



## **Minutes of Built Heritage Experts Panel**

**December 9, 2020**

**12:00 p.m.**

**Virtual**

**Present:** Dawn Boutilier, Planner  
Rachel Fitkowski, Landscape Architect  
John Hancock, Architecture  
Katherine Hann, Historian/Archival Expert/ Historic Preservation  
Nicholas Lynch, Other Category

**Regrets:** Mitchell O'Reilly, Contractor  
Michelle Sullivan, Other Category

**Staff:** Ken O'Brien, Chief Municipal Planner  
Ann Marie Cashin, Heritage and Urban Planner  
Rob Schamper, Technical Advisor  
Maureen Harvey, Legislative Assistant

### **1. CALL TO ORDER**

Ken O'Brien called the meeting to order and welcomed new and current panel members. It was acknowledged that we need to select a chair and members were asked to give consideration to this position. Also, recognizing the privacy of panel members' email addresses, all members agreed to share their addresses with one another to avoid having to blind copy everyone with emails, agendas and attachments.

### **2. PRESENTATIONS/DELEGATIONS**

#### **2.1 Orientation for New and Returning Members**

Presentation by City staff. Attached for your reference is the BHEP TOR.

Ken O'Brien, Chief Municipal Planner and Ann-Marie Cashin, Heritage Planner, conducted an orientation presentation, a copy of which is

appended to this agenda. The presentation focussed on the purpose of the Panel, process for consideration of agenda items, identification of spokespersons, and a brief review of the terms of reference.

**3. APPROVAL OF THE AGENDA**

**Recommendation**

**Moved By** Dawn Boutilier

**Seconded By** John Hancock

That the agenda be adopted as presented.

**CARRIED UNANIMOUSLY**

**4. ADOPTION OF THE MINUTES**

**4.1 Adoption of Minutes - September 30, 2020**

**Recommendation**

**Moved By** Dawn Boutilier

**Seconded By** Rachel Fitkowski

That the minutes of the September 30, 2020 meeting be adopted as presented.

**CARRIED UNANIMOUSLY**

**5. BUSINESS ARISING FROM THE MINUTES**

**6. NEW BUSINESS**

**6.1 MUN Campus Master Plan**

Verbal discussion.

The Panel was informed that the City Clerk's office was requested to circulate an email regarding the MUN Campus Master Plan to all advisory committees/experts panels to discuss whether feedback was warranted and/or if members wished to attend some of the upcoming engagement sessions.

Essentially, the online engagement platform is for the St. John's and Signal Hill campuses and to seek ideas from the Indigenous community. Members were advised that site registration is required to submit feedback.

Discussion took place with the following points noteworthy:

- while there are currently no MUN buildings that have received heritage designation, there are some that are of interest to the city.
- buildings on MUN campus belong to the Province
- given the age of the structures and the likelihood of upcoming renovations/repurposing, it is a good time for a discussion to take place with MUN in the interest of heritage, before changes are implemented. It was also noted that MUN (being owned by the Province) does not require submission of development or building applications and does not require consultation with the City.
- it may now be appropriate to introduce a greater presence of heritage culture at MUN. It is not just about the structures, but the legacy ought to be introduced and taught at MUN.

Discussion concluded that individual members who are interested, ought to register to submit feedback. As for collective feedback from the Panel, this would be a City decision for which interest will be sought.

## **6.2 3 Park Place – Text Amendment Application**

The Panel was informed the City has received an application to develop a Dwelling Unit in a Carriage House (a historic residential accessory building) at the rear of 3 Park Place along Rennie's Mill Road near Bannerman Park. A text amendment to the St. John's Development Regulations is required in order to consider this development. Council has directive to advertise the proposed amendment for public comments and has referred the application to the Built Heritage Experts Panel.

The subject property is located in Heritage Area 1, is in the Residential Low Density District of the St. John's Municipal Plan and is zoned Residential Low Density (R1). This property is designated by Council as a Heritage Building and is a rare instance where the designation includes the entire property, not just the footprint of the main building. Therefore, both the house and the Carriage House are designated as Heritage Buildings

In the Statement of Significance (attached), the character-defining elements of the Carriage House include those original features that reflect upper-class outbuilding architecture for that period, including a mansard

roof with dormers, original window and door openings, large garage doors originally intended for a horse carriage, and location at the rear of the property.

This is a significant change to consider a dwelling unit in an outbuilding on a residential property, and such an application has always been rejected, so some background is important. We have received one similar application in recent years (it did not proceed). The reason this is being considered now is to allow the economic use of a heritage property, with the aim of ensuring that it remains standing rather than being torn down and lost at some time in the future. This is in line with why a heritage designation can enable other uses beyond what is typically allowed in a zone.

The proposed amendment is written specifically for Heritage Use, which applies only to a designated Heritage Building. Therefore, it does not set a precedent for other property owners to allow them to develop a residential dwelling unit in a backyard shed, garage or other outbuilding.

### **Background on Previous Applications**

In 2002, the property owners at the time applied for a permit to do interior and exterior renovations on the Carriage House. When the City inspected the renovations, we found that the contractor had installed living quarters (washroom, bedroom and kitchen) in violation of the St. John's Development Regulations. The owner was ordered to remove the bedroom and kitchen and did so.

An application followed soon after to add a living unit in the Carriage House. Residential units are not permitted in accessory buildings, so the application was rejected. The owner at the time appealed the decision; the St. John's Local Board of Appeal denied the appeal.

### **Current Application**

The current owner is different from the previous owner. The current application requests a text amendment to the Development Regulations to allow a Dwelling Unit in the Carriage House. As the Carriage House is designated by Council as a Heritage Building, a Heritage Use could be considered.

HERITAGE USE means any Use of a designated heritage building which is, in Council's opinion, compatible with the adjoining Uses.

The St. John's Regional Fire Department expressed no concerns

regarding access for firefighting. However, the SJRFD did note that the developer will need to contact the City's Inspection Services Division to ensure that the National Building Code is followed for renovations. Should Council agree to adopt the amendment to enable such an application, the owner would apply for a renovation permit later.

The application was reviewed by the City's Development and Engineering staff. Engineering staff specified how the building would need to be serviced to accommodate two residential buildings on the one lot, but there were no concerns with the proposed use.

### **Draft Amendment**

The draft text amendment is attached for reference. The idea of allowing more than one residential building on a lot by converting a Carriage House into a dwelling unit is a new concept for St. John's, though similar developments are allowed in other Canadian cities. The amendment would limit the conversion to designated Heritage Buildings only. Currently, there are four (4) heritage-designated Carriage Houses in the city: Sunnyside Coach House at 70 Circular Road, Angel House at 164 Hamilton Avenue, the Squires Barn and Carriage House at 315-317 Mount Scio Road, and 3 Park Place.

### **The proposed amendment:**

- will not allow a dwelling unit to be developed within an accessory building unless it is designated as a Heritage Building and approved by Council;
- will not allow the property owner of a Heritage Building to apply for a new accessory building for the purpose of adding a residential unit;
- will limit the number of units in a designated Carriage House to 1 Dwelling Unit; and
- could allow someone who owns a non-designated historic Carriage House to apply for designation in order for Council to consider a residential unit in the Carriage House.

To make this clear in the Development Regulations, three changes are required:

1. Add a definition for Carriage House.
2. Exclude Carriage House from the definition of an Accessory Building.
3. Add conditions for a Heritage Use (Carriage House) to Section 7 "Special Developments".

The Panel was informed the attached amendment is in draft form. Edits can be made to the amendment following public consultation and before Council votes on whether to adopt it.

Discussion took place with the following points noteworthy:

- consideration of the impact given the area in question is a National Historic Site. i.e. whether it would be more appropriate to deal with the application under the national designation.
- heritage designations are silent on the internal elements of a structure.
- while the Panel's support of the application at this stage can be given, there will be other opportunities for public feedback when the amendment goes to a public meeting.

**Recommendation**

**Moved By** Rachel Fitkowski

**Seconded By** Dawn Boutilier

That the Built Heritage Experts Panel support the proposed text amendment for development at 3 Park Place i.e.

1. Add a definition for Carriage House.
2. Exclude Carriage House from the definition of an Accessory Building.
3. Add conditions for a Heritage Use (Carriage House) to Section 7 "Special Developments".

**CARRIED UNANIMOUSLY**

**6.3 Schedule for Upcoming Meetings**

It was agreed that for logistical reasons relating to minutes and reports, that meetings would be held on the same day as Council meets in Committee of the Whole. The first meeting for 2021 will be held January 13, 2021.

**7. ADJOURNMENT**

There being no further business, the meeting adjourned at 1:36 pm.

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GLENN BARNES, CHAIR