Pyle, Supervisor, Planning Applications provided a brief overview of the proposed amendments to the terms and conditions for the 2010 Barrington Street Heritage District Incentives Program as contained in the circulated document. He advised that the purpose of today's presentation was to highlight the proposed revisions, and that if the Committee decided to hold a special meeting within the next two weeks, staff could provide a report for that meeting.

Mr. Pyle pointed out that staff would like to move forward as soon as possible on one of the revisions. He requested the Committee's consideration in putting forward a motion to extend the application deadline to March 31st but only for the 2010 year.

MOVED by Councillor Watts, seconded by Mr. Irwin that the Heritage Advisory Committee recommend that Barrington Street Heritage District Incentives Program Terms and Conditions be revised to amend the application deadline for 2010 be extended to March 31, 2010. MOTION PUT AND PASSED.

The Chair noted that if the Committee sets a date for a special meeting, he would appreciate having the staff report in advance of the meeting so that everyone would have time to read it.

7.2 Committee Members: None

8. ADDED ITEMS:

Added items were dealt with earlier in the meeting, prior to agenda item 7.

9. DATE OF NEXT MEETING

The Chair explained that the next regular meeting is scheduled for February 24, 2010, however, the Design Review Committee would like this Committee to review an application and provide advice before its next meeting, which was scheduled for February 11, 2010. The Chair asked those in attendance if they were in agreement to hold a special meeting and, if so, to determine a date before February 11.

A discussion ensued and it was determined that the date/time suitable for the majority in attendance was February 11, 2010 at 2:30 p.m.

10. ADJOURNMENT

The meeting adjourned at 4:54 p.m.

Sheilagh Edmonds
Legislative Assistant

INFORMATION ITEMS

A memorandum dated January 10, 2010 regarding the Committee's 2010 Meeting Dates was submitted from the Legislative Assistant.