

**MINUTES**  
**TOWN OF ANNAPOLIS ROYAL**  
**PLANNING AND HERITAGE COMMITTEE**  
**March 14, 2011**  
**9:30 a.m.**

**Present:** Chair Peter Davies, Corinne Frantel, Grant Slinn, Ian Lawrence, Councillor Sherman Hudson, Councillor Kathie Frantel, Keith Saunders from ADPC. Administrative Assistant Monica Mills as recording secretary.

**Regrets:** N/A

**CALL TO ORDER:** The meeting was called to order at 9:30 am Chair Peter Davies.

**APPROVAL OF PHAC<sup>1</sup> MINUTES:** It was moved by Councillor Fearon, seconded by Grant Slinn that the minutes from February 14, 2011 be approved with amendments. Motion carried.

**ADDITIONS/DELETIONS TO AGENDA:**

- Letter from the Province
- Alan Melanson's house
- Freeman Butland's house, 204 St. Anthony Street

**APPROVAL OF AGENDA :** It was moved by Corinne Frantel, seconded by Councillor Fearon that the agenda dated March 14, 2011 be approved with additions. Motion carried.

**BUSINESS ARISING: PLANNING**

Item	Decision / Action	Responsibility	Target Date
1. 204 St. Anthony Street.	Chair Davies reviewed the initial application Heritage Building Application for 204 St. Anthony Street. He stated that the original motion was approved via telephone poll. He added that he was upset because the original conditions and		

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<sup>1</sup> Planning and Heritage Advisory Committee

	<p>details were not included in the motion made to Council on January 17, 2011. Therefore, what Council approved was not totally what PHAC<sup>2</sup> had recommended. He asked Keith Saunders to verify the conditions as stated on the original application and to circulate his findings to the committee members.</p>		
<p>2. Letter from Bill Greenlaw, Executive Director Heritage Division.</p>	<p>Chair Davies stated that there appear to have been a range of detail amendments to the Heritage Property Act. Chair Davies asked when did the Law Amendments Committee met and if there was advertised notification to municipalities that the committee was to meet on the proposed amendments. Chair Davies stated that typically the law amendments committee is the forum where you can make presentations regarding proposed changes. He added that his concern was that many people were unaware that the process was occurring.</p> <p>A detailed list of proposed amendments to the Act was included in the package in the agenda material. Chair Davies asked Keith Saunders if the Province had issued an amended act. Keith Saunders replied in the negative. He added that he had sent corrections to the Province but he has not received any reply from the department. He added that the website was not updated. Chair Davies requested that Keith Saunders to get a timeline for the publication of the revised Heritage Act. He also expressed his concern was regarding heritage conservation district legislation. Keith Saunders noted that there were three or four points that stood out to him. The first notable change was that the committee now had three years to consider an application as opposed to one year. He added that the definitions "public-building interiors" and "cultural landscape" have been added. Keith Saunders stated that fines for corporations that breached the Act had been increased from \$100,000.00 to \$250,000.00. He added that previously if an application was not approved, the applicant to wait one year and then they could proceed with their changes. This period of time has been increased to three years. He added that a written report was required in thirty days and that time period has been increased to three years. Keith Saunders concluded by stating that several definitions were added to the beginning of the Act. Keith Saunders was asked if he could review the proposed changes and compare them to the concerns that the committee had forwarded to the Province, so that the Committee could see how responsive the Province was to their concerns. Chair Davies stated one provision that was apparently missing and that he felt was quite important was the provision that addressed the maintenance of building in the three year waiting period. 'Deliberate</p>		

<sup>2</sup> Planning and Heritage Advisory Committee

	neglect'. The Unsightly and Dangerous Premises bylaw would not appear to be adequate to address this issue.		
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### NEW BUSINESS: PLANNING

3. Development and Building Report (February 2011)	The reports were briefly discussed.		
4. MPS <sup>3</sup> -LUB <sup>4</sup> referral on signs	Chair Davies stated that the committee had asked when they would be able to do the amendments to the LUB to reflect the MPS policy on controlling signs on buildings adjacent to heritage properties. He added that there is a policy in the present MPS that would cover these situations; however, it is currently missing from the by-law. He added that a motion to amend the LUB was recommended to Council. Chair Davies said that from his discussions with CAO <sup>5</sup> Boyer that the amendment would occur in the overall review meaning that it would likely be completed in approximately eighteen months/two years. In the meantime, there is an ongoing and continuing issue with signage; he added that the motion from PHAC was aimed at bringing the policy and the by-law up to date now, not in two years time. He added that CAO Boyer believed that it should be delayed and addressed in the MPS/LUB review as it would cost too much to advertise in the Spectator. Councillor Fearon stated that she would not like to create more cost for the Town. Chair Davies reminded the Committee that if it is only a policy then it can't be enforced. Only if it is in the LUB is the provision enforceable. Apparently the only issue was the cost of advertising in the Spectator. He felt that consideration should be given to advertising in the Clare Shopper, which is how the County of Digby and the Town of Digby have advertised in this Journal as it is cheaper. Ian Lawrence noted that the Clare Shopper goes to every household. Chair Davies suggested that Administration look into this option and whether it would meet the requirements. He felt it important to pursue that particular amendment to avoid future issues with signage in the interim before the MPS/LUB review is completed. Councillor Fearon recommended that it might be a good option to advertise in the Town Crier. Chair Davies stated that it would be necessary to review the MGA <sup>6</sup> to see if it specifies advertising in a newspaper. If not then in		

<sup>3</sup> Municipal Planning Strategy

<sup>4</sup> Land Use By-law

<sup>5</sup> Chief Administrative Officer

<sup>6</sup> Municipal Government Act

	which case advertising in the Town Crier would not be acceptable. Councillor Fearon stated that if that were the case then the Clare Shopper would not be acceptable. Chair Davies asked the committee how they would like to handle the situation. Corinne Frantel stated that according to the minutes Councillor Fearon made the motion to pursue the amendment and that the matter be referred to the ADPC <sup>7</sup> . She added that something should be in motion to clarify the matter of timing and cost		
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#### NEW BUSINESS: HERITAGE

Item	Decision / Action	Responsibility	Target Date
1. Building Awards	Chair Davies presented the new brochure for the building awards. He noted that one application had been received. He added that the applications should be held in confidence by Administration in a separate file.		
2. Heritage Act Update	Chair Davies asked the committee if they had anything else they would like to address. He added that there was a Heritage Conference in Truro in June. Councillor Fearon expressed interest in attending. Councillor Hudson stated that he would attend if Councillor Fearon was unable to. Councillor Fearon requested an application form. Chair Davies stated that he had to go as he was a focus group leader. He added that he would find a registration form for Councillor Fearon.		
3. Building and Alteration Guidelines	Chair Davies stated that what he had presented to the committee was a consolidation of the amendments that were proposed. He noted that he would like to draw the committee's attention to some additions he had made: 1. Garage Doors: the preferred approach is wood. He asked the committee if this addressed the issue as there are both side-hung doors and overhead doors. He noted that an overhead door on a 1850s carriage house would be inappropriate; he asked the committee their opinion. Councillor Fearon added that the finished appearance of the door should be sympathetic to the overall appearance of the property. Grant Slinn		

<sup>7</sup> Annapolis District Planning Commission

	<p>agreed adding that many manufacturers were aware of the demand for authentic looking products.</p> <p>2. Wood Inserts for Windows: preferred wood frame Chair Davies questioned whether it should be stated that frame also includes window inserts installed in wood frames. He added you could have a wood frame with a vinyl insert. Councillor Fearon stated that that is what has been occurring. Since Chair Davies felt it important to include wood inserts, he asked the committee for their feedback. Councillor Fearon stated that it would be important to add this to the recommendation as it was a list of preferred approaches.</p> <p>Chair Davies stated that he was disappointed in the results of these discussions as he would have liked to see something that would address the quality and condition of the subject building itself. He added that if a building is largely unchanged from its original construction then the notion of preferred should become mandatory. There should be a requirement to retain any original element of that building or at least replace it in its original form. The next category might be a building that largely exists in its original form with some minor changes, at which point any additional changes should be aimed at duplicating, in a visual sense, the element that has been lost. The third category would be the brand new construction.</p> <p><b>It was moved by Corrine Frantel, seconded by Councillor Fearon that the Building and Alteration Guidelines as amended be recommended to Council for approval. Motion carried.</b></p>		
<b>4. Request for advice: Far-Fetched paint colour</b>	<p>Ian Lawrence stated that he had found some valuable and concise information on Victorian colours (see Appendix A). Grant Slinn commented that after the Victorian age was the Arts and Crafts style which was a reaction to the Victorian style. Councillor Fearon asked if anyone had examples of Arts and Crafts colours. Ian Lawrence asked if they would be more natural colours. Chair Davies added that pastel colours would be for the Art Deco/ Arts and Crafts palette. Ian Lawrence stated that it's more wide-open than that. There are few examples of Art Deco in the Town with the exception of the Newman's building. He added that he would suggest that there aren't recommended colours for that situation that it would be more individual taste. Grant Slinn stated that in his initial conversations with Cindy, she had suggested green which he felt would be tricky. He</p>		

	<p>initially thought brown would be a good recommendation but he added that when the building was first constructed with cement block that mimicked stone. He suggested that perhaps returning to the original gray and experimenting with different coloured trim would be a good idea. Ian Lawrence commented that the building was originally a garage, he suggested that the owners submit some colour examples to PHAC. Councillor Fearon stated that they should be notified that at this stage PHAC can make recommendations regarding colour but can not enforce compliance. Chair Davies stated that there were two issues: 1. How to word the colour aspect in the guidelines and 2. How to proceed with the request from Far-Fetched Art Gallery. He asked the committee how they should proceed. Grant Slinn stated that more internet resources should be added to Appendix A. He added that they could create a reference that residents could refer to. Ian Lawrence stated that he would gather information and draft a reference that would cover a lot of buildings in town. Grant Slinn stated that a tentative response would be to thank Far-Fetch for asking for advice and that PHAC is open to assist them; however, ultimately it was the owners' decision. Grant Slinn said that he would respond to the owners.</p>		
<b>5. Alan Melanson's House</b>	<p>Councillor Fearon stated that there was something in the Council minutes that stated that all of the heritage applications had been dealt with, but they haven't. She added that at the same time that Adrian put in his request Alan Melanson put in his. Ian Lawrence stated that he had done a write-up regarding the Melanson's property. Councillor Fearon asked if it came before the committee because Adrian's property did. Ian Lawrence stated that he wrote up a report on Adrian's house, Jane Nicholson's house, Phil Roberts' house and Adrian's house. Keith Saunders stated that there were still two applications being worked on currently. Councillor Fearon asked Keith to email her and the committee the information. Chair Davies requested an update for the next meeting. Councillor Fearon stated that it was being emailed around to Council that it was costing \$150.00 to \$160.00 to register a building and some councillors felt the cost should be recouped from the home owners. She added that the Town of Annapolis Royal pays more to ADPC than the other two communities, as the Town asks for more work from ADPC. She stated that the elevated cost would cover these costs and apparently the Town was billed for this cost. Ian Lawrence said that</p>		

	you can not recoup the cost from property owners, he added that it would be very counterproductive.		
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Chair Davies and Councillor Fearon indicated that they may not be able to attend the April meeting.

**NEXT MEETING    April 11, 2011 at 9:30 am**

**ADJOURNMENT: It was moved by Corinne Frantel, seconded by Councillor Fearon that the meeting be adjourned at 10:25 am.**