

HALIFAX REGIONAL MUNICIPALITY

**HERITAGE ADVISORY COMMITTEE
MINUTES**

September 24, 2008

- PRESENT:** Mr. Tom Creighton, Chair
Councillor Robert Harvey, Vice Chair
Ms. Catherine Thibeault
Mr. Arthur Irwin
Ms. Susan Carroll
Mr. Mark Pothier
Mr. Michael Cross
Councillor Dawn Sloane
- ABSENT:** Mr. Stephen Terauds (regrets)
Ms. Lisa Miller (regrets)
Mr. Ryan Deschamps
- 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 3:02 p.m. in Halifax Hall, City Hall.

2. APPROVAL OF MINUTES:

MOVED by Councillor Sloane, seconded by Councillor Harvey that the minutes of August 27, 2008 be approved. MOTION PUT AND PASSED.

The Chair noted that at the last meeting, the Committee passed a motion requesting a status report on the Cultural Advisory Committee. He advised that he recently received information that Regional Council has approved extending the terms for Cultural Advisory Committee members to December 2008.

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

There were no additions or deletions to the agenda.

MOVED by Councillor Sloane, seconded by Mr. Irwin that the agenda, as presented, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING FROM THE MINUTES: None

5. DEFERRED ITEMS:

5.1 Case H00224: Substantial Alterations to 287 Portland Street, Dartmouth, a Municipally Registered Heritage Property

This matter had been dealt with at the Committee's August 27, 2008 meeting when, at that time, it was deferred pending additional information from staff.

Ms. Holm advised that she invited the homeowners, David and Tamara Perlmutter, to speak to the Committee and to respond to any concerns.

Mr. Perlmutter addressed the Committee and advised that their motivation for the work they are doing is to make the house more beautiful and have it conform to today's environmental standards. He explained that an energy audit was done on the home and a number of things have to be upgraded to make it more energy efficient, one of which is the windows. Mr. Perlmutter indicated that they are proposing to go with vinyl windows mostly due to the significant cost difference between wood and vinyl. He noted that wood windows would cost approximately \$35,000 versus \$12,000 - \$13,000 for vinyl windows. He added that vinyl windows look as good as wood windows and, because they are inserts, they are able to preserve all the moldings around the windows.

Mr. Perlmutter advised that they want to make a modest change to the largest window which currently is a slider-type of window. He explained the change they are proposing will give them more light and there will not be any division of the window at eye level. He noted that they have also been advised that if a window like this were made today as a slider type

of window, it would be so heavy it is unlikely they would be able to lift it open.

At 3:09 p.m. Ms. Carroll entered the meeting.

Mr. Perlmutter responded to questions.

MOVED by Mr. Cross, seconded by Ms. Thibeault that the Heritage Advisory Committee approve the substantial alterations to 287 Portland Street, Dartmouth, a municipally registered heritage property as outlined in the July 23, 2008 staff report. MOTION PUT AND PASSED.

6. CORRESPONDENCE, PETITIONS & DELEGATIONS:

6.1 Correspondence: None

6.2 Petitions: None

6.3 Presentations:

6.3.1 Presentation by HRM by Design

Information pertaining to the Downtown Halifax Urban Design Plan (updated September 9, 2008) was submitted.

Mr. Andy Fillmore, Project Manager, Urban Design provided a presentation to the Committee giving an update on the Downtown Halifax Urban Design Plan. He noted the following points:

- three committees of Regional Council will be asked to pass on a recommendation on the Plan to Council; January 2009 is targeted for First Reading.
- the legislative amendments in regard to the Municipal Government Act and Heritage Property Act that were forwarded to the Province previously for the Spring sitting of the legislature were deferred to the fall sitting. Over the summer staff have engaged in an active government relations plan with the members of the legislature and feel that there is now a better understanding of their Plan.
- Draft 2 of the Plan was developed over the summer and involved additional public input.
- Draft 2 has gone through an intense technical review by staff throughout the organization.
- There are three other projects related to the HRM By Design: A study of demand for future growth in downtown and the capacity for growth in the downtown; the Cogswell Area Master Plan; and the Spring Garden area lands plan.
- When the downtown piece of the Plan is finished they will be returning efforts to the regional centre, and delivering the final product for other neighbourhoods including downtown Dartmouth.
- The project timeline is: Final Draft - November; forwarding the final draft to Council's committees - December; recommendation for First Reading - January; and, public hearing in February.

Mr. Fillmore responded to questions.

The Chair questioned when the Barrington District plan will be implemented and if a moratorium could be implemented to prevent inappropriate development before the Plan came into effect. He noted that he was thinking in particular of the Roy Building in this regard.

In response Mr. Fillmore advised that the Barrington Improvement District plan is woven throughout the HRM By Design Plan and that the target date for Council's approval is February.

Mr. Plaskett added that the Barrington Street Plan does not stand alone and that it stands in context of other planning regulations. He explained that if it were to be restructured now, it would have to be restructured within the current Municipal Planning Strategy, and this Strategy will be removed with the approval of HRM By Design.

Mr. Fillmore pointed out that at one time the Urban Design Task Force discussed whether they should request a moratorium. He noted that he would raise this issue at the next Task Force meeting.

Councillor Harvey advised that it was his understanding only the Province was able to approve a moratorium.

Mr. Cross questioned what mitigation measures are in place in dealing with developments close to heritage properties. He suggested that the power for protection of heritage should rest with this Committee, and he also questioned what HAC's role would be in the Plan and how heritage concerns can be inserted directly into the Plan.

Mr. Fillmore responded that the heritage concerns are inserted in the plan now through bylaw and design guidelines.

The Chair questioned at what point the HAC would be consulted, advising that it currently seems at the last minute before HAC is consulted on applications.

Mr. Fillmore advised that intent is to come earlier to the committee and that HAC will become an Advisory Committee to the Design Review Committee.

In response to a question by the Chair, Mr. Fillmore concurred that the Heritage Advisory Committee would no longer report directly to Council, but that it would report to the Design Review Committee

Mr. Cross expressed concern about the Design Review Committee and how large heritage concerns would be handled by this committee, and how flexible the committee would be.

The Chair also expressed concern that such heritage matters will be in the hands of technocrats.

Ms. Thibeault advised that she supported the idea of staff coming to the Committee with applications earlier in the process. She added that she felt the current process has no

objectivity.

Mr. Fillmore pointed out that her concern has underscored the reason for this Plan, i.e. to tighten up the policies significantly. He noted that the power of the Design Review Committee is limited, and that the power lies in the Land Use Bylaw and the bylaws. He added that once the Plan is approved, the consultation aspect tails off, but he pointed out that built into the Plan is a one-in-five-year monitoring. So, if it is determined the Plan is not working, there is a process to review it.

The Chair suggested that the Design Review Committee be made up of a good balance of volunteers and professionals.

Mr. Fillmore responded that the initial intent was for the Committee to be comprised only of professionals, but this has been amended to include one citizen-at-large.

At this time Mr. Fillmore apologized to the Committee, as he had to leave. He advised that HRM by Design was holding a public open house and presentation this evening, beginning at 5:00 p.m. He suggested that if Committee members had additional questions, they could forward them to him via e-mail.

The Chair thanked Mr. Fillmore for his time and presentation.

6.4 Updates from HAC Members - HRM Committees and HAC Sub-committees:

None.

7. REPORTS:

7.1 Case 01006: Dartmouth Municipal Planning Strategy and Land Use By-law Amendment - Heritage Properties

A staff report dated July 15, 2008 was submitted.

Ms. Jennifer Chapman, Planner, reviewed the application which was initiated by HRM to amend the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to permit registered heritage properties to be developed with uses not otherwise permitted by the land use by-law, by development agreement. In her remarks, Ms. Chapman advised that the request is to extend a policy to the Dartmouth Plan, which is similar to the policy in the downtown areas of Halifax and Dartmouth.

Ms. Chapman explained to the Committee that, currently, if someone within the Dartmouth Plan area wanted to convert their heritage property to an inn, they would not be able to because of the zone. She added that it is hoped that by relaxing the zoning, it will encourage more residents to register their heritage properties.

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

1. **Give First Reading to the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law as shown in Attachments A and B of the July 15, 2008 staff report and schedule a public hearing;**
2. **Approve the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law as shown in Attachments A and B of the July 15, 2008 staff report.**

Ms. Chapman responded to questions.

MOTION PUT AND PASSED.

8. **ADDED ITEMS:** None
9. **DATE OF NEXT MEETING** - October 22, 2008

Ms. Carroll provided her regrets for the October 22, 2008 meeting.

10. ADJOURNMENT

The meeting adjourned at 4:23 p.m.

Sheilagh Edmonds
Legislative Assistant