



# AGENDA

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Heritage Advisory Committee Meeting

Monday, April 20, 2020 at 2:00 p.m.

Via Audio/Video Conference

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Please click the link below to join the webinar:  
<https://zoom.us/j/477064753>

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1. Agenda - *motion to approve.*
2. January 20<sup>th</sup>, 2020 Heritage Advisory Committee meeting minutes - *motion to approve.*
3. Public Hearings and Presentations
4. Unfinished Business
  - a. Heritage Conservation District Plan and By-law Review – *staff report.*
5. New Business
  - a. Heritage Recognition Awards – *staff report.*
  - b. Heat Pump: 114-118 Lincoln Street - *staff report.*
6. Adjournment – *motion to adjourn.*

*→Agenda items awaiting staff reports, etc. for further consideration*

Agenda Item	Department	Meeting Assigned	Status
(Nil.)			

**HERITAGE ADVISORY COMMITTEE MEETING RECOMMENDATIONS**  
**MONDAY, JANUARY 20, 2020**

1. To recommend that Council approve the adoption of the Heritage Day Proclamation for February 17, 2020 (Schedule "D").

**HERITAGE ADVISORY COMMITTEE MEETING MINUTES**

**MONDAY, JANUARY 20, 2020 AT 5:15 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Councillor Peter Mosher, Chair  
Councillor Ronnie Bachman  
Stephen Ernst  
Nathalie Irving  
David John Lobb  
Oliver Osmond  
Mayor Rachel Bailey, ex officio

**ALSO PRESENT:** Arthur MacDonald, Heritage Manager  
Heather McCallum, Assistant Municipal Clerk

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The Chair called the special meeting to order at 5:15 p.m.

1. Agenda

**Motion:** moved and seconded to approve the agenda, with the addition of a “business arising” item as 5.c. **Motion carried.**

2. November 18<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes

**Motion:** moved and seconded to approve the November 18, 2019 Heritage Advisory Committee meeting minutes. **Motion carried.**

3. Public Hearings and Presentations

N/a

4. Unfinished Business

a. Heritage Conservation District Plan and By-law Review

The Heritage Manager (HM) reviewed the report (**Schedule “A”**).

The Committee discussed Appendix A on development in the Tannery Road waterfront buildings area. **The Committee agreed by consensus to remove the “commercial” from proposed new provisions 4.13 and 4.14, reserving these provisions for industrial buildings only.**

b. Heritage Conservation District Plan and By-law Review – Submission Review – staff report.

The HM reviewed the report (**Schedule “B”**).

The Committee, by consensus, approved the recommendations in the report regarding painting of railings and posts and fences, paint colour, and boundaries of the Heritage Conservation District.

5. New Business

a. Heritage Recognition Awards Program – Call for Nominations

The HM reviewed the report (Schedule “C”), and advised that he will advertise for nominations beginning February 4th and that the nomination period will close on March 6th. Winners will be presented with their certificates at the Town’s 267<sup>th</sup> Anniversary celebration, to be held on Friday, June 5, 2020.

b. Heritage Day Proclamation – February 17<sup>th</sup>, 2020

The HM reviewed the report (Schedule “D”).

Motion: moved and seconded to recommend that Council approve the adoption of the Heritage Day Proclamation for February 17, 2020 (Schedule “D”). Motion carried.

c. Business Arising: Heat Pump

It was noted by the Committee that the heat pump installation approved for 112-118 Lincoln Street is still not screened as required. The HM reported that he had contacted the applicant on this matter again last week. It was agreed by consensus to defer this item to the next HAC meeting, and determine next steps if the work has not been completed by that time.

6. Adjournment

The next meeting was re-scheduled to Wednesday, April 20, 2020 at 5:15 p.m.

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 6:09 p.m.

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Heather McCallum, Assistant Municipal Clerk

Circulated: \_\_\_\_\_

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Document No: 4(a)  
Meeting: HAC – April 20, 2020  
Circulate To: HAC, Council, BR,  
File:

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## MEMORANDUM

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: APRIL 15, 2020**

**RE: HERITAGE CONSERVATION DISTRICT PLAN AND BY-LAW REVIEW**

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1. **FACT**

**A. Preamble**

This report is a running account of discussions with the Heritage Advisory Committee during the Plan and By-law review since the adoption of the “Background Study -Towards a Revised Heritage Conservation District” approved by Council on March 27<sup>th</sup>, 2018. The newer text sections have been highlighted in “purple” to identify the most recent additions to the report since the last submission to the Committee for ease of reference.

**B. Background**

During the regular meeting of March 27<sup>th</sup>, 2018 Council approved the “Background Study - Towards a Revised Heritage Conservation District” complete with a Public Participation Program. In keeping with the Heritage Conservation Districts Regulations, the Background Study was submitted to the Minister of Communities, Heritage and Culture for his determination as to whether further background studies would be required. On May 17, 2018 the Minister advised no further background studies would be required.

The revised Heritage Conservation District Plan was reviewed by the HAC during their meeting of May 15, 2018. During the HAC meeting of July 16<sup>th</sup>, 2018 the HAC initiated the review of the revised Heritage Conservation District By-law. Comments were received and amendments were introduced into the proposed By-law, outlined in “red”. Staff met with the Town Solicitor to review the revised Plan and By-law. The attached draft By-law has incorporated revisions from this legal review. The most significant change is that due to Section 17 of the Heritage Property Act, designated Municipal Heritage Properties undertaking a substantial alteration will still require Council’s approval even though it meets the heritage provisions of the By-law. Part 3.17 of the By-law has been revised to reflect this requirement.

During the HAC meeting of September 17<sup>th</sup>, 2018 the Committee reviewed a table outlining the differences between the MPS/LUB Architectural Control Areas provisions and the proposed provisions under the Heritage Conservation District By-law. It was noted that the MPS/LUB provisions restricted development styles to those existing within 300 feet of the development whereas the proposed Heritage Conservation By-law enabled the development of any style

compatible with Lunenburg's Historic Architecture Styles as outlined in Schedule "C" of the By-law. This provides a greater selection (flexibility) to the applicant with regards to their development plans.

The HAC meeting of September 17<sup>th</sup>, 2018 also reviews a table outlining the differences between the existing Heritage Conservation District By-law and the proposed Heritage Conservation District By-law. The following amendments were noted:

- 1) That the section dealing with "Aprons" under decks and stairs be amended to enable the use of composite materials that have the appearance of wood and to encourage the use of wooden material that are painted or stained in a solid colour or otherwise left to weather in their natural finished state.
- 2) That the section dealing with additions onto existing buildings not to exceed 25% of the existing building's footprint be made more clearer in keeping with the definition of "Existing" to prevent the accumulations of additions over time without triggering the requirement for a public hearing process.

During the HAC meeting of October 29<sup>th</sup>, 2018 the Committee reviewed the Heritage Conservation District By-law, Sections 1.0 through 4.0, as well as Schedule "A", Schedule "B", Schedule "C" and Sections 1.0 and 2.0 of Schedule "D", Design Guidelines.

It was agreed that the HM will make the following revisions to the By-law and Guidelines for further Committee consideration:

1. The trigger for a public hearing for demolition reviews should be set at greater than 25% of the building's footprint rather than the proposed 50% as envisioned in the By-law.
2. Attached solariums, pergolas and trellises should be prohibited on the principal front and flanking facades of buildings.
3. Both canvas and plastic tarp shipyard buildings east of Ship Yard Hill will be further discussed.

During the HAC meeting of November 19, 2018 the Committee was in general agreement with the revisions to reduce the trigger for a public hearing for demolitions from 50% to 25% of the building's footprint as well as the revisions regarding attached solariums, pergolas and trellises being prohibited on the principal front and flanking facades.

The Committee discussed canvas and plastic tarp buildings and was in general agreement to enable them in the Marine Industrial (MI) Zone subject to being "temporary" under a proposed Land Use By-law provision. However, it was agreed that the issue pertaining to whether they should be for the shelter of ships and vessels solely, or if marine related purposes would also be appropriate should be further discussed. The Committee agreed to review this issue at the next meeting. Proposed drafts for the Committee's consideration are outlined below:

#### **4.2 Types of development for which a Certificate of Appropriateness shall not be required**

A Certificate of Appropriateness shall not be required for the following types of development:

- (8) canvas and plastic tarp buildings on lots directly abutting Lunenburg's Harbour located in the Marine Industrial (MI) Zone, subject to the requirements of the Land Use By-law, for the enclosure of ships, vessels and/or for the enclosure of other marine related equipment and accessory components.

### **5.23 Canvas and Plastic Tarp Shipyard Buildings**

Notwithstanding anything else in this By-law, canvas and plastic tarp buildings may be erected on lots directly abutting Lunenburg's Harbour located in the Marine Industrial (MI) Zone, subject to the requirements of the Land Use By-law, for the enclosure of ships, vessels and/or for the enclosure of other marine related equipment and accessory components without the issuance of a Certificate of Appropriateness.

The Committee then initiated the review of Part 3.0 "New Residential Buildings" of Schedule "D" – Design Guidelines. Overall the Committee was in general agreement with the provisions and agreed to pick-up and continue its review starting with Part 4.0 "New Commercial Buildings" at the next meeting.

During the HAC meeting of January 21, 2019 the committee was in agreement with the wording associated with Part 4.2 and Part 5.23 as submitted. The Committee then focus on Section 4.0 New Commercial Buildings and Section 5.0 New Waterfront Buildings.

Under Section 4.0 the Committee was in agreement that Part 4.6 Set-back should apply to all buildings and agreed to a slight re-wording from the version circulated for the meeting: "New commercial buildings shall have," to "New buildings in the GC zone shall have..." to be applicable for all new buildings along the streetscape, not just commercial buildings.

Under Section 5.0 the Committee recommended a re-wording of Part 5.22. Discussion arose about concerns about encasing concrete in traditional wood re: cost, aesthetic, maintenance, and safety. It was agreed that (a) concrete pilings are acceptable; and (b) above the waterline, it is preferred that concrete decking be encased in wood but will not be required.

### **5.22 Wharves**

The preferred material for wharves and wharves' decking is wood. However, wharves may be constructed of modern materials such as reinforced concrete piles with concrete decking or with modern composite materials. It is preferred when modern materials are used the modern material above the water line are encased with traditional wooden materials. However, modern materials above the water line not encased in traditional wooden materials are acceptable.

Overall the Committee was in agreement with the provisions of Part 4.0 and Part 5.0 and agreed to pick-up and continue its review starting with Part 6.0 "New Institutional Buildings" at the next meeting.

During the HAC meeting of March 18, 2019 the Committee reviewed Part 6.0 "New Institutional Buildings", Part 7.0 "Accessory Buildings (Outbuildings)" and Part 8.0 "Fences" and agreed to begin the next meeting with Part 9.0 "Signs" at the next meeting.

The Committee had a general discussion on what happens when a proposal does not meet the Design Guidelines. Currently there is no mechanism to allow approval of a development that does not meet the design guidelines, but it may be in Lunenburg's best interest to consider a mechanism to enable Council to consider the proposal rather than refusing the development outright or undertaking an amendment process to the By-law which requires a Public Hearing and Provincial approval, roughly a 3-6 month process. The HM will consider adding a "notwithstanding" clause to allow for a less onerous mechanism in consultation with the Town's Solicitor.

The illustrations in Part 7.15 dealing with "roof top Decks" for accessory buildings will be deleted to avoid confusion.

Under Part 8.0 “Fences” the Committee discussed whether it was appropriate to enable “Wooden Post and Iron Pipe fences”. It was agreed that the option should still remain with the inclusion of “Wooden or concrete post and iron pipe fences”.

Under Part 9.0 “Signs” it was agreed to add signage definitions from the Land Use By-law.

The Committee agreed to pick-up and continue its review starting with Part 9.0 “Signs” at the next meeting.

During the HAC meeting of May 27, 2019 the Committee reviewed Part 9.0 “Signs”, Part 10.0 “Utility Structures” and Part 11.0 “Retaining Walls”.

It was agreed that Part 10.1 be amended to ensure that utility structures located on or supported by the ground are prohibited from being located in the principal front yard or flanking yard of a property.

The HM submitted his memo regarding the inclusion of 5 additional Accessory Buildings that would require a Public Hearing prior to the issuance of a demolition permit. It was agreed that this concept will be reviewed again at the following meeting.

The HM introduced his memo regarding a general “Notwithstanding Clause” that would enable applicants the ability to go through a Public Hearing process for those developments that are not in compliance with the Heritage Conservation District By-law provided there is a significant community benefit. It was agreed that this provision would not be included in the proposed Plan and By-law but was identified as a provision that we would keep in mind in case a situation arises in the future where Council may be so inclined to implement at a later date.

This completed the HAC’s review of the proposed Heritage Conservation District Plan and By-law. It was agreed that the entire Plan and By-law will be submitted to the Committee during the following HAC meeting schedule for September 16<sup>th</sup>, 2019.

During the HAC Meeting of September 16<sup>th</sup>, 2019 the Committee reviewed the staff report regarding Accessory Buildings. Though all five accessory buildings were worthy of special protection requiring Council’s permission prior to the issuance of a demolition permit, it was agreed to accept those whose owners had agreed to the special protection measures, namely 120 Tannery Road and 160 Tannery Road. It was agreed that these two accessory buildings be added to the existing list of 36 Pelham Street and 56 Prince Street, pursuant to the Heritage Conservation District Plan and By-law review.

The Committee reviewed the draft Heritage Conservation District Plan and By-law and agreed to proceed with two Public Participation Meetings. The first scheduled for October 15<sup>th</sup>, 2019 which will focus on the Plan and By-law provisions and a second meeting scheduled for October 21<sup>st</sup>, 2019 focusing on the Design Guidelines.

#### **Public Participation Meeting Review:**

Two Public Participation Meetings were held (October 15<sup>th</sup> and October 21<sup>st</sup>, 2019) to obtain public feedback concerning the draft of the proposed Heritage Conservation District Plan and By-law.

During the Public Participation Meetings, the HAC heard comments that the requirement to paint or stain railings and fences should be removed. There was agreement from the committee members that this was a reasonable request and the Design Guidelines have been amended to reflect this notion.

Comments were received regarding the extension of the District's boundaries along the shoreline of Lunenburg's harbour, including the Foundry lands, the Golf Course as well as an extension along Bruma Road. Concepts Drawings A through F outlining the areas are attached for discussion. A further submission was received and is attached as Attachment D.

Though the Heritage Conservation Districts Regulations do not shed any light on whether a new background study would be required if the boundaries change, it should be noted that the Province may wish the Town to undertake a new Background Study if the proposed boundaries do change significantly. Note if the Province requires a new Background Study the Plan and By-law's approval and implementation may not happen until after the municipal elections in the fall of 2020.

### **Part 7(1) of the Heritage Conservation Districts Regulations - Background Study:**

#### **Background studies and information**

**7 (1)** In the preparation of a conservation plan and by-law, the council as a minimum shall undertake studies relating to the following:

- (a) the rationale or justification for heritage conservation measures in the district;
  - (b) the rationale for the boundaries of the district;
  - (c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
  - (d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).
- (2)** After acceptance by a council of background studies prepared pursuant to this Section, the council shall provide public access to the studies and provide two copies of the studies to the Minister.
- (3)** Within sixty days of the receipt of the studies, the Minister may prescribe additional background studies.
- (4)** The Minister shall advise the council when no additional studies are required.

Fees were raised as a concern. Though Certificates of Appropriateness and Development Permits are free, it is recommended that Council consider waiving the advertising costs associated with any required Public Hearing pursuant to the revised Heritage Conservation District Plan and By-law.

The Town received four (4) written submissions with regards to the Public Participation process. They are attached in Attachment C, D and E.

During the HAC meeting of November 18<sup>th</sup>, 2019 the public comments as well as the written submissions received through the Public Participation Meetings were discussed. Conversations during the Public Participation Meetings as well as the written submissions indicated a desire to extend the District's boundaries around the harbour to protect the aesthetics of the historic working waterfront. There was a desire of the committee members to keep the Review in line with a timetable that would enable Council to approve the District Plan and By-law prior to municipal elections in the fall of 2020 and maintain its approval in-line with the approval timetable of the proposed Comprehensive Community Plan, Municipal Planning Strategy and Land Use By-law. It was acknowledged that the extension of the boundaries would require the submission of a new Background Study which would require provincial review and may cause the process to be delayed beyond the municipal elections. Therefore, there was agreement to maintain the district boundaries as they were and consider the boundaries extension when deemed appropriate at a later date.

The Committee also discussed the ABCO's proposal in light of the proposed District Plan and By-law. There was agreement that industrial buildings along the New Town Waterfront Area should be able to use metal siding, particularly if the area had other existing buildings nearby clad with metal siding.

The triggers requiring a Public Hearing for certain developments such as new industrial buildings in the Waterfront Area was discussed and whether such requirement could be relaxed in the Tannery Road Waterfront Buildings Area to encourage industrial developments. These concepts are further explored in Appendix "A" for your consideration.

During the HAC Meeting of January 20<sup>th</sup>, 2020, the Committee endorsed the concept of proceeding with the proposed District boundaries as envisioned in the approved Background Study. With regards to the ABCO review, the Committee endorsed the concept of providing a notwithstanding clause to enable Industrial buildings in the Tannery Road Waterfront Building Area the ability to use metal cladding. The Committee also endorsed the concept of enabling new Industrial building to be permitted to be developed in the Tannery Road Waterfront Building Area without the requirement for a public hearing process provided all other applicable provisions of the By-law are satisfied.

The Committee review submissions received during the Public Participation Meetings with regards to whether the railings and posts and fences should be painted or stained a solid colour or otherwise left to weather in their natural finished state. The Committee endorsed the concept of keeping the options open to the applicant as to whether they wish to paint, stain or leave the wood to weather in its natural finished state.

The Committee review submissions received during the Public Participation Meetings with regards to regulating colour. The Committee supported the concept to educate applicants through historic colour brochures such as the "Historic Colours of Newfoundland" and "Benjamin Moore Historical Collection" brochures as a means of encouraging applicants to consider historic colours rather than regulating specific colours.

#### **Relationship with Comprehensive Community Plan (CCP):**

During the Council meeting of February 11, Council passed the following motion:

*Motion: moved and seconded that Council defer further consideration of the Heritage Conservation District Plan and Bylaw until such time as draft Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw are available as part of Project Lunenburg. Motion carried.*

Therefore, in most likelihood, the First Reading of the Heritage Conservation District (HCD) Plan and By-law will take place after the municipal elections scheduled for October 17<sup>th</sup>, 2020. This will give the HAC time to review the HDC Plan and By-law in light of the Comprehensive Community Plan (CCP), the draft Municipal Planning Strategy (MPS) and the draft Land Use By-law (LUB) and Subdivision By-law.

The Heritage Property Act and its corresponding Heritage Conservation Districts Regulations only enables certain items to be addressed through a Heritage Conservation District Plan and By-law. The CCP is much broader in scope. For example, such items such as culture, education and lifestyle, (the intangibles) are not directly related to the built environment (buildings) and as such would be better suited to be included in a Heritage Cultural Strategy document. However, there could be some overlap with policies of the CCP and the MPS that would need clarifying in the HCD Plan and By-law. A review of Project Lunenburg's Discussion Paper on "Built Heritage and Streetscapes" and the associated "What We Heard Report" is attached in **Attachment "A"**.

Staff will review the Comprehensive Community Plan (CCP) as well as the CCP's outcomes, namely the Municipal Planning Strategy, Land Use By-law and Subdivision By-law to ensure there are no major conflicts between documents.

### **Parks Canada Standards and Guidelines:**

One reoccurring theme in the development of the CCP is the notion of enabling modern developments in the Heritage Conservation District. The Standards and Guidelines provide the notion that original historic artifacts should remain distinguishable from any new element(s) introduced, whether it is introduced to the building, its settings, its streetscape or its area. So the "new" can be distinguishable from the "old". The Standards and Guidelines, Standard 11 provides the following:

#### **Standard 11**

(a) Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. (b) Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

The Heritage Conservation District By-law attempts to create a balance where additions or new constructions are visually compatible yet distinguishable from the historic place. The existing HCD Plan and By-law as well as the proposed HDC Plan and By-law follows this notion as is evident in the Canadian Architect article attached in **Attachment "C"**. The Proposed HCD Plan and By-law specifically mentions Standard 11 of the Standards and Guidelines as outlined in **Attachment "A"**.

If we proceed with amendments that enable modern developments with no design guidelines to ensure "compatibility" we would need to question the overall intent of the Heritage Conservation District By-law. The triggers with regards to when we proceed through a public hearing stage would need to be revisited. For example, why would we hold a public hearing for a review of the design of a new modern commercial development if there are no design guidelines under the By-law? The proposed By-law attempts to tighten the existing By-law to enable better interpretation and enforcement while maintaining set options/flexibility where specifically identified. We could go back to "may" or "should" to provide more flexibility in modern development designs, but Staff believes there is sufficient flexibility in the proposed By-law to create compatible yet distinguishable developments, that respect the old while providing the designer the option to add modern design elements into the fabric of the district. Modern new builds and additions are further discussed in **Attachment "B"**.

In keeping with Policy 4.8.1 of the existing Heritage Conservation District Plan and Part 4.9 of the Heritage Conservation District By-law, it is recommended that Council authorize the HAC to invite the Lunenburg Heritage Society to attend a HAC meeting to receive their comments for Council's consideration prior to holding a Public Hearing. Though Policy 4.8.1 intent is to provide for the Lunenburg Heritage Society's input for those developments requiring a Public Hearing for demolition or removal, it is recommended that their feedback be also be received for the Public Hearing for the adoption of a revised Heritage Conservation District Plan and By-law. Policy 4.8.1 of the HCD Plan as well as Part 4.9 of the HCD By-law are attached as **Attachment "G"** for your review.

Council will be considering the removal of Lot A1 Dufferin Street and the six (6) ABCO lots along Tannery Road from the Architectural Control Area in May, 2020. If they are removed, it is recommended that they also be excluded from the Heritage Conservation District as the intent was to incorporate the Architectural Control Areas into the Heritage Conservation District.

## **C. Proposal**

Throughout the By-law review the Committee discussed the restrictions on the use of materials. Staff recommended the status quo with regards to the restriction on wooden cladding materials but acknowledge the need to recognize issues pertaining to the longevity and maintenance of wooden materials. For example the By-law currently enables the use of vinyl insert windows, the use of metal roofing materials and the use of composite materials that have the appearance of wood in limited cases such as curved posts and aprons under decks and stairs. The By-law also enables the use of non-combustible materials where required under the Building Code.

Providing provisions that recommends materials but may include others, essentially enables the others as-of-right. This creates a slippery slope that may have dire consequences in the long run and is not recommended. Council does have the ability to incorporate provisions such as a "notwithstanding anything contained in this by-law" clause which could require, for example, the approval of modern composite materials through a public hearing process. This type of provision put the onus of approval on Council, the resolution of which may prove difficult at the best of times due to competing viewpoints between the needs of the applicant, neighbours, citizen groups, etc. Council's approval through the public hearing process may also be appealed to the Public Utility and Review Board pursuant to Section 19H (1A) of the Heritage Property Act. This may cause animosity between groups of competing viewpoints and could result in a no win situation. Rather than open Pandora's Box at this time, it is recommended that we do not implement a notwithstanding clause of this nature at this time.

### **2. ISSUES AND OPTIONS ANALYSIS**

The submission of the draft Heritage Conservation District Plan and By-law is intended for information purposes to aid in the further development of the District's Plan and By-law. Once the HAC and the Town Solicitor are comfortable with the draft, the HAC will then advertise for a Public Participation Meeting in keeping with the Public Participation Program.

The Public Participation Meetings were held on October 15<sup>th</sup> and 21<sup>st</sup>, 2019. It is the intention of the HAC to review the comments received.

### **3. FINANCIAL IMPACT**

There is a financial cost associated with undertaking a Revised Heritage Conservation District Plan and By-law. Sufficient funds have been allocated to proceed with the development of the Revised Heritage Conservation District Plan and By-law in the 2019/20 fiscal year's budget.

There would also be additional costs associated with waiving the advertisement fees for required Public Hearings associated with the revised Heritage Conservation District Plan and By-law.

### **4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

Strategic Plan Goal #1 – To enhance appreciation of Lunenburg's heritage;

Strategic Plan Goal #2 – To promote our UNESCO designation;

Strategic Plan Goal #5 – To develop and update Town By-laws;

### **5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council authorize the HAC to invite the Lunenburg Heritage Society for a discussion on the proposed Heritage Conservation District Plan and By-law and to receive their comments at a future meeting of the HAC prior to Council holding a Public Hearing.

As the Draft Heritage Conservation District (HCD) Plan and By-law is currently on hold due to the pending Comprehensive Community Plan (CCP), it is recommended that the invitation to the Lunenburg Heritage Society wait until the HCD Plan and By-law is reviewed in light of the provisions of the CCP, Municipal Planning Strategy and Land Use By-law.

**ATTACHMENTS:**

- A.** A review of Project Lunenburg's "Built Heritage and Streetscapes" discussion paper and "What We Heard Report".
- B.** Modern New Builds and Additions.
- C.** Canadian Architect: Homecomings: B2 Lofts, Lunenburg, Nova Scotia - Example of Modern Elements in District in keeping with Standard 11 of Parks Canada Standards and Guidelines.
- D.** Articles 172-174 Operational Guidelines for the Implementation of the World Heritage Convention
- E.** Proposed Heritage Conservation District Maps.
- F.** Background Study for the 2000 Heritage Conservation District (HCD) Plan.
- G.** Policy 4.8.1 of the HCD Plan and Part 4.9 of the HCD By-law

Acknowledged by:

Bea Renton  
Town Manager/Clerk

**ATTACHMENT “A”**  
**A review of Project Lunenburg’s “Built Heritage and Streetscapes” Discussion Paper**  
**and “What We Heard Report”.**

- 1) **The proposed Heritage Conservation District (HCD) Plan recognizes Parks Canada’s Standard and Guidelines. Part 3.8 of the proposed Plan is outlined below:**

**3.8 Parks Canada Standards and Guidelines**

Parks Canada has developed the Standards and Guidelines for the Conservation of Historic Places in Canada (Second Edition, 2011) which has been adopted by all Canadian provinces and territories including Nova Scotia. The Standards and Guidelines provides best practices for the care and conservation of heritage resources including cultural landscapes such as Heritage Districts. The Standards and Guidelines stresses the importance of retaining the character defining elements of a building, streetscape, or area as the case may be. New works should be compatible with, subordinate to and distinguishable from the historic place (Standard 11). The conservation of the heritage value and character-defining elements of buildings and their settings is paramount. The heritage value and character-defining elements should remain legible or enhanced after any development proposal.

**3.8.1** It shall be the intention of Council to promote conservation practices that help protect the heritage value and character-defining elements of buildings and settings by encouraging developers to consult with the most recent version of Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada as revised, updated or amended from time to time.

**3.8.2** It shall be the intention of Council to adopt Standard 11 of Parks Canada Standard and Guidelines by including in the Heritage Conservation District By-law a provision requiring the review of development proposals for the conservation of the heritage value and character-defining elements when any new developments are introduced to the District; and, a review to aspire for any new developments to be physically and visually compatible with, subordinate to, and distinguishable from the historic place.

**The Heritage Conservation District By-law notes the following:**

**3.18 Compliance with Parks Canada’s Standards and Guidelines - Standard 11**

Policy 3.8.2 provides for the adoption of Standard 11 of Parks Canada’s Standards and Guidelines. New works should be compatible with, subordinate to and distinguishable from the historic place (Standard 11).

To this end, development submissions/proposals:

- (1) shall be reviewed for the conservation of the heritage value and character-defining elements when any new developments are introduced to the District;  
and

- (2) shall be reviewed to aspire for any new developments to be physically and visually compatible with, subordinate to, and distinguishable from the historic place.

In addition,

In the case of an addition, modern design styles and materials not in compliance with Schedule “D” Design Guidelines, may be used in the transitional space between existing and new for the first 20% of the addition’s façade length (1/5<sup>th</sup> of the addition’s façade) to distinguish the addition from the existing building. The design guidelines shall continue to apply to the remaining 80% of the addition’s façade length (4/5<sup>th</sup> of the addition’s façade).

In addition,

The Standards and Guidelines may be used to assist the Heritage Officer in determining whether or not proposed alterations or additions are generally consistent with the existing structure and streetscape.

- 2) The proposed Heritage Conservation Plan (HCD) and By-law does not limit regulations to pre-1940 buildings. All buildings are regulated by design guidelines no matter when they were built. There are differences in the design guidelines according to the type of building, for example residential buildings are treated differently than commercial buildings and modern buildings may be renovated in-keeping with their particular design style with the option of being renovated in-keeping with the design style of any of Lunenburg’s traditional architectural styles. Modern design elements may be introduced to create a development that is physically and visually compatible with, subordinate to, and distinguishable from the historic place.
- 3) Views outside of the district and/or over bodies of water cannot be regulated or protected under the Heritage Property Act and therefore cannot be regulated pursuant to a Heritage Conservation District (HCD) Plan and By-law.
- 4) The history section of the HCD Plan has been expanded to recognize the Mi’kmaq and Acadian. The Comprehensive Community Plan (CCP) may include a policy for further discussions with the First Nations to broaden the Lunenburg (Merligueche) narrative. However, the HCD Plan focuses on the “existing” built environment and as such is not the appropriate document to address historic significance related to culture, education, or life-styles (the intangibles) unless they are directly associated with a particular building’s Statement of Significance (character-defining element). In this case only the built element, or section (part) of the building (the tangible) would be applicable. The appropriate place for these types of policies would be in the CCP, or a Heritage Cultural Strategy, or as part of the Municipal Planning Strategy (MPS).

- 5) In the “What we Heard Report” there was divergences in opinion for controls verses no controls.

Old Town Lunenburg is a National Historic Site and an UNESCO World Heritage Site. We have an obligation pursuant to Article 172 of the Operational Guidelines for the Implementation of the World Heritage Convention to manage this historic site. Articles 172-174 are enclosed in **Attachment D**.

Council is acknowledged as the state party to manage the UNESCO World Heritage Site. The level of controls is under their authority/administration. The implementation of no architectural design controls over the site would seriously impact Old Town Lunenburg’s ability to remain a World Heritage Site. Therefore, the question really is to what extent (level) Council wishes to impose controls to meet their obligations pursuant to the Convention. In staff’s opinion, a certain level of control is required.

In the “What we Heard Report” the use of modern materials was discussed. The HAC discussed this issue throughout the review and recommended to maintain the “authentic” use of wood as the District’s cladding material unless non-combustible cladding is required under the building code.

The UNESCO World Heritage Site acknowledges the authenticity of the site with wood construction and wooden materials. The use of modern materials such as glass curtain walls, concrete panels, tilt-up construction techniques, metal panels, varying open to wall ratio percentages, modern roof designs, etc, will have a dramatic impact on the visual authenticity, impacting the storyline of what is special about Lunenburg. Once Pandora’s Box is open it will be very difficult to close. The damage would have been done. One of the reasons for implementing controls was due to the apparent need to reverse the damage vinyl siding has done to the historic homes and streetscapes within the District. You may wish to review the Background Study for the 2000 Heritage Conservation District Plan for further information attached as **Attachment F**.

- 6) In the “What we Heard Report” the importance of maintaining a Tree Inventory and Tree Maintenance Plan was discussed. Policies incorporated in the HCD Plan outlines the following:

### **“Trees and Vegetation**

Trees play an important part in establishing the visual character of the Heritage Conservation District. Most trees are situated in public street right-of-ways owned and maintained by the Town. The Town carried out a public tree inventory in 1982 and operates, through the Public Works Department, a public tree conservation and maintenance program. The Town completed “The Stewardship of Lunenburg’s Green Infrastructure – A Report on Town-owned Trees” in 2014. The Report outlined tree policies for preserving and enhancing the public tree canopy.

**2.2.3** It shall be the intention of Council to conserve trees on public property in the Heritage Conservation District through a regular program of tree inspection and maintenance and through participation in programs such as the Tree Plan Canada Program.

**2.2.4** It shall be the intention of Council to consider the policies as laid-out in the 2014 “The Stewardship of Lunenburg’s Green Infrastructure – A Report on Town-owned Trees” and implement a varied species tree planting program to ensure that the future tree-scape of the Town will be as healthy, varied and full as possible.”

- 7) In the “What we Heard Report” the importance of maintaining views outside the district or over water bodies, particularly views over the harbour and views from the harbour towards Town, was discussed. Views outside the district or over bodies of water cannot be regulated through a HCD Plan and By-law. The authority to implement a municipal heritage conservation district comes from the Heritage Property Act and the Heritage Conservation District Regulations made pursuant to the Act. The Act only enables the protection of views from public places within the District to places within the District as acknowledged in the Regulations Definition of “Setting” outlined below:

### **Heritage Property Act Regulations:**

#### **Definitions**

**2** In these regulations ...

(j) "setting" means the arrangement of

(i) open spaces,

(ii) topography,

(iii) vegetation,

(iv) views from public places within the district to places within the district, and

(v) other natural or constructed features,

that together comprise the visual and physical surroundings of buildings in the district, and that may have historic or architectural significance in their own right;

#### **Content of a conservation plan**

**4 (1)** A conservation plan may include statements of policy with respect to the following:

(a) the conservation, preservation, restoration, rehabilitation, alteration or redevelopment of buildings or structures and their settings based upon their historic or architectural value;

(b) the demolition or removal of buildings or structures in the district;

(c) the effects of any alteration or redevelopment of the service infrastructure upon the heritage value of the district;

(d) the location and architecture of new developments and their settings in relationship to existing developments and their settings within the district;

(e) the conservation of settings;

(f) tourism and community improvement undertakings in the district;

(g) relationship of the proposed conservation plan and conservation by-law with other municipal, provincial or federal community planning or heritage planning policies, regulations or programs, other than those referred to in clause (e) of subsection (2);

(h) the use of agreements as provided for under Section 20 of the Act; and

(i) any other matter relating to the conservation of the historical, architectural or cultural value of the district.

- 8) In the “What we Heard Report” it recognized the importance of having a policy regarding Fire suppression in the District and the entire Town. The Town is mainly constructed of combustible wooded materials in close proximity to one another and it is recommended that such a provision be included in the CCP as well as the MPS. It does not necessary need to be in the HCD Plan.
- 9) In the “What we Heard Report” it recognized the importance of having policies regarding Climate Change threats. This, like Fire suppression, is applicable for the entire Town and it is recommended that such provisions be included in the CCP as well as the MPS. It does not necessary need to be in the HCD Plan.
- 10) In the “What we Heard Report” it recognized the support for green technologies such as solar panels. The provision to enable solar panels have been incorporated into Plan and By-law.
- 11) In the “What we Heard Report” it recognized the importance of expanding the narrative, the role of history, people and culture and Arts. These items should be incorporated into the CCP and/or MPS, not a Heritage Conservation District Plan and By-law whose main focus is on the built (tangible) environment. More appropriate to be included in a Heritage Cultural Strategy.
- 12) In the “What we Heard Report” it recognized the importance of having policies regarding the historic Landscape. The District Plan and By-law Policies 2.2.3 and 2.2.4 touches on this. The setting is very important and any substantial alternation to the setting that affects the character-defining elements of the District would be reviewed as part of any development proposal, particularly those requiring a public hearing.
- 13) In the “What we Heard Report” it recognized the importance of having policies regarding public amenities; street infrastructure, street lighting, active transportation, etc. can be incorporated in CCP/MPS. Most of these items are implemented by the municipality and as such are better suited for a Town Policy, such as a CCP and not a regulatory By-law such as a Heritage Conservation District By-law.

**ATTACHMENT “B”**  
Modern New Builds and Additions

If we enable modern new builds and modern additions to existing structures, what are we trying to accomplish with regards to the triggers for a Public Hearing? Why not just eliminate the triggers and enable new construction to proceed as-of-right? Why bother limiting additions to 25% of the existing footprint?

The trigger are currently:

#### **4.3 Types of Development Requiring Public Hearing**

Applications for a Certificate of Appropriateness for the following types of development shall be referred by the Heritage Officer to Council for consideration at a Public Hearing:

- (1)** The demolition or removal of
  - a)** more than 10 % of the total usable floor area of all floors of the main building including the usable floor areas of any basement and attic; or
  - b)** any part of a main building for which the cumulative sum of all areas of its horizontal dimensions exceeds 25% of the area of the existing footprint of the main building.
  
- (2)** The demolition or removal of
  - a)** more than 10 % of the total usable floor area of all floors of the
    - Anderson Barn (45 Montague Street);
    - Benjamin Knock Cobbler Shop (56 Prince Street);
    - Maurice Lohnes Barn (160 Tannery Road);
    - James Edwin Schwartz Barn (120 Tannery Road);including the usable floor areas of any basement and attic; or
  - b)** any part of the
    - Anderson Barn (45 Montague Street);
    - Benjamin Knock Cobbler Shop (56 Prince Street);
    - Maurice Lohnes Barn (160 Tannery Road);
    - James Edwin Schwartz Barn (120 Tannery Road);building for which the cumulative sum of all areas of its horizontal dimensions exceeds 25% of the area of the existing footprint of the building.
  
- (3)** Any new building containing more than two (2) dwelling units;
  
- (4)** Any addition to a building which is greater than 25% of the area of the existing building's footprint, or any addition where the cumulative sum of the area of additions over time is greater than 25% of the existing building's footprint, as it existed on September 4<sup>th</sup>, 2000 (either as an addition to the sides of the building or on top such as an additional storey). Notwithstanding the foregoing, those buildings located in the Waterfront Buildings Area as identified on Schedule “B”, Waterfront Buildings Area Map are exempt from this provision;  
  
and

- (5) Any new commercial buildings, any new industrial buildings, or any new institutional buildings including public buildings.**

The UNESCO World Heritage Site acknowledges the authenticity of the site with wood construction and wooden materials. The use of modern materials such as glass curtain walls, concrete panels, tilt-up construction techniques, metal panels, varying open to wall ratio percentages, modern roof designs, etc, will have a dramatic impact on the visual authenticity, impacting the storey line of what is special about Lunenburg. Once Pandora's Box is open it will be very difficult to close. The damage would have been done.

We could introduce new policy provisions such as the following but it is not recommended.

#### **“4.15 Modern Additions**

Notwithstanding anything contained in Schedule “D” Design Guidelines of this By-law, modern contemporary design additions may be constructed in the Heritage Conservation District provided the work is physically and visually compatible with, subordinate to, and distinguishable from the existing structure and that the character-defining elements of the existing structure are conserved and maintained with minimal impacts. This includes using materials, assemblies and construction methods that are well suited to the existing building's materials. The addition must not detract from the historic place or impair its heritage value.”

#### **“4.16 Modern New Buildings**

Notwithstanding anything contained in Schedule “D” Design Guidelines of this By-law, modern contemporary design new buildings may be constructed in the Heritage Conservation District provided the form, orientation and massing of the new building is compatible with the overall form, orientation and massing of existing buildings along the streetscape in which it is located and built of traditional wooden and glass materials or otherwise of a material enabled by this By-law.”

We have included the following provision to enable additions to existing buildings to be distinguishable from the heritage asset which enables modern elements to be introduced:

### **3.18 Compliance with Parks Canada's Standards and Guidelines - Standard 11**

Policy 3.8.2 provides for the adoption of Standard 11 of Parks Canada's Standards and Guidelines. New works should be compatible with, subordinate to and distinguishable from the historic place (Standard 11).

To this end, development submissions/proposals:

- (3)** shall be reviewed for the conservation of the heritage value and character-defining elements when any new developments are introduced to the District;  
and
- (4)** shall be reviewed to aspire for any new developments to be physically and visually compatible with, subordinate to, and distinguishable from the historic place.

In addition,

In the case of an addition, modern design styles and materials not in compliance with Schedule “D” Design Guidelines, may be used in the transitional space between existing and new for the first 20% of the addition’s façade length (1/5<sup>th</sup> of the addition’s façade) to distinguish the addition from the existing building. The design guidelines shall continue to apply to the remaining 80% of the addition’s façade length (4/5<sup>th</sup> of the addition’s façade).

In addition,

The Standards and Guidelines may be used to assist the Heritage Officer in determining whether or not proposed alterations or additions are generally consistent with the existing structure and streetscape.

# Attachment C

## Homecomings: B2 Lofts, Lunenburg, Nova Scotia

### Example of Modern Elements in District in keeping with Standard 11 of Parks Canada Standards and Guidelines



- Homecomings: B2 Lofts, Lunenburg, Nova Scotia

## Homecomings: B2 Lofts, Lunenburg, Nova Scotia



By Donald Chong On Apr 1, 2020

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**PROJECT** B2 Lofts, Lunenburg UNESCO World Heritage Site, Nova Scotia

**ARCHITECT** MacKay-Lyons Sweetapple Architects

**TEXT** Donald Chong

**PHOTOS** Matthew MacKay-Lyons



Set on one of the main streets of Old Town Lunenburg, a pair of structures inflects heritage typologies with contemporary programs and details.

Located on lands previously inhabited by native Mi'kmaq and Acadians, Lunenburg is widely considered the continent's best preserved planned British colonial settlement. It is best known for its brightly coloured mix of shingle-sided and gabled structures, climbing the steep hillside along the harbour.

These picture-perfect façades form a compact urban setting, built upon a 270-year-old working waterfront. In 1995, Old Town Lunenburg was designated a UNESCO World Heritage Site for its living catalogue of architecture related to 18th- and 19th-century fishing, shipping and shipbuilding. An extraordinary number of its timber buildings were handcrafted by German and Swiss Protestant settlers, and have been scrupulously preserved. While known for being the birthplace of the Bluenose, Lunenburg's advanced shipwright culture produced an array of businesses and accompanying buildings—from foundries to sailmakers, and from cooperages to blacksmiths.

To this day, many of Lunenburg's prime harbour locations continue to be used for the maritime industries, including a scallop fishery, a millwright's shed, and a dory building shop (for the local cod-fishing boats originally deployed from schooners at sea).

Rigorous heritage conservation is the starting point for any architectural intervention in this milieu. So it is particularly interesting to examine a new project in the heart of Lunenburg, developed and designed by MacKay-Lyons Sweetapple Architects (MLSA).

### **“Laurel and Hardy”: Partnering and Infill**

At first blush, B2 Lofts is a simple pair of structures on the well-travelled (and largely gentrified) Montague Street, the town's southernmost thoroughfare. Look more closely, and it reveals itself as a spirited architectural duo of forms—a pleasantly balanced “Laurel and Hardy” pairing.

A new addition to the east is slender and nimble, adorned in dory-yellow paint and weathering cedar. To the west is a finely refurbished nineteenth-century gabled commercial building—stoic, stout and rendered in charcoal tones. All told, this combination of two ostensibly separate buildings on a compact lot yields a rich mix of programs: six residential units shared between the two sides, a small retail unit, and a full-depth double-fronting space that currently houses MLSA's Lunenburg architectural studio.



The project includes a new addition, to the left, and a refurbished commercial building, to the right.

### **Syntax and Strategy: Trim Modernism**

The most striking aspect of B2 Lofts is its confident and unapologetic embrace of Lunenburg's architectural vernacular. Double-hung windows, wide-boarded corners, painted trim boards, panelled wood doors and articulated bargeboard details are all gracefully deployed—and, as if with a gentle wink to those who are attentive, with seemingly modern sensibilities.

The brevity and resulting dexterity with which B2 Lofts works within its constraints offers a prototype for Lunenburg and beyond. Without pretension, the project asks what it takes to remain contemporary and progressive in a highly-scrutinized, protected and well-loved historical town. Such circumstances could easily lead to acritical, rote and nostalgic references from a disconnected past. Here, however, we are witness to a present-day builder's hand, evidently synchronized with architects who are not the least bit unnerved in this historic setting with its preference for a local architectural language.

One begins to regain a certain respect for a traditional language that is naturally deep in its repertoire of go-to conditions, yet materially robust enough to accommodate tolerance, incremental change and future-proofing. B2 Lofts prompts a sincere, refreshing and long overdue salute to pre-modern architectural detailing, with its proven resilience and intelligence.



The residential units inside the new addition feature a web-like filigree of steel tension members and a snug upper sleeping loft.

### **Type and Town: Utility, Toughness and Circumstance**

First and foremost, this project is about clarity of type. B2 Lofts respects its Montague Street context, with its historic mix of gabled and gambrel-roofed typologies. The gambrel top of the new addition side allows for a tidy, narrow massing that maximizes height within the narrow lot. Paired with the existing building, the infill offers an inconspicuous presence that succeeds in re-anchoring the street.

Contributing to the background as much as the foreground aligns with the project's persona: it blends while being bold. It's both a quiet contributor, and an active participant. This humility is a virtue befitting for a modernist studio applying heritage language onto a succinct and efficient pair of recognizable building forms—reminiscent of Giorgio Morandi's Swiss paintings of "pure type" rural buildings or Heinrich Tessenow's honest and modest typological approach to architecture.

The playfulness in the façade's apertures gives the sense that the composition is circumstantial, rather than curated, in line with the characteristics of heritage detailing as well as the solid-to-glazing ratio and rhythm of neighbouring buildings. The contemporary take on barn doors, too, takes on a weathered "batten-down-the-hatches" appeal, appropriate to the harshness of the North Atlantic seas.

The buildings share a single crisp, cruciform circulatory set-up, with double-egress stairwells at grade in the north-south axis, and four sets of single-run stairs in the east-west axis starting from the second floor. This pays off with a generously lit interstitial space, nesting between the west and east blocks. From the street, the space acts as civic-realm reveal, and provides natural, unimpeded

residential entry points to the upper level units from either street. This careful typological detail allows the two buildings to command independent street-level storefront presences, smartly in keeping with the character of Montague Street. At grade, one can also access the only street-level residential unit, with its grand garage double-doors and a cleverly integrated standard-sized door.



The timber-lined interior of the existing building has been carefully restored, giving it the feeling of a boat's hull. On the north side, the lofts offer views of Lunenburg's historic harbour.

### **Maritime Frugality: Snug-fit, Well-packed**

Heading upward to the five loft units, one is rewarded with generous views to the harbour and town. In the new structure, a complement of vaulted spaces, finished in white, includes a cheerful cascade of unabashed structural hot-rolled tension members which, as the architects put it, create a "weblike" space that nods to Andy Goldsworthy. In the renovated building, the original timber-lined space feels akin to the inside of a cooper's aged barrel. Among all of the units, a well-packed arrangement of galley kitchens, bathrooms and single-flight stairs admirably acknowledges the original intent of this type of building: to maximize space, daylight and views from both gable ends. The units in the new building, in particular, squeeze utility out every part of the space by including a delightful upper bedloft—yet one more nod to the frugal and wise Lunenburg way.



MacKay-Lyons Sweetapple's Lunenburg office is housed on the ground floor of the yellow building, which steps up from north to south to meet grade facing both streets.

### **Building as Civic Instrument**

Perhaps unwittingly, the B2 Lofts touch on a key issue in Lunenburg: the rapid decline of affordable housing. The town's original single-family homes are now occupied by far fewer people than a century prior, and are further pressured by a trend for more seasonally occupied homes. As a result, the available year-round bed-spaces have diminished while housing prices have escalated. In this evolving context, B2 Lofts could pose an interesting and progressive opportunity to volley between short-term rentals and long-term options.

B2 Lofts suggests how architecture ought to position itself generationally, irrespective of its originating program or pro forma. It remains to be seen, decades from now, how this building may change, adapt, and outlive its first intended use. Altogether, one would hope that the astute combination of resilient typologies, smart urbanism and robust detailing imparts a lasting maturation and elegance—which ultimately cradles a future yet unknown, but ready to be embraced.

## **Evolutions and Progress: A Galápagos Moment**

Lunenburg is a fitting place for B2 Lofts, with its ability to tweak a mixed-use building archetype within a compact urban setting. With every small gesture or nudge to its architecture, Lunenburg serves as, quite possibly, a perfect testing ground. It's a Galápagos Island of sorts, with a manageable sample size and an in vivo civic laboratory to witness reaction, response and perhaps positive change. This is, arguably, architectural evolution at its best.

*Toronto-based architect Donald Chong is a Design Principal at HDR. He has relatives who live in an Old Town heritage home in Lunenburg.*

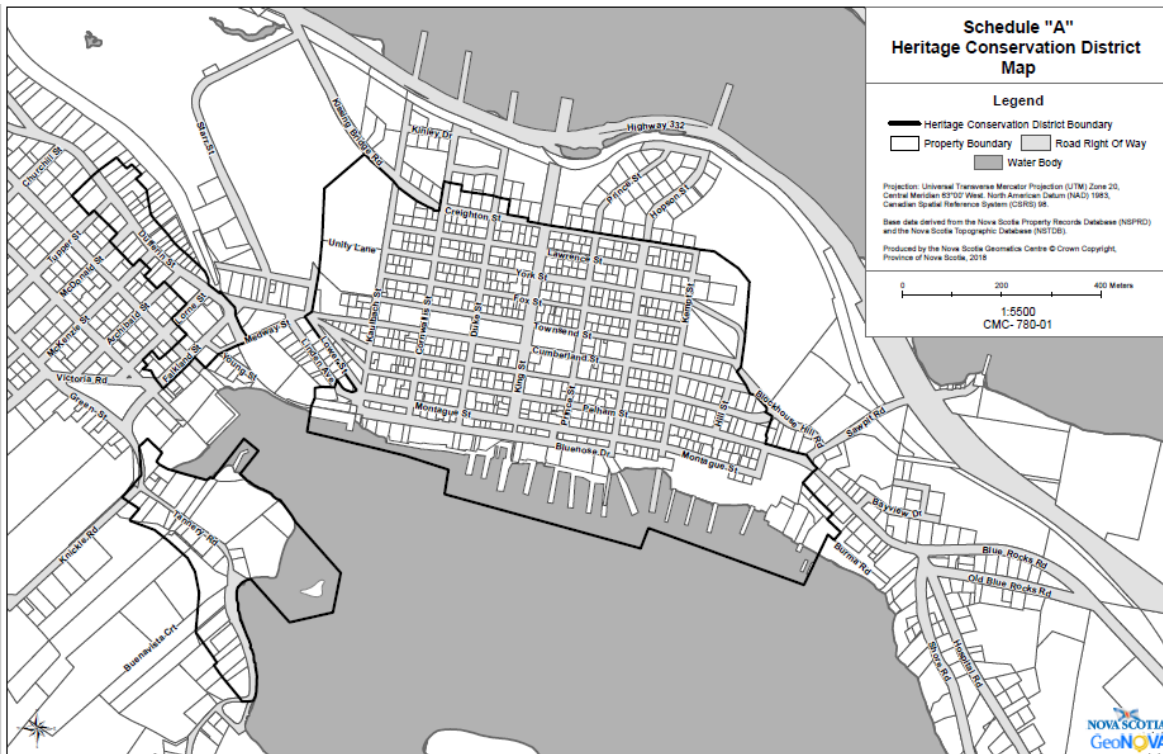
## **Attachment D**

### **Operational Guidelines for the Implementation of the World Heritage Convention**

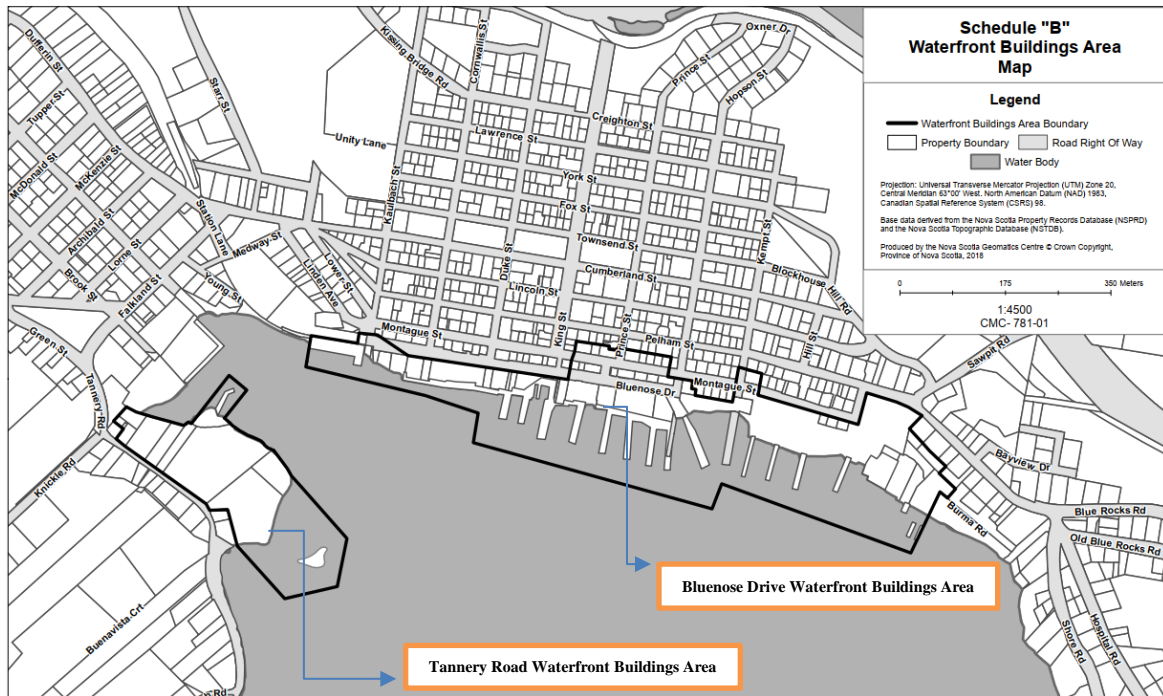
- 172 The World Heritage Committee invites the States Parties to the *Convention* to inform the Committee, through the Secretariat, of their intention to undertake or to authorize in an area protected under the *Convention* major restorations or new constructions which may affect the Outstanding Universal Value of the property. Notice should be given as soon as possible (for instance, before drafting basic documents for specific projects) and before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the Outstanding Universal Value of the property is fully preserved.
- 173 The World Heritage Committee requests that reports of missions to review the state of conservation of the World Heritage properties include:
- a) an indication of threats or significant improvement in the conservation of the property since the last report to the World Heritage Committee;
  - b) any follow-up to previous decisions of the World Heritage Committee on the state of conservation of the property;
  - c) information on any threat or damage to or loss of Outstanding Universal Value, integrity and/or authenticity for which the property was inscribed on the World Heritage List.
- 174 When the Secretariat receives information that a property inscribed has seriously deteriorated, or that the necessary corrective measures have not been taken within the time proposed, from a source other than the State Party concerned, it will, as far as possible, verify the source and the contents of the information in consultation with the State Party concerned and request its comments.

# ATTACHMENT "E" - Proposed HCD Maps

## Schedule "A" – Heritage Conservation District Map



## Schedule "B" – Waterfront Buildings Area Map



# ATTACHMENT "F"

Towards the establishment of a  
Heritage Conservation District  
in the  
TOWN OF LUNENBURG



Bill Plaskett

September 1994

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## 1.0 INTRODUCTION

### 1.1 Purpose of Report.

The purpose of this report is to develop a rationale for heritage conservation district planning in Lunenburg within the framework of the Nova Scotia Heritage Property Act.

A heritage conservation district is an area within defined boundaries where there is a concentration of properties of architectural or historical value which are protected by regulations or guidelines respecting architectural design. Under the Heritage Property Act, a heritage conservation district is established through the adoption, by the Town Council, of a heritage conservation plan and bylaw. A heritage conservation district plan is a policy document which addresses issues, opportunities, expenditures and initiatives concerning heritage conservation in the district. A heritage conservation district bylaw is the administrative document which implements the plan and which contains the agreed upon design guidelines and approval procedures. Design guidelines may be mandatory or advisory in nature or a combination of both.

The Act requires that a heritage conservation district plan and bylaw must be supported by background studies sufficient to describe the rationale for the chosen heritage conservation measures, and that there must be full opportunities for public participation in the heritage district planning process. Emphasis is given to the active involvement of the community in the formulation of the regulations and design guidelines which will apply in the district. The plan and bylaw must also be consistent with the Town's other planning policies and regulations.

Recent experience indicates that a heritage district may be most effective if it is established on the principle of voluntary inclusion, i.e., where the district includes only those properties whose owners agree to be included, although this is not necessarily required by the Act.

More specifically, the purpose of this report is:

- .1 to review the integrity of the Town's historic architecture (the current degree of intactness or alteration) and determine the architectural features which are most in need of protection;
- .2 to investigate any relationships which may exist between the use or change in use of buildings and their degree of intactness or alteration;
- .3 to make recommendations regarding protective measures under the Heritage Property Act and to discuss the relationship of these measures with existing and proposed heritage conservation policies under the Town's Municipal Planning Strategy;
- .4 to make recommendations regarding possible heritage conservation district boundaries;
- .5 to make recommendations regarding a public participation process for heritage conservation district planning in the Town;

By agreement with the Town, the report is limited to discussion of the Old Town area only. Other districts may be considered in future reports.

In 1992, the Town updated the 1984 Inventory of Historic Buildings.

In 1993, the Heritage Advisory Committee renewed its discussion of architectural control and came up with a proposed set of regulations to be included in the soon-to-be-revised-again Municipal Planning Strategy and Land Use Bylaw. The committee's proposals were accepted by Council in February, 1994. If incorporated into the Planning Strategy, the proposed architectural controls would apply in the Old Town and part of the New Town. The controls would apply only to the design and construction of new main buildings and alterations in the volume or roof pitch of existing historic buildings. They would not apply to other types of alteration, such as the installation of vinyl siding or alterations to windows and doors.

Most recently, the Town has applied for inclusion of the Old Town in the UNESCO World Heritage List. The criteria for inclusion in the List require that effective protective measures must be in place and that residents must have an "informed awareness" of heritage conservation issues and be active participants in the conservation process. The application is currently in process of being recommended by the Canadian National Historic Sites and Monuments Board and will be considered by UNESCO this autumn.

It is in the context of these past and present initiatives that this report is prepared.

### 1.3 Heritage conservation background studies.

The historic architectural significance of the Old Town is well documented in several previous reports and publications, including:

- *A Walk Through Old Lunenburg*, 1975 (general history);
- *Understanding Lunenburg's Architecture*, 1979 (major architectural design features);
- *Lunenburg: An Inventory of Historic Buildings*, 1984 (detailed building histories);
- *A Series of Maps Illustrating Lunenburg Buildings by Age, Architectural Character and Historical Association*, Lunenburg County District Planning Commission, 1985;
- *"Old Town" Lunenburg*, Historic Sites and Monuments Board, 1991 (historic significance).

For the purpose of this report there is no need to re-state these findings. The fact that the Old Town has been designated as a National Historic District and is currently under consideration for World Heritage Listing means that its significance for the purpose of establishing a municipal heritage conservation district can be taken as given. Instead, the focus of this report is on the degree of alteration of the Town's historic architecture, the factors which are contributing to those alterations and the need and options for protective measures.

Figure 1. Buildings by age, intactness and type of alteration.

	<u>18th. century</u>	<u>19th. century</u>	<u>1900-1940</u>	<u>Total</u>
Substantially intact	7	171	63	241
Vinyl-siding	1	60	14	75
Other replacement cladding	0	11	1	12
Window / door alterations	1	34	10	45
Additions	0	9	1	10
Staircases, decks and balconies	0	24	8	32
Total # of buildings altered	1	95	18	114
Total # of historic buildings	8	266	81	355

## 2.2 Integrity of historic buildings by age.

There are 413 buildings in the Old Town (plus about 70 minor outbuildings) of which 355 were built before 1940. About two thirds of these (241) are substantially intact architecturally. About one third (114) have been substantially altered and about one-fifth (75) have been vinyl-sided.

**18th. century buildings:** Seven remain substantially intact. One has been substantially altered by vinyl siding and other renovations.

**19th. century buildings:** About two-thirds (266) of the Old Town's historic buildings were built during the 19th. century and about two-thirds of these (171 buildings) are substantially intact. About 35% (95 buildings) have been substantially altered and about 23% (60 buildings) have been vinyl-sided. Well over half (157) of the 19th. century buildings date from the boom years of the 1880's and 1890's. Of these, about two-thirds (101 buildings) are substantially intact, one-third (56 buildings) have been altered and one-fifth (35 buildings) have been vinyl-sided.

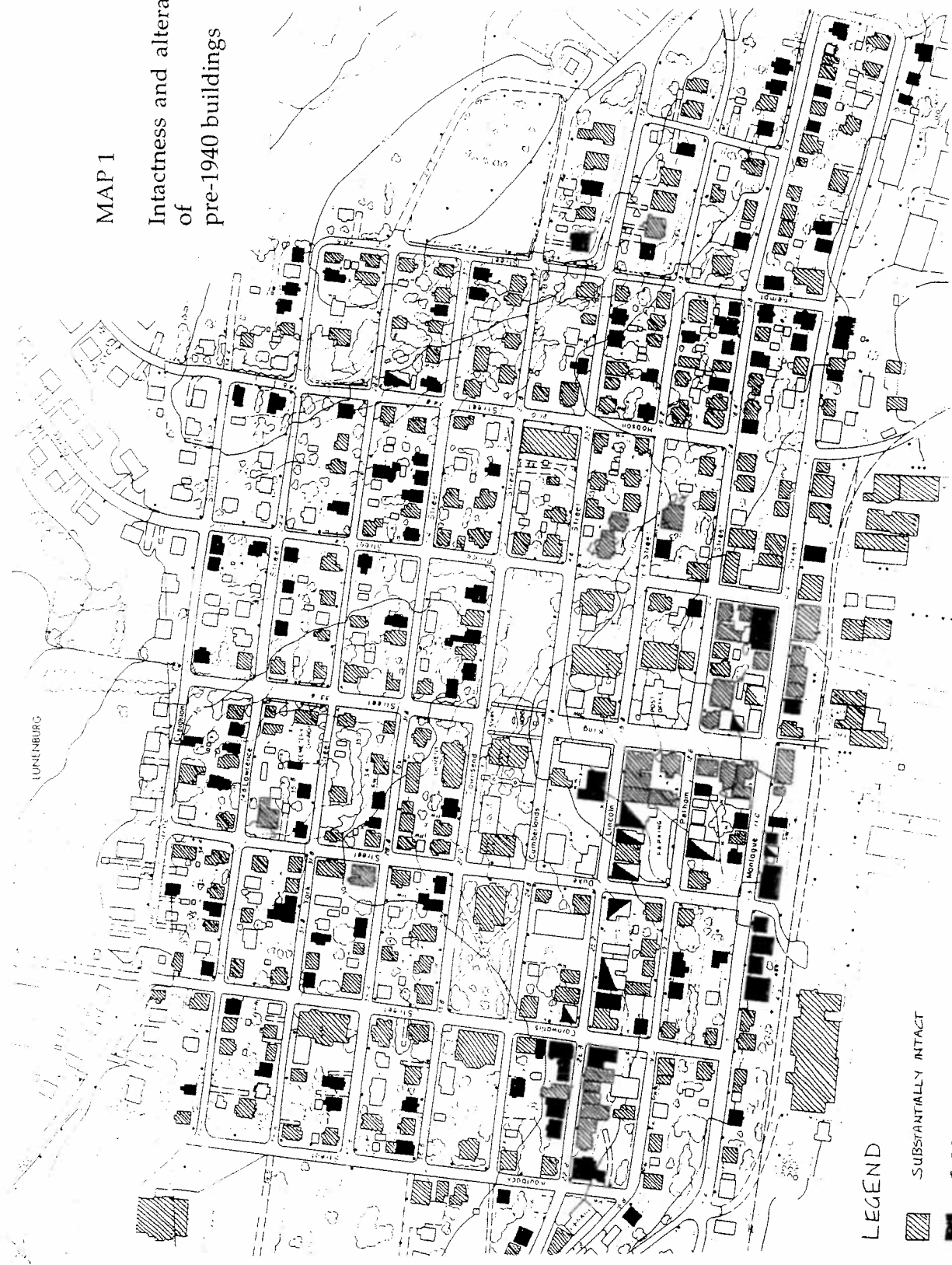
**Buildings 1900-1940:** About 22% (18) of early-mid 20th. century buildings have been altered and about 17% (14) have been vinyl-sided.

## 2.3 Intactness vs alteration.





From the survey it is clear that, taken as a whole, the Town's architecture is more intact than altered. Numerically, there are twice as many intact buildings as altered ones. Many buildings are very well maintained and gaily painted and there have been several restorations in recent years. While many alterations have been made to details and textures (see following section), major architectural forms do remain intact. In many respects, it is the forms of buildings, the multiplicity of styles and shapes and the exciting relationships between them that create much of the Town's visual appeal. Overall, the Old Town is substantially intact and it is this, combined with the many facets of its historic significance, which have led in recent years to the National Historic District designation and the recent application for World Heritage Listing.

MAP 1

Intactness and alteration  
of  
pre-1940 buildings



LEGEND

-  SUBSTANTIALLY INTACT
-  SUBSTANTIALLY ALTERED
-  PARTIAL ALTERATIONS (e.g. STOREFRONTS ON UPPER OR LOWER STORIES)
-  MODERN BUILDINGS 1940 - PRESENT

### 3.0 ALTERATIONS.

#### 3.1 Replacement siding - see illustrations in Appendix 1.

**Vinyl:** The most common type of alteration in the Old Town is the covering over of painted wooden clapboards or shingles with vinyl or, less commonly, aluminum siding. Of the 114 buildings which have been altered, 75 have been vinyl-sided. **About 20% of the Old Town's historic buildings are now vinyl-sided. Twenty historic buildings have been vinyl-sided in the last ten years.**

Vinyl-siding has brought about significant textural changes in some streetscapes and, in most cases, has involved the removal or covering over of traditional wooden trim around windows, doors and wall corners. As well, the often neutral tones of factory-made siding colours have arguably reduced the variety of colour in the Old Town and brought instead a tendency towards uniformity of colour.

**Other :** There are twelve instances where traditional clapboards or shingles have been replaced with wide-course wooden cladding or synthetic materials which imitate brick or stone. These types of cladding alterations have also generally resulted in uncomplementary changes of texture or scale and have sometimes involved removal of other traditional trim elements, particularly cornerboards.

**About 25% of the historic buildings in the Old Town have had some form of non-traditional cladding replacement.**

#### 3.2 Window and door alterations - see Appendix 2.

This is the second most common type of substantial alteration. About 12% (45) of the Old Town's historic buildings have some form of window or door alteration on their principal facades.

On houses, window alterations have generally involved the insertion of large, horizontally proportioned picture windows or small, square slider windows. Alterations to doorways have included the infilling of entrances and the replacement of traditional panelled doors with out-of-character modern doors. On commercial buildings, window alterations have generally involved modernization of historic storefronts, commonly with narrow aluminum frames replacing wide wooden ones. These storefront modernizations have generally resulted in simplification and loss of architectural detail.

In sixteen cases, window/door alterations have been accompanied by vinyl siding.

#### 3.3 Additions - see Appendix 3.

There are ten examples in the Old Town of major additions to old houses and commercial buildings. Each case is different and the competing considerations of historical integrity versus improved viability versus compatibility of finished design can be argued in a variety of ways. In six cases there appears to have been a clear intent to make the addition relate well to historic character.

#### 3.4 Staircases and decks - see Appendix 4.

There are at least 32 situations where exterior staircases or decks have been added to the side elevations of historic buildings and are readily visible from a public street. In some cases, these features have been designed in a traditional manner which complements the historic architecture of the building. In other cases their contemporary design or utilitarian appearance is less complementary.

## 5.0 BUILDING USE AND ALTERATION.

### 5.1 Residential conversions.

There are 89 buildings in the Old Town which have been converted into apartments. Most (86) are pre-1940 buildings. Some are commercial buildings but most (80) are houses. Most have two-units. Eight have four or more units. Conversions are located throughout the Old Town.

Two-thirds (59) of the converted buildings have remained substantially intact on their principal facades, while one-third (33) have been visibly altered. Nineteen (19) have window or door alterations. Fourteen (14) have publicly visible exterior stairs. Eighteen (18) have been vinyl-sided.

The fact that two-thirds of converted buildings have remained substantially intact indicates that conversion can be achieved without substantial alteration and that, if architectural controls for alterations were to be brought into effect in the Old Town, they would not necessarily stand in the way of residential conversion.

Locations and examples are shown in Appendix 6.

### 5.2 Commercial conversions - Montague St.

In the past ten years or so, there has been considerable tourist-related development, particularly along Montague Street between the Museum and Prince Street and along the newly constructed Bluenose Drive. Six former waterfront industrial buildings and ten former houses have been converted to retail, restaurant, accommodation or entertainment uses specifically geared to the tourist trade. The architectural changes brought about by these conversions include additions; alterations to windows, bulk and roof shape; exterior decks, balconies and stairs; vinyl siding; and extensive new signage attached to buildings. Some of these alterations have been well integrated with the original historic character of the buildings, while others have a more contemporary appearance.

The essential question for this area is whether commercial development should prevail over historical authenticity. To what extent should historical authenticity be a priority in a tourist town? Should architectural controls intervene in the amount of commercial signage or the design of commercial window alterations? Can architectural guidelines have any effect in a highly commercialized area such as this?

Montague Street tourist-related alterations are illustrated in Appendix 7.

### 5.3 Retail commercial use - Lincoln Street.

The architectural integrity of the Lincoln Street commercial area has been affected not so much by changes of use as by changes of fortune and style. Some buildings have been renovated and re-renovated as businesses have come and gone. Some sites have been re-developed with new buildings after fires or demolition. Some buildings have been consistently well maintained and occupied while others have been run down or vacant for periods of time. In recent years, through the Mainstreet Program and the upswing in tourism, there has been an effort to improve the appearance of the street.

## 6.0 OPTIONS FOR PROTECTIVE MEASURES .

### 6.1 Architectural features requiring protection.

From the foregoing review of the integrity of the Old Town's historic architecture and the character of modern development, it would appear that the following features may require some form of protection, in order of priority based on the actual amounts of alteration which have occurred in each category:

- .1 traditional wooden **cladding** materials, which are steadily being replaced by modern substitutes, particularly vinyl siding ;
- .2 historic architectural **trim** - cornerboards, cornices, window hoods, brackets, etc., which are also steadily being removed or covered over in the course of cladding renovations;
- .3 traditional **facade features**, which are slowly being altered through window and door renovations and the addition of exterior stairs and decks;
- .4 overall historic **architectural forms**, which are slowly being altered through modern additions and roof changes;
- .5 the historic building **context**, which continues to be affected by modern development of significantly different design.

### 6.2 Municipal Planning Strategy - proposed architectural controls.

The proposed architectural controls adopted earlier this year for inclusion in the forthcoming revised Planning Strategy would apply only to the following aspects of development:

- .1 new buildings would be required to be similar to any nearby pre-1920 structure in terms of style, proportion, height, roof shape, cladding, trim details, window to wall area ratio, and chimney design and location;
- .2 additions to the volume of pre-1920 structures would be limited to a maximum of 25% of the existing volume;
- .3 alterations to the roof pitch of pre-1920 structures would be prohibited.

**These proposed controls would be effective in ensuring that major new developments and major alterations to the form of existing buildings are in keeping with the Town's historic character but would not address the perhaps more immediate issues of synthetic cladding and facade alteration.**

The proposed controls have been arrived at after a lengthy series of discussions by the Heritage Advisory Committee and it is clear that a choice has been made not to control alterations, at least by means of the Planning Strategy and Land Use Bylaw. The reasons for this are not documented in HAC minutes but apparently have to do with the politically sensitive nature of control of alterations and the mandatory nature of such controls under the Planning Act. The pertinent question in the context of this report is whether an alternative or, perhaps, complementary approach is possible under the Heritage Property Act.

## 6.5 Outline of protective measures.

It is beyond the scope of this report to draft specific design guidelines for Lunenburg and it would be premature at this stage to suggest what these should be in any great detail. Guidelines would have to be carefully developed through a consultative process with the Heritage Advisory Committee, LCDPC planning staff and the wider community. However, it is possible to put forward some ideas for discussion based on recent experience with heritage conservation district planning in the village of Maitland, Hants County. For reference, the draft Maitland Design Guidelines are attached to this report as Appendix 10 and are annotated with the words "mandatory" and "advisory" to indicate the regulatory intent of each item.

**New buildings:** The mandatory requirements recently drafted for inclusion in the revised Lunenburg Municipal Planning Strategy would continue to prevail, but illustrated advisory guidelines along the lines of those developed for Maitland (but tailored to the Lunenburg context) would also apply. Guidelines could cover various aspects of building form, proportion, size, roof shape, height, foundation exposure, facade design, directional emphasis, visual balance, window to wall area ratio, rhythm and alignment, window shape and orientation, dormer and skylight design, cladding materials, trim and roofing, etc. Specific guidelines tailored to the special circumstances of Lincoln Street could also be developed.

**Alterations:** The mandatory requirements already proposed for alterations to bulk and rooflines in Lunenburg would continue to prevail but advisory guidelines would be developed for a wider variety of alteration situations (again along the lines of the Maitland Design Guidelines but tailored to the Lunenburg context). Guidelines could cover the design of additions, dormers, windows, door replacements, porches and verandas and exterior staircases.

**Vinyl siding:** It would up to the Heritage Advisory Committee and the community to decide what the advisory guidelines for vinyl siding in Lunenburg should be, but the "Maitland Compromise" is suggested here as a possible approach (see section 4.3 in the Maitland Design Guidelines). Under this approach, vinyl siding would be "not recommended for use on historic buildings" but would be allowed provided that it is installed without alteration of existing trim .

**Signs:** Although signage is not identified in this report as being particularly at issue in Lunenburg, it could make sense for sign design guidelines to be included in a heritage conservation district bylaw. The Town already has a comprehensive signage manual developed under the Mainstreet Program and the essential features of that document could be updated or adjusted for heritage conservation district purposes. In developing a heritage conservation district plan and bylaw it may be pertinent to examine the question of sign quality and "signage overload" in the tourist area around the Museum.

## 7.0 OLD TOWN HERITAGE CONSERVATION DISTRICT BOUNDARIES.

There appear to be two reasonable options for heritage conservation district boundaries in the existing context, given that a proposed "architectural control area" has already been tentatively decided upon, and that the original 1753 town plan has been designated as a National Historic District and is currently proposed for World Heritage Listing. These options are illustrated on Map 2.

### **Option 1: Conform with existing designations and proposals.**

This option would include the designated National Historic District (the original town plan) plus the shipyard area south of Montague and part of Pelham. This is the area currently proposed as the "architectural control area".

One disadvantage of this boundary is that it would exclude the portion of Pelham Street between Kempt Street and Shipyard Hill. Although not a part of the original town plan, this area contains twenty-one (21) turn-of-the-century houses, of which eleven (11) have the unique Lunenburg Bump style, in one variation or another. When travelling along Pelham Street, this area is experienced as part of the Old Town because of the continuity of historic architectural styles. In all respects it is as much worth conserving as the rest of the Old Town and should probably be included in the heritage conservation district. The same can perhaps be said of the eastward extensions of Lincoln and Cumberland with their distinctive 1920's California Bungalow architecture, and the areas immediately to the west of Kaulback Street, where there are a number of old, Lunenburg-style buildings (including the Academy).

### **Option 2: Old Town plus buffer area.**

The UNESCO criteria for inclusion of historic towns in the World Heritage List (s.29.iii) suggest that protective measures should apply not only to the historic centre itself (in this case the Lunenburg Old Town) but also to its immediate surroundings. This corresponds with the notion of protection of "the setting" which is embodied in the Nova Scotia Heritage Property Act.

The 1991 report to the National Historic Sites and Monuments Board notes that part of the Old Town's significance results from the fact that the original town plan is still easily discernible on the ground. This is due, in part, to the intact open spaces which surround it and which provide clearly defined edges, i.e., Blockhouse Hill, Gallows Hill, the Academy grounds and Hillside cemetery. These open spaces are largely Town-owned and could easily be included within the heritage conservation district. Inclusion of Town-owned land in the district, with appropriate policies articulated in the heritage conservation district plan, would also serve to demonstrate the Town's commitment to heritage conservation in partnership with private property owners.

Map 2 shows a possible boundary for Option 2. The buffer area around the Old Town could include all adjacent historic areas, including houses on the north side of Creighton Street, some Town-owned land and the old French cemetery. Other boundary options or preferences may become apparent in the course of planning for the heritage district, should the Town decide to proceed with the exercise.

## 8.0 PUBLIC PARTICIPATION PROGRAM AND PLANNING PROCESS.

### 8.1 Public participation program :

Should the Town decide to embark on planning for a heritage conservation district, it will be necessary for a public participation program to be adopted by resolution of Council, as required by the Heritage Property Act. The elements of a public participation program include:

- soliciting community opinion and input from interested groups and individuals at appropriate stages of the planning process;
- making background studies and draft planning documents available to the public for study and comment;
- holding public information meetings at appropriate stages; and
- advertising public information meetings effectively in the community.

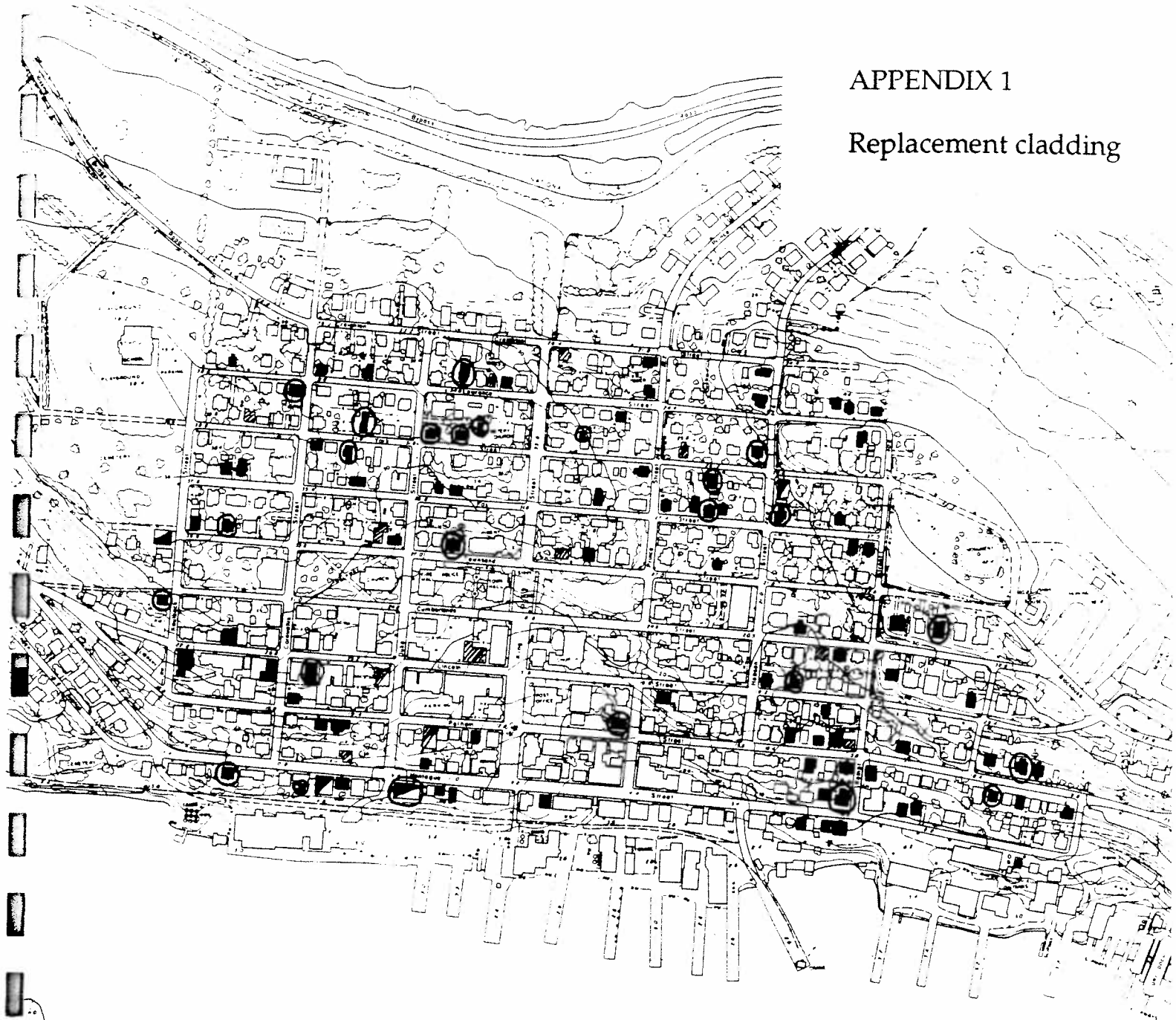
A heritage conservation district will only work if it is supported by a good majority of the people who will live within it. Recent experience in Maitland has indicated that support can best be gained by providing clear and complete information to all property owners through the mail so that they can study the proposals for the district at their own pace prior to public meetings. The Maitland experience also suggests that it is useful, first of all, to establish whether residents are interested in the **principle** of heritage conservation before embarking on a time-consuming planning exercise. The following outline for a heritage conservation district planning process in Lunenburg is based on this experience:

### 8.2 Proposed heritage district planning process

- .1 Heritage Advisory Committee reviews this report and refers it to Council;
- .2 Council reviews this report;
- .3 Council makes this report available to the public, either by direct mail or by other means. Package includes notice for a public information meeting and a questionnaire seeking support for the **principle** of establishing a heritage conservation district;
- .4 Public information meeting is held to present, explain and discuss report;
- .5 Questionnaires are returned and Yes/No responses tabulated and plotted on property map;
- .6 HAC and Council review survey response;
- .7 If level of public support is deemed sufficient, Council adopts a resolution to establish a public participation program and formally begin the process of planning for the heritage conservation district ;
- .8 Heritage district working committee appointed (either HAC as whole, HAC sub-committee or entirely separate community-based group reporting to HAC, as deemed appropriate);
- .9 Working group holds a series of working meetings with contract heritage planner and/or planning staff to sketch out issues, policy structure, bylaw structure and design guidelines, reporting to HAC as work evolves;

APPENDIX 1

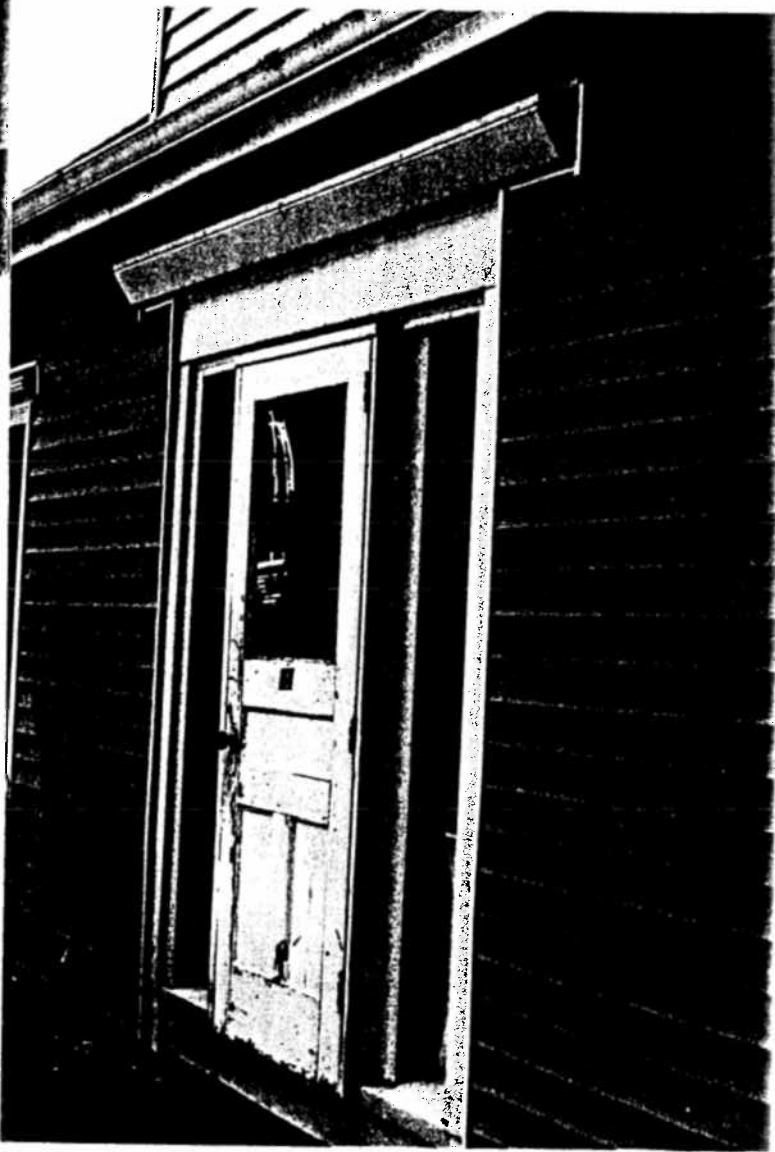
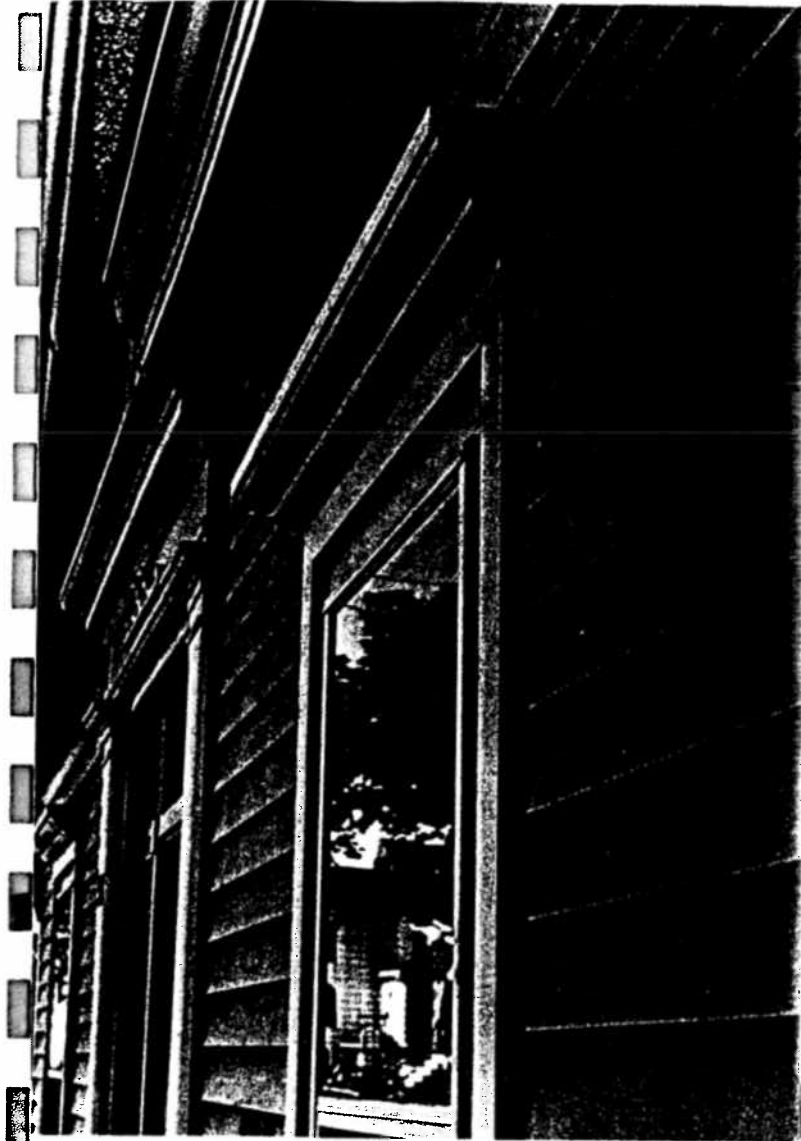
Replacement cladding



LEGEND

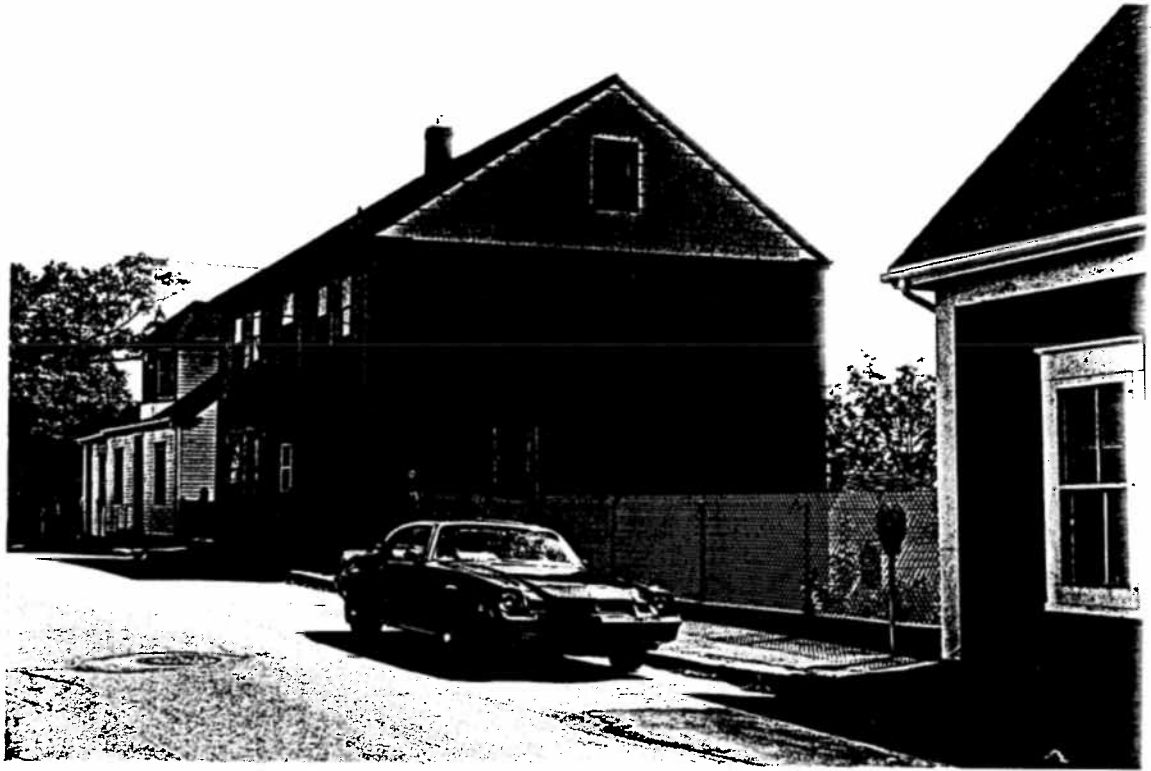
NOTE: THIS MAP SHOWS REPLACEMENT CLADDING ON PRE-1940 BUILDINGS ONLY

- VINYL SIDING
- ◼ VINYL SIDING SINCE 1980
- ▨ OTHER REPLACEMENT CLADDING
- ◻ PARTIAL REPLACEMENT CLADDING ON FRONT OR SIDE



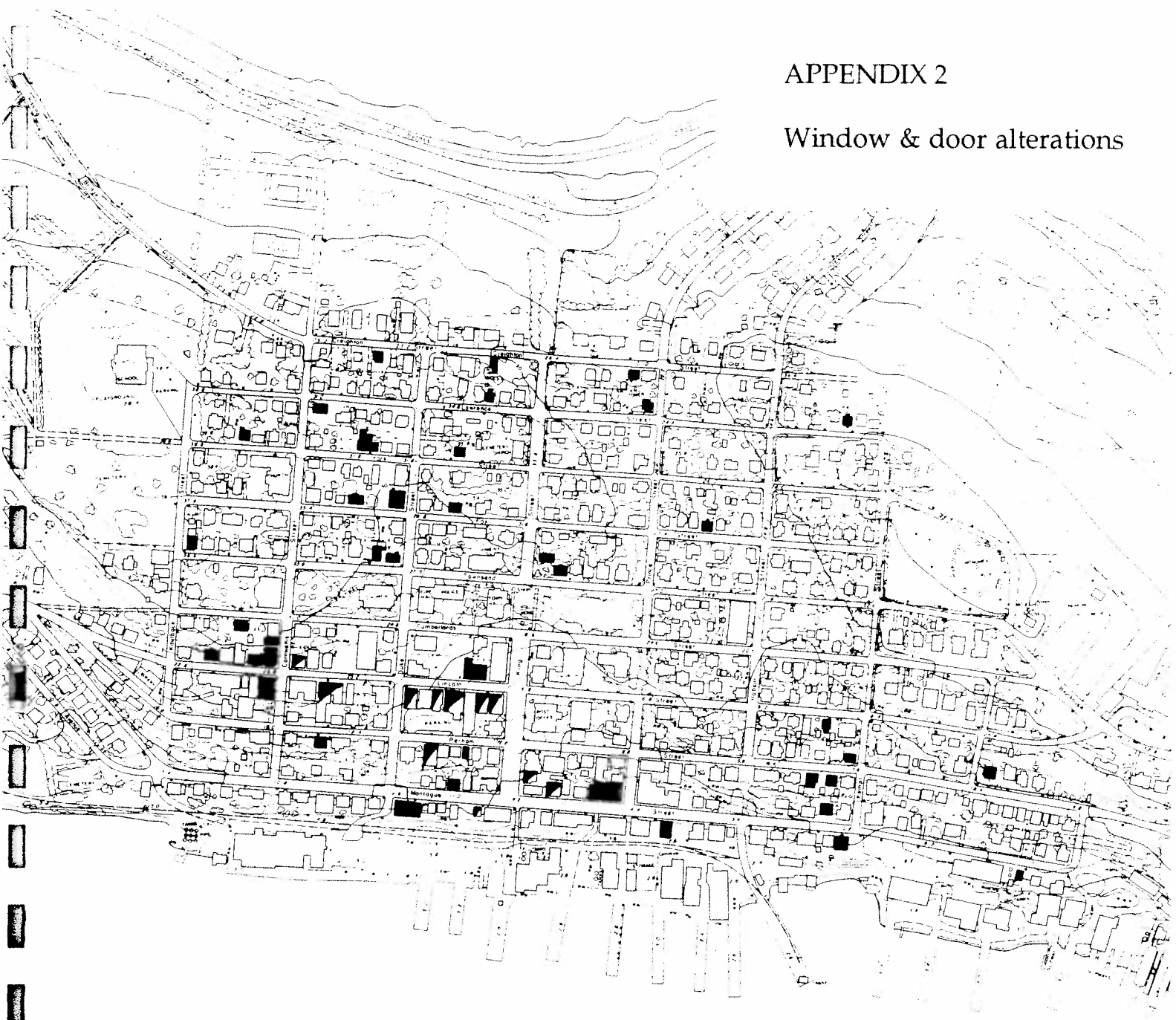






APPENDIX 2

Window & door alterations

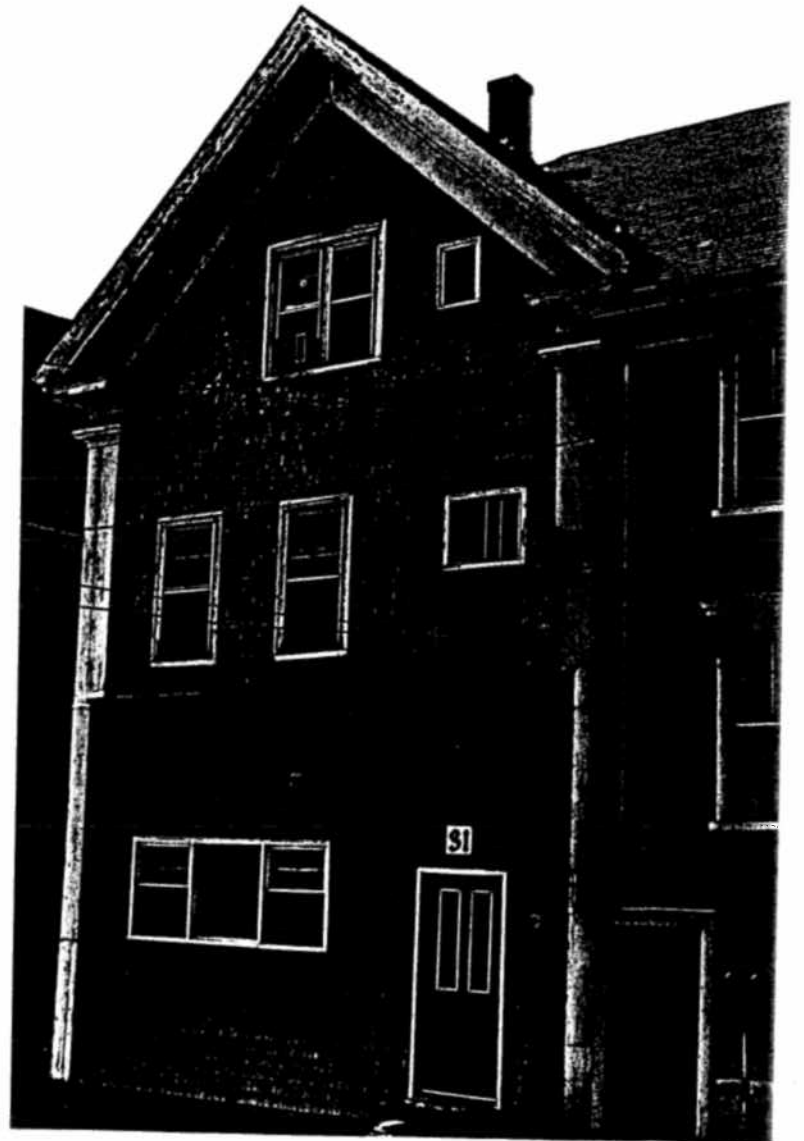


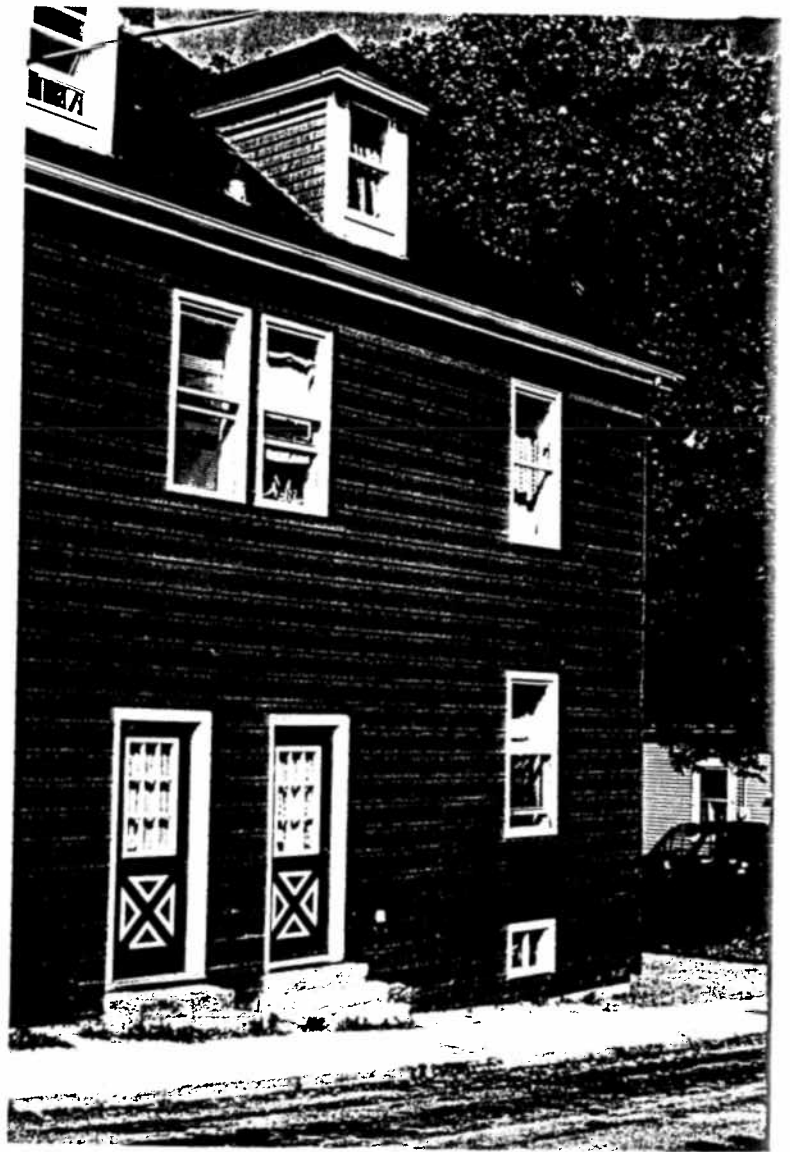
LEGEND

WIN

■ WINDOW OR DOOR ALTERATIONS ON MAIN FACADE

▨ PARTIAL WINDOW ALTERATIONS ON FIRST OR SECOND FLOOR

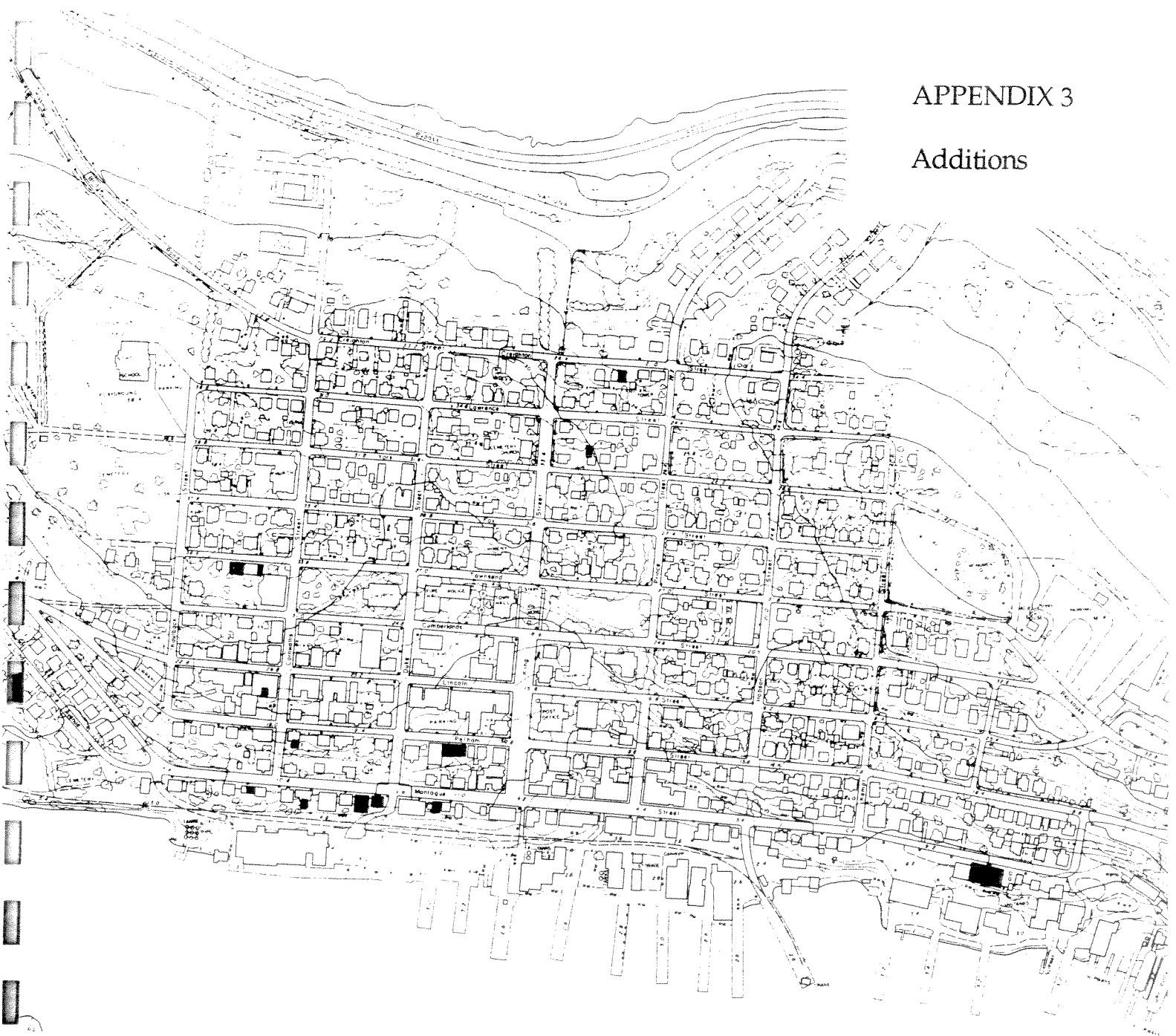




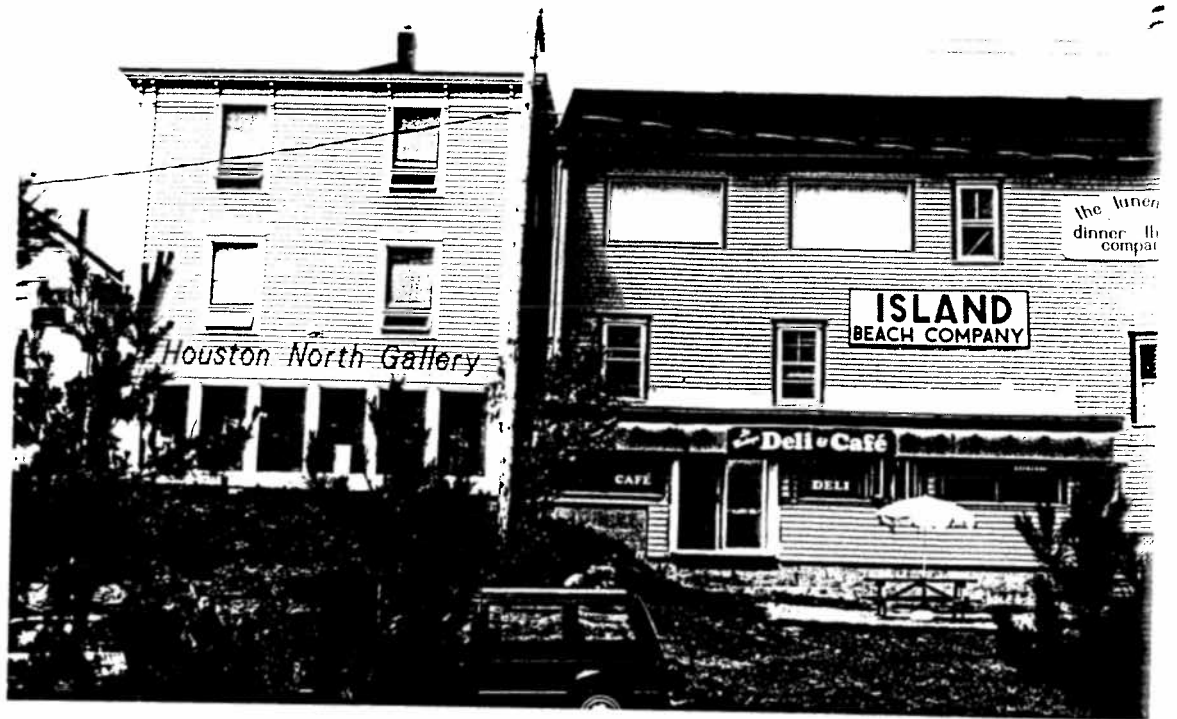


APPENDIX 3

Additions





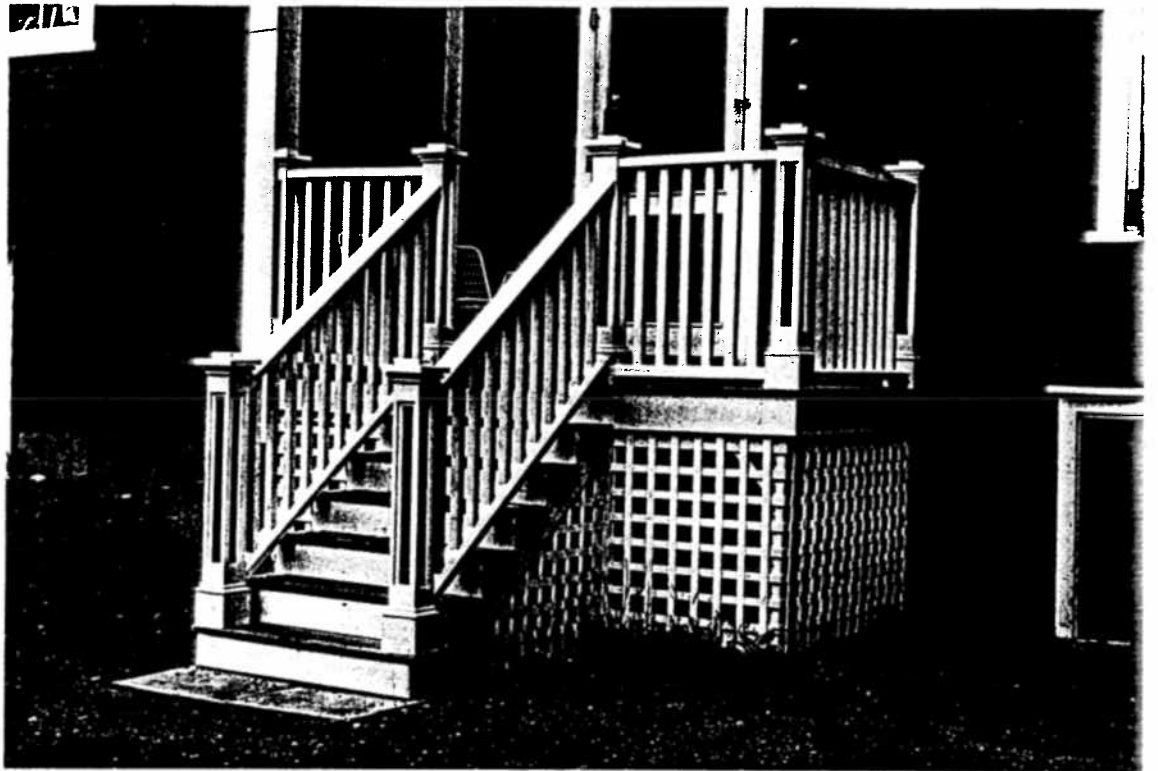










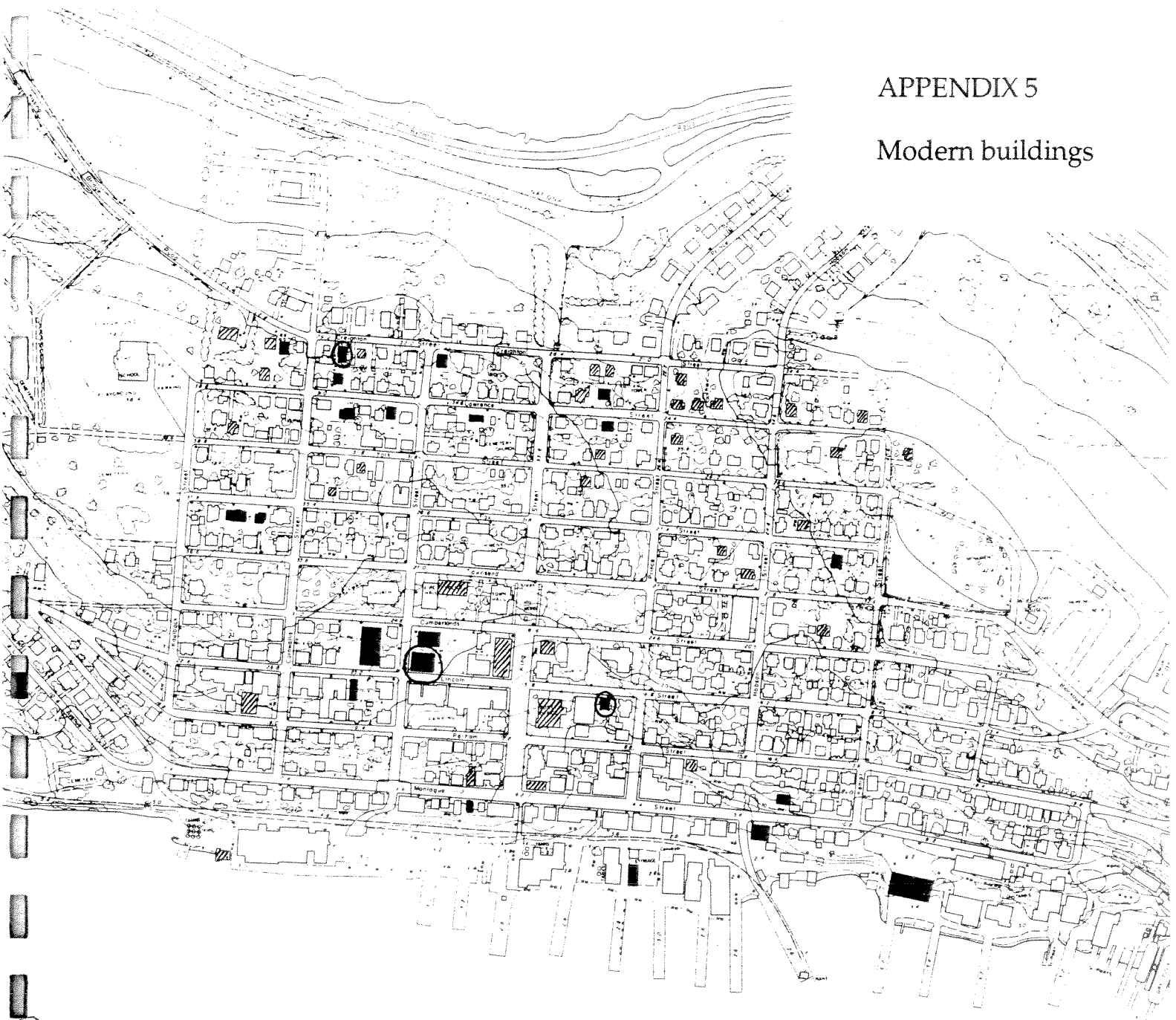









APPENDIX 5

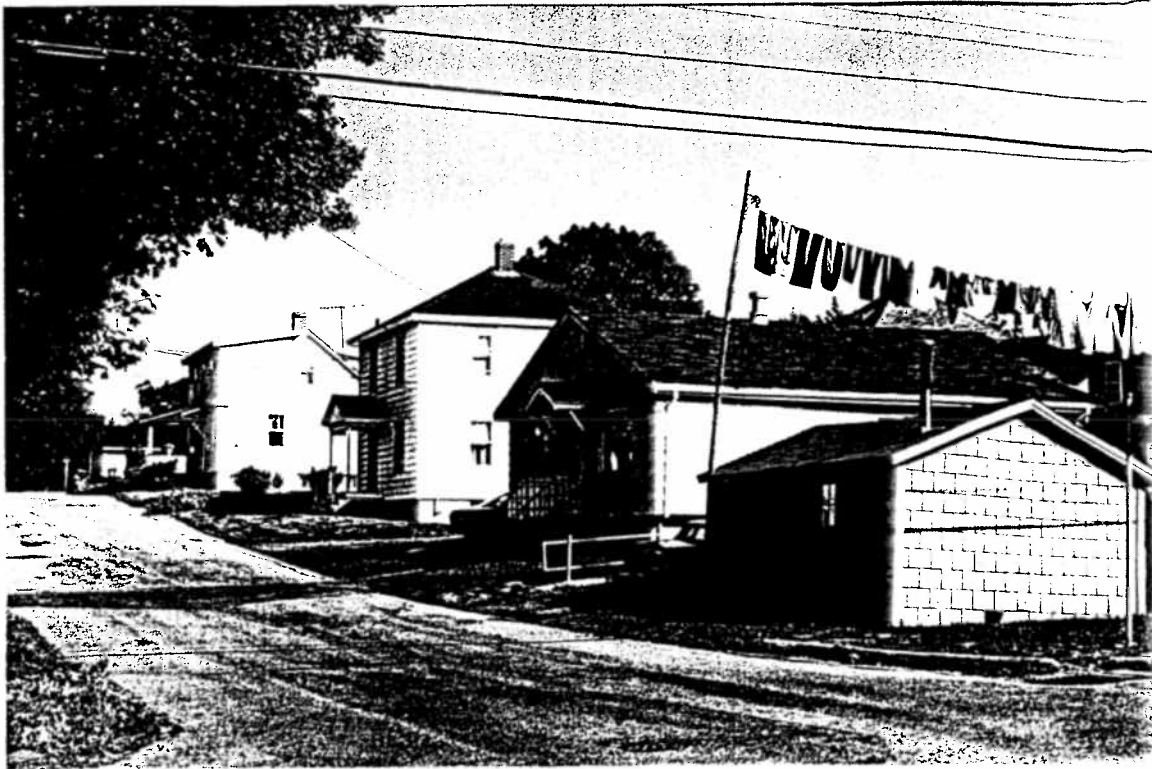
Modern buildings



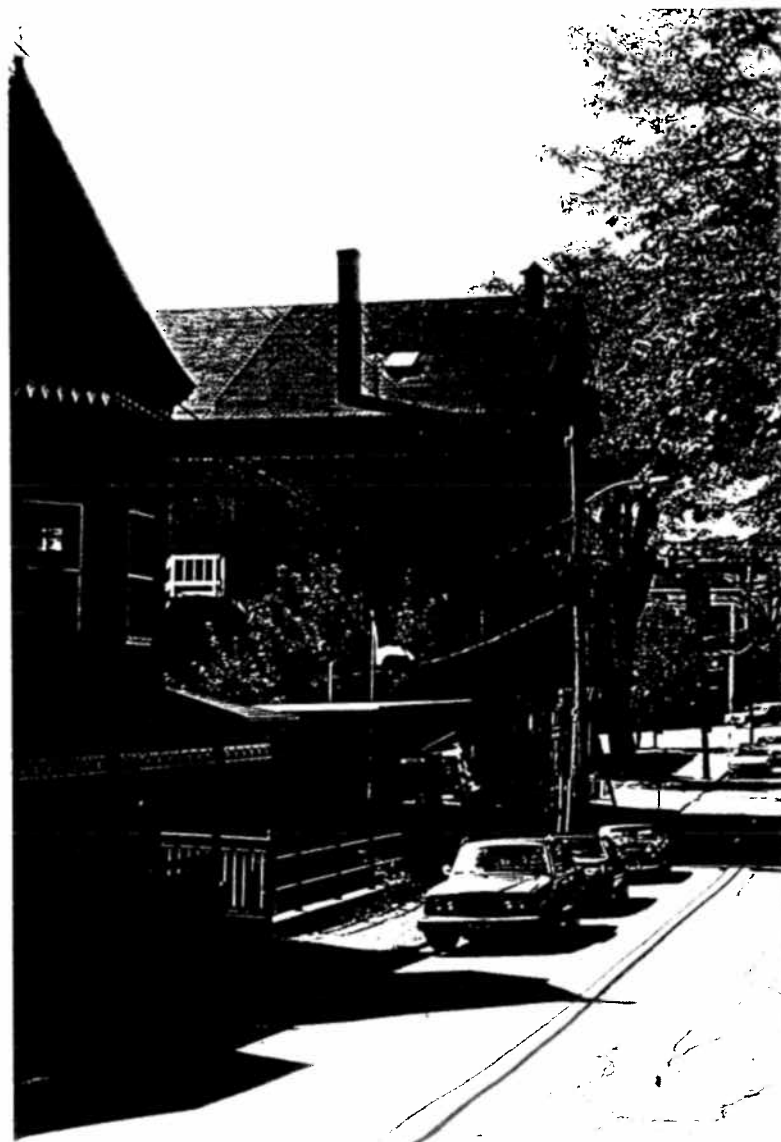
LEGEND

-  1940's - 1950's
-  1960's - 1970's
-  1980's - 1990's





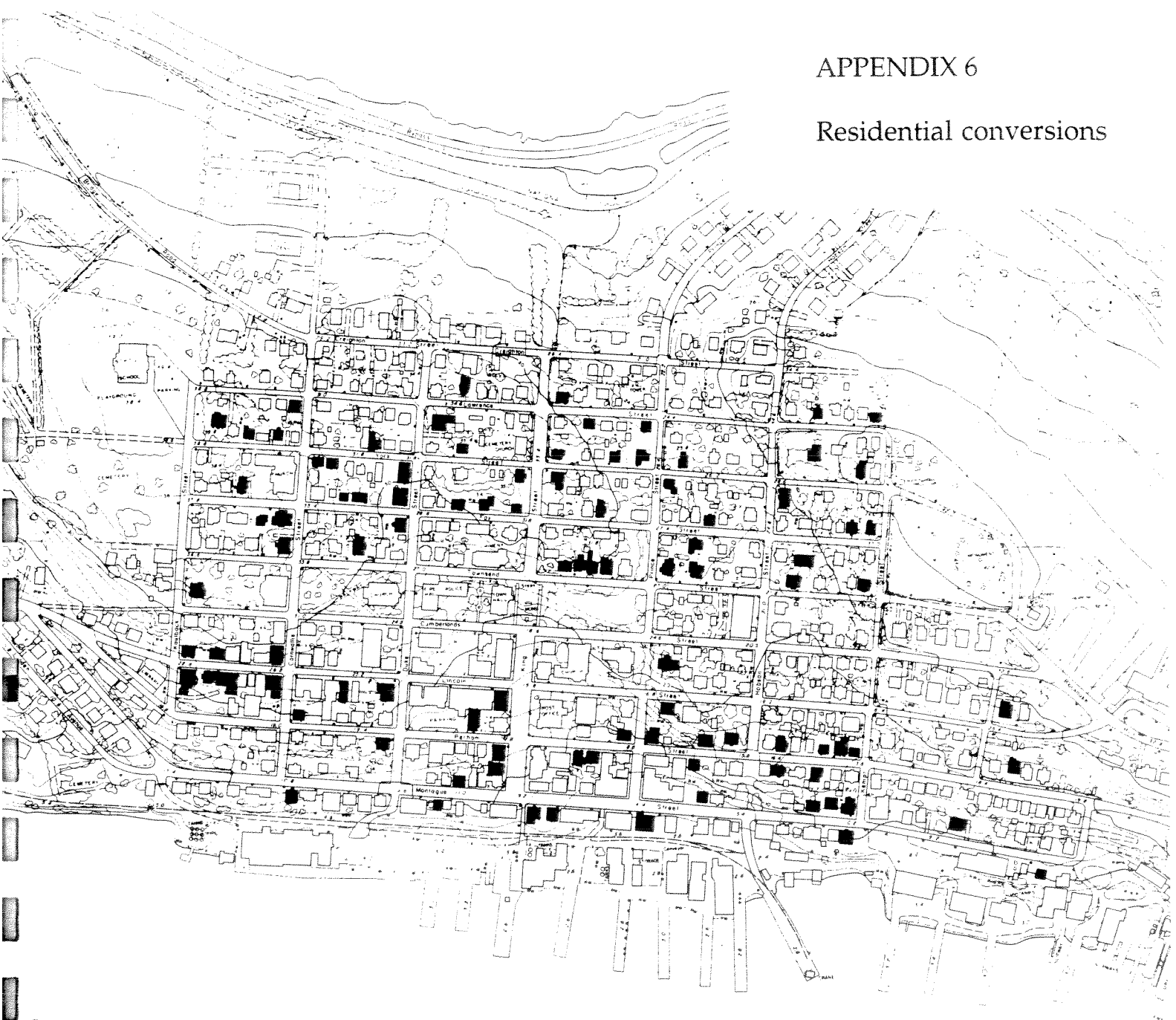
MID-1980'S HOUSE, CREIGHTON ST. ▲



EARLY 1900'S COMMERCIAL BUILDING,  
LINCOLN STREET. ▲

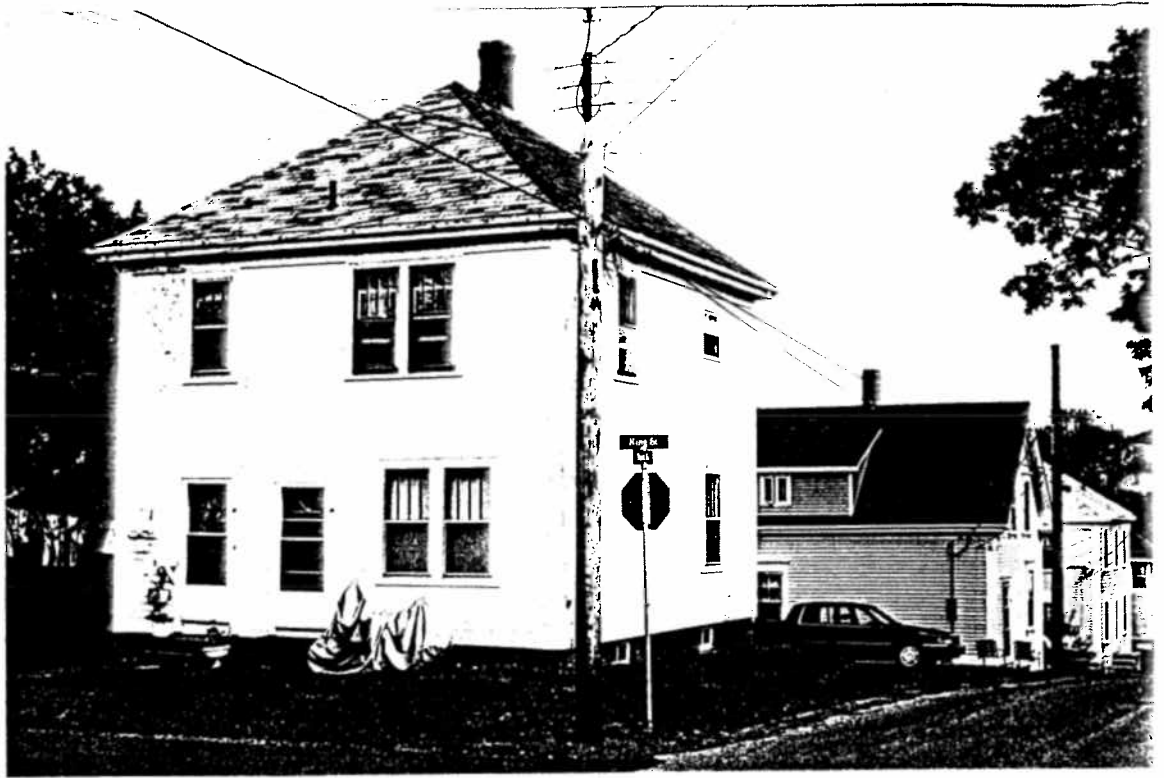
APPENDIX 6

Residential conversions



■ BUILDINGS CONVERTED TO TWO OR MORE RESIDENTIAL UNITS

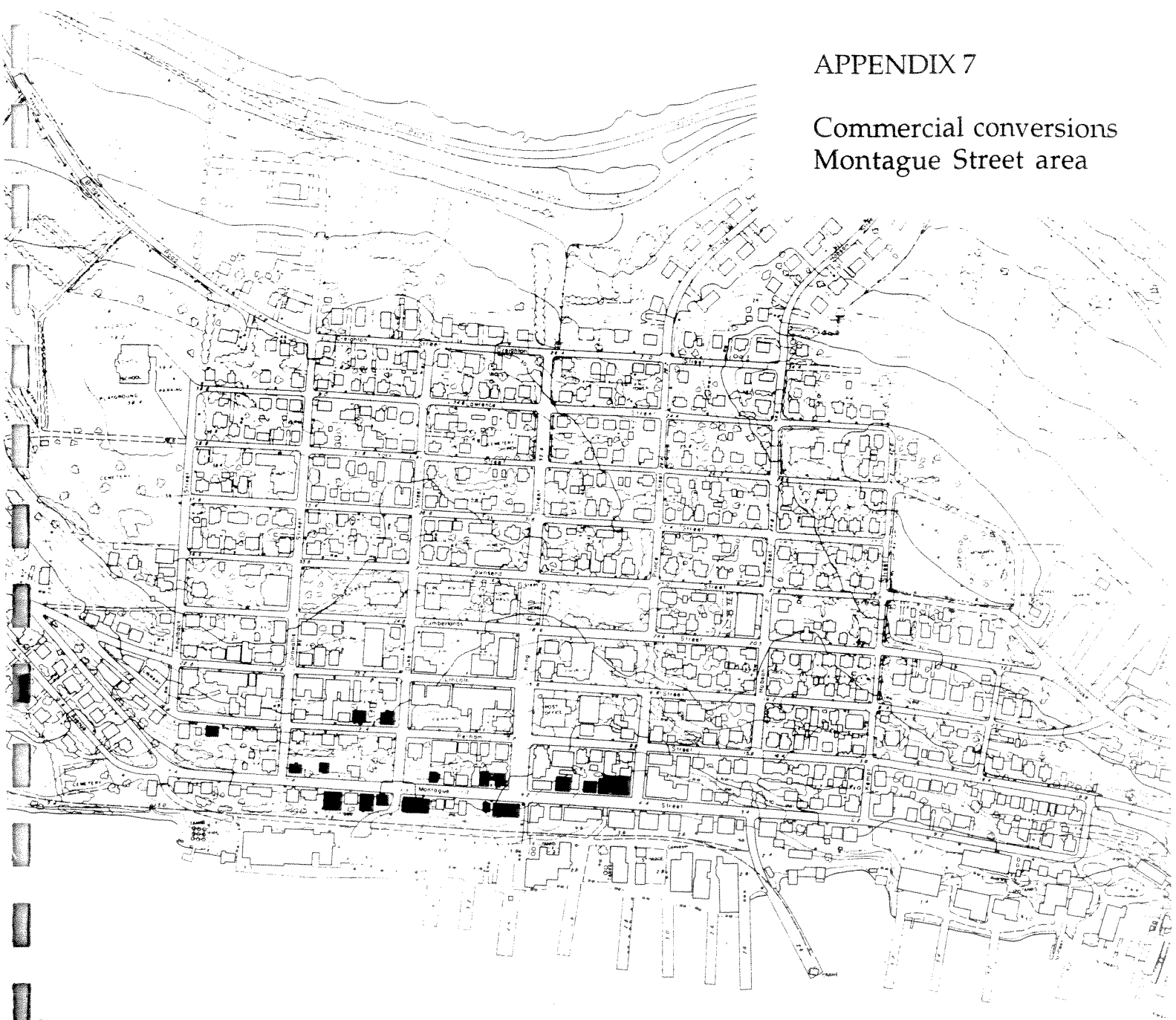
SOURCE: MUNICIPAL PLANNING STRATEGY EXISTING LAND USE MAP  
AND  
TOWN OF LUNENBURG DEVELOPMENT PERMIT RECORDS TO 1994

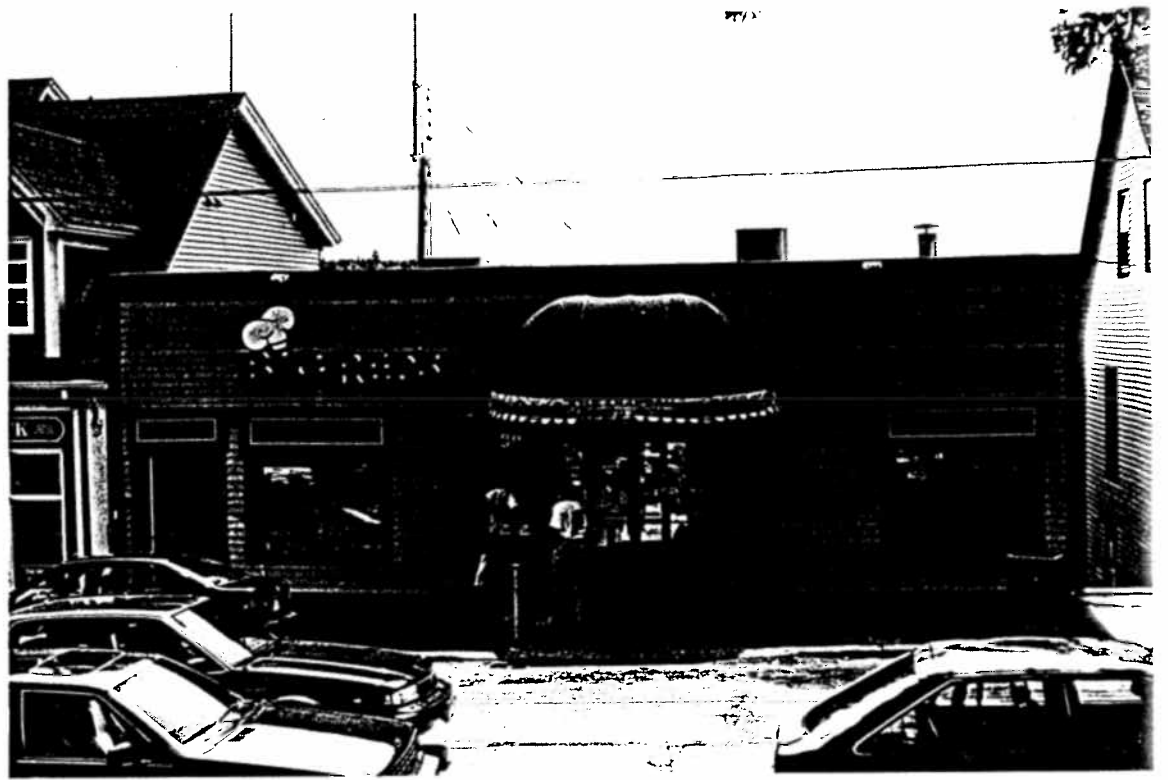




APPENDIX 7

Commercial conversions  
Montague Street area



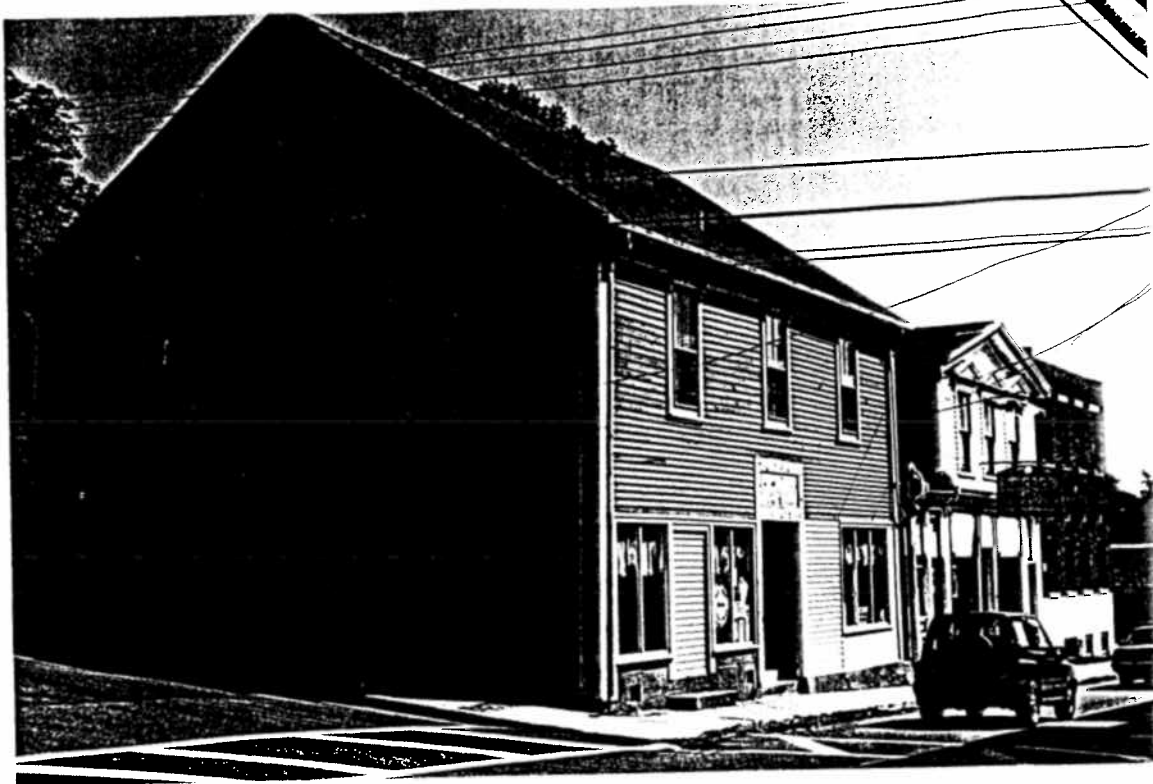


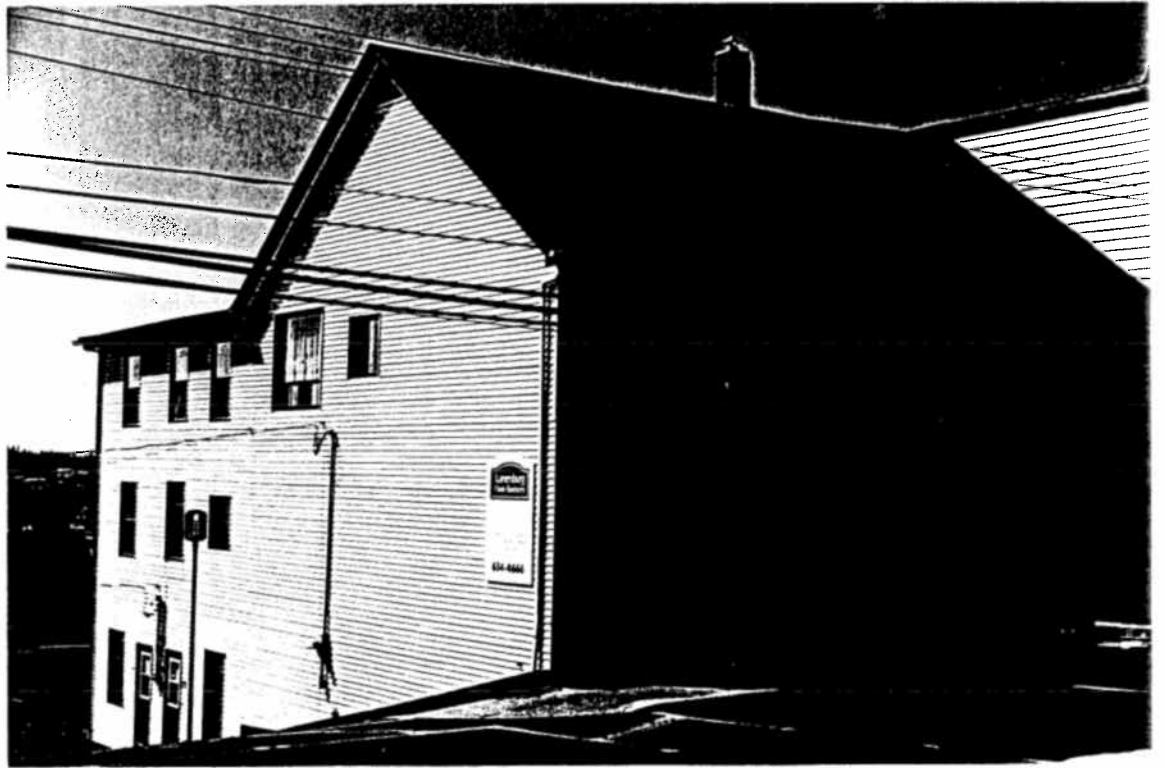
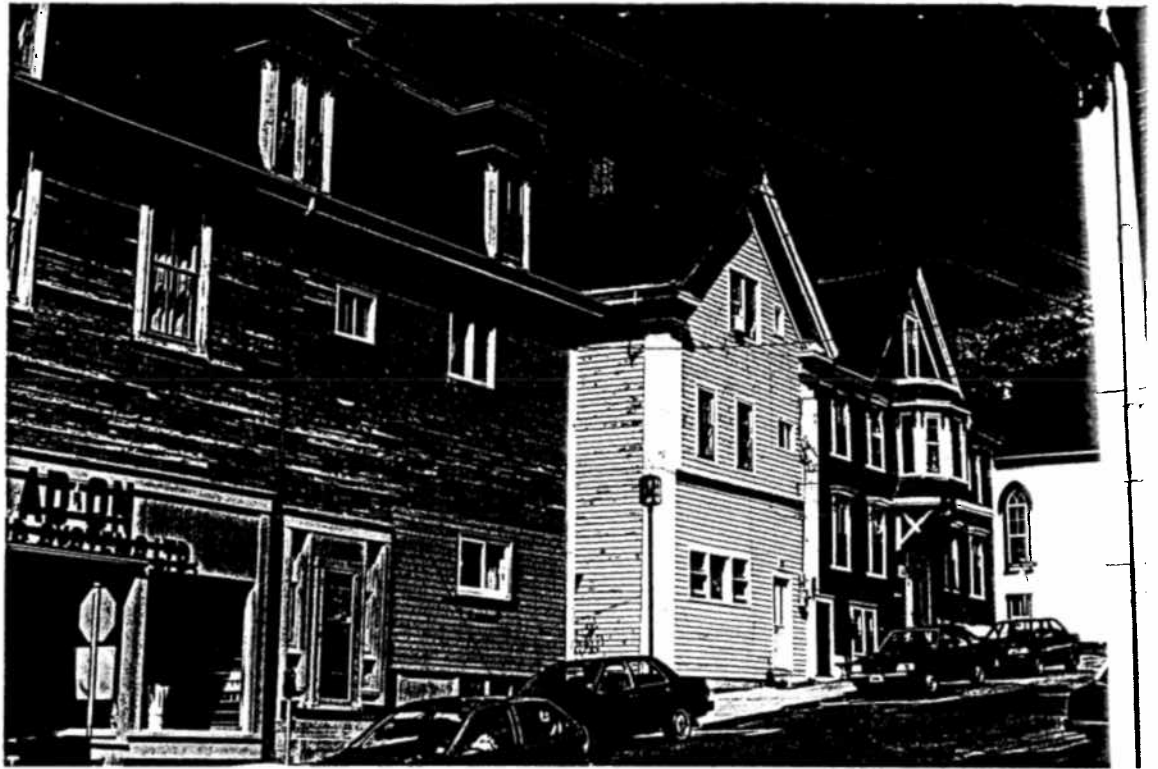


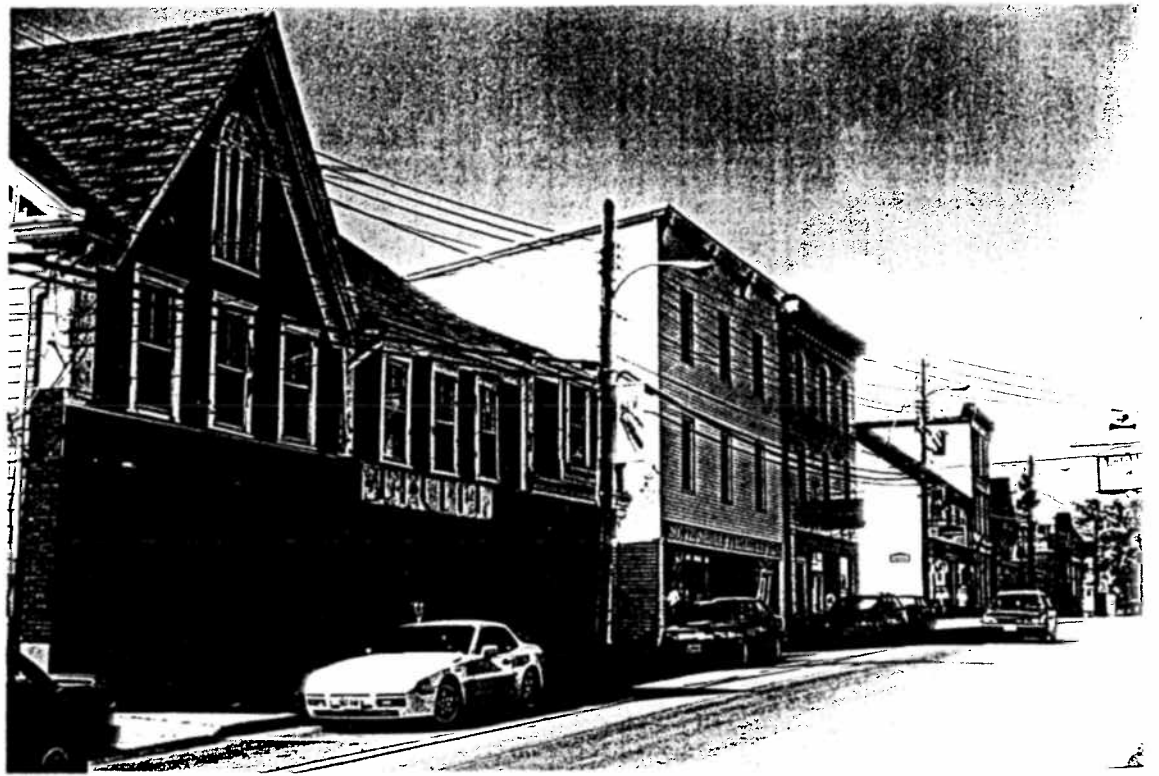
Appendix 8

Building alterations  
Lincoln Street

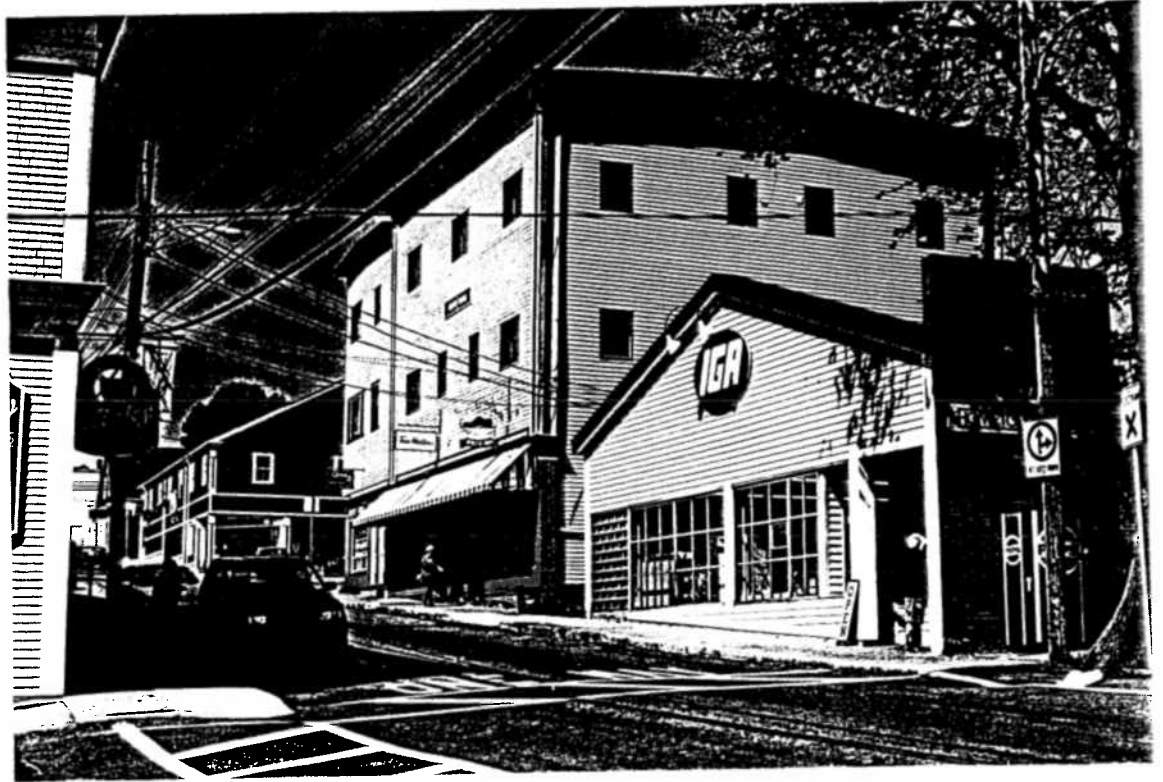












Appendix 9

Guest house conversions





APPENDIX 10

Draft Design Guidelines

for

Maitland, East Hants.

4.1 Design Guidelines for New Buildings.

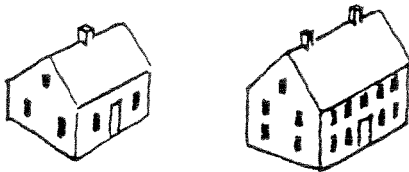
New buildings in the Heritage Conservation District shall be designed and constructed in accordance with the following guidelines:

- .1 **Style:** New buildings shall be designed and constructed in a style which reflects and responds to the style of nearby existing historical buildings.

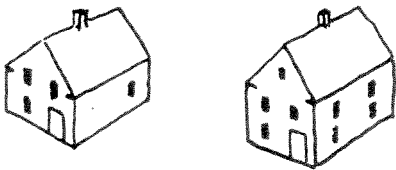
MANDATORY

- .2 **Form:** New buildings shall be designed and constructed in a form which corresponds with or is derived from one of Maitland's traditional building forms, which include:

MANDATORY



CLASSICAL REVIVAL FORM

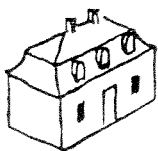
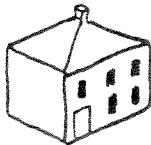


GREEK REVIVAL FORM



GOthic REVIVAL FORM

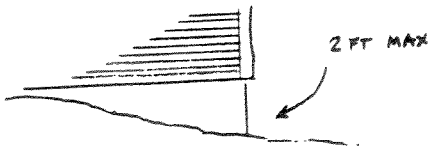
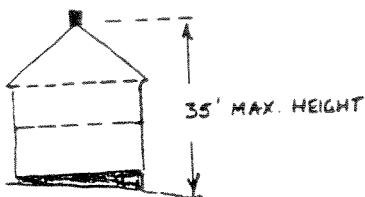
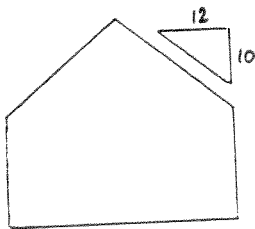
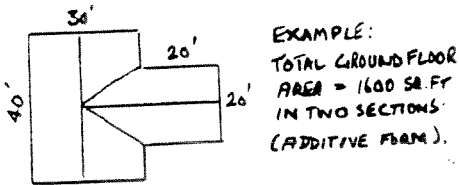
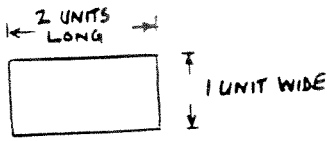
HIP-ROOFED GEORGIAN / FEDERAL FORM



SECOND EMPIRE FORM

- Single or two-storey, gable roofed form with main facade in long elevation (Classical Revival model).
- Single or two-storey, gable roofed form with main facade in end elevation (Greek Revival model).
- Single or two-storey, cross gable form (Gothic Revival model).
- Two-storey hip-roofed form (Georgian/Federal model).
- 1<sup>1</sup>/<sub>2</sub> storey mansard roofed form (Second Empire model).

For further information on traditional building forms and styles, see the Background Studies section of the Heritage Conservation District Plan and Appendix 1.



.3 **Proportion:** New buildings shall have a width to length ratio no greater than 1:2. MANDATORY

.4 **Size:** Where the total ground floor area of a proposed building will exceed 1450 sq.ft., the building shall be comprised of more than one attached building component. The maximum ground floor area of any new building shall be 2300 sq.ft. MANDATORY

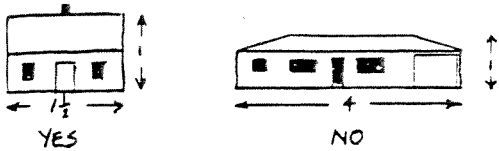
.5 **Roof Pitch:** The principal roof (not including eaves or extensions) on any new building shall have either a gable roof with a minimum pitch of 10:12 or a roof shape and pitch the same as the roof shape and pitch on a nearby historical building. MANDATORY BUT FLEXIBLE ACCORDING TO THE CONTEXT

.6 **Height:** New buildings shall not be more than 2 stories high exclusive of the attic level under the roof. Maximum overall height shall not exceed 35 ft. from the lowest point of grade at the building foundation to the highest point of the roof. MANDATORY

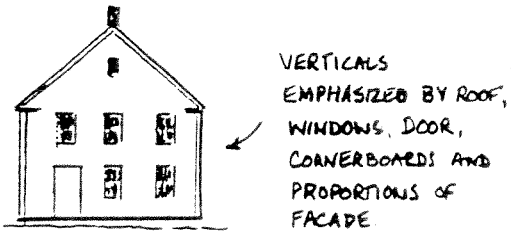
.7 **Exposed concrete foundations:** The maximum height of the exposed portion of a concrete foundation, from grade to the lowest level of the cladding shall be 2 ft. MANDATORY

8 **Facade design:** The main facade on any new building should be designed with reference to the following factors:

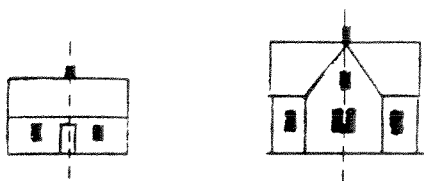
ADVISORY



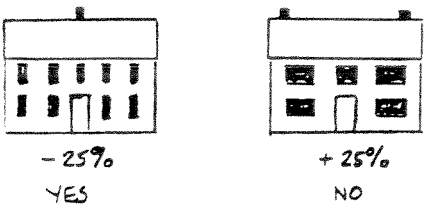
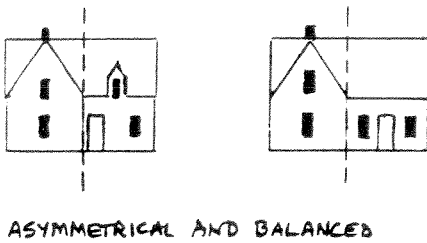
a. **Proportion:** The length to height ratio of the facade should not exceed 2:1.



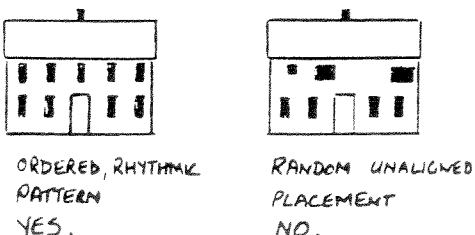
b. **Directional emphasis:** The facade design should emphasize vertical elements over horizontal elements. This can be most easily achieved by the use of steeply pitched roofs and vertically proportioned windows.



c. **Visual balance:** Facade designs should strive for visual balance. Visual balance may be achieved most directly by the use of symmetry (where design elements are equally balanced about a central point, e.g., windows equally spaced on either side of a central door), but asymmetrical compositions are also acceptable. In asymmetrical compositions, visual balance is more elusive and harder to define, but may be achieved by considering the balance of individual components within the design.

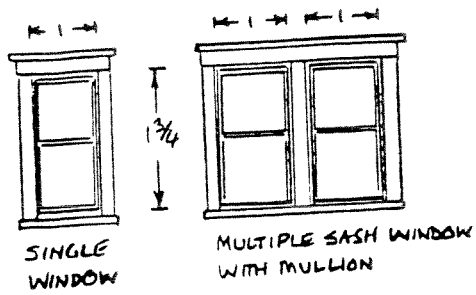


d. **Window to wall area ratio:** The area of the facade occupied by window and door openings should generally be no greater than 25%.



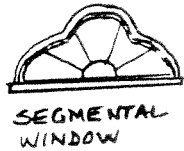
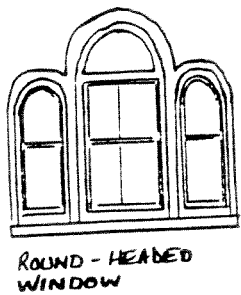
e. **Rhythm and alignment:** Window and door openings should preferably be arranged in a simple, rhythmic pattern, and should correspond in their horizontal and vertical alignment. Random placement of windows is discouraged.

MANDATORY PROPORTIONS  
BUT FLEXIBLE IN STYLE

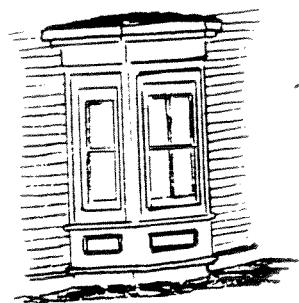


- 9 Windows: Windows which are visible from an adjacent public street shall be vertically oriented in the facade with a minimum width to height ratio of 1: 1<sup>3</sup>/<sub>4</sub>. The preferred window type is the traditional, double hung, vertical sliding sash. Wider window openings may be achieved by utilizing multiple sashes separated by mullions.

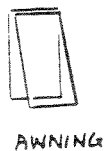
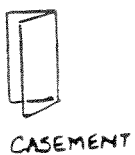
Windows may be square-headed or round-headed.



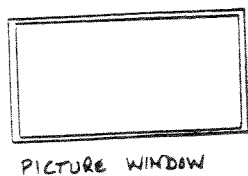
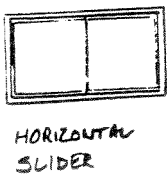
Circular, oval or segmental windows, or variations thereof, shall be permitted.



Three-faceted bay windows on the traditional model shall also be permitted.

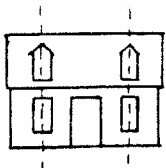
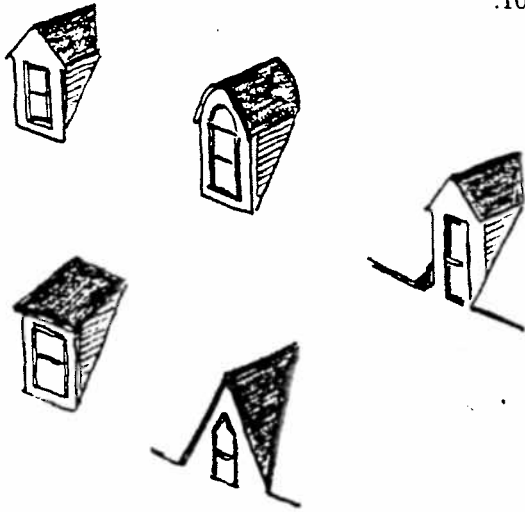


Casement, awning and large flat glazed windows which impart a contemporary image shall be permitted provided that they are installed in openings of acceptable proportions.



Horizontally proportioned slider windows, picture windows and curved bow windows shall not be permitted on facades which are visible from the street.

10 Dormers: Dormers shall be permitted with proportions and roof pitches similar to those of dormers on existing historic buildings in Maitland.



DORMERS  
VERTICALLY ALIGNED

Where small dormers are set in a roof, they should be aligned with window or door openings in the facade below.

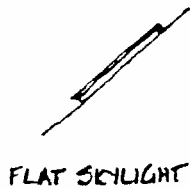
ADVISORY

SHED DORMER  
INSET TO  
PRESERVE  
GABLE FORM



Where a full shed dormer is incorporated into a pitched roof, it shall be inset from the roof verges so as to preserve the underlying form of the gable.

MANDATORY



FLAT SKYLIGHT

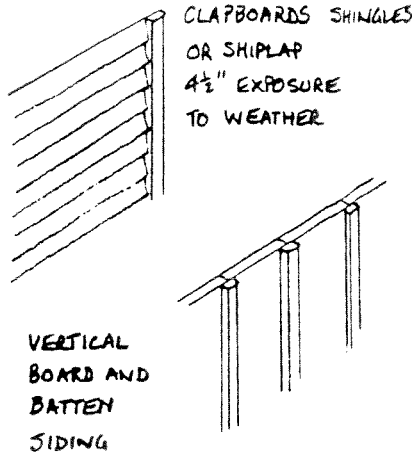


BUBBLE SKYLIGHT

11 Skylights: Flat, glazed skylights shall be preferred to bubble-type skylights.

ADVISORY

ADVISORY - COLUDED IN TERM OF WHAT IS PREFERRED.

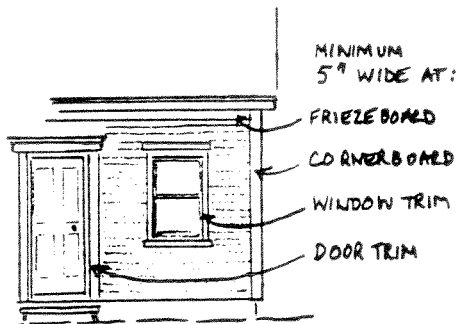


.12 Cladding: The preferred exterior cladding on new buildings shall be traditional wooden clapboards, wooden shingles or wooden shiplap siding laid in horizontal alignment at maximum 4 1/2 inches to the weather, or wooden board and batten siding.

Vinyl, aluminum or other synthetic cladding materials are not recommended. If they are to be used, however, they shall have a narrow overlap (max 4 1/2 inches) and shall be installed with wooden trim, minimum 5" (nominal 6") width around windows and doors and at the friezeboard and facade corners. See specific guidelines in section 4.3. Also see attached advisory article in Appendix 2.

Brick cladding is not characteristic to the historical architecture of Maitland and shall not be permitted on new buildings. Asphalt imitation brick cladding also shall not be permitted.

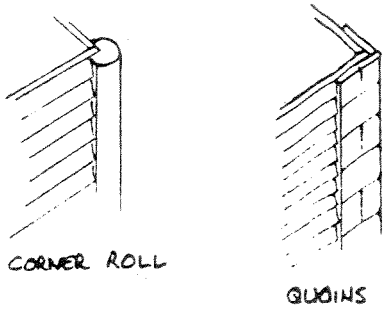
MANDATORY

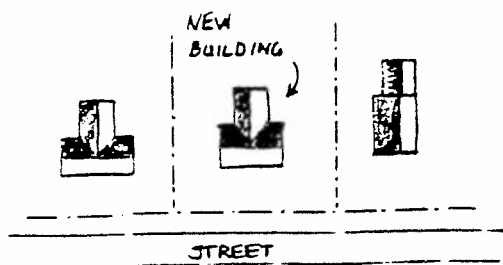
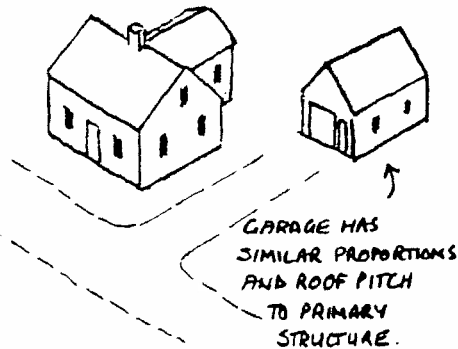
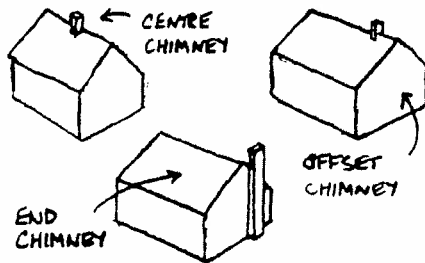
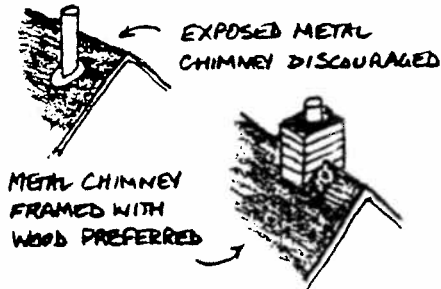
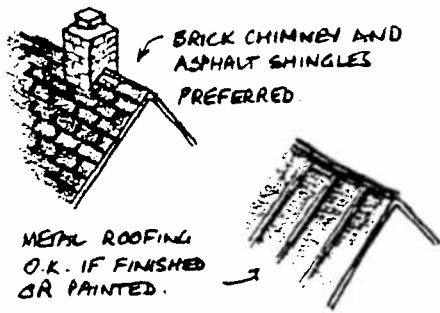


.13 Trim: New buildings shall, at minimum, have plain cornerboard, friezeboard, window and door trim, minimum 5" wide (nominal 6").

MANDATORY

Traditional wooden corner roll trim, minimum 2 1/2" wide, and traditional wooden corner quoins shall also be permitted.





.14 **Roofing:** Roofing materials shall be asphalt shingles, traditional wooden roof shingles or synthetic materials which replicate either of these. Sheet metal roofing shall also be permitted provided that it has a painted or other finished appearance. *WIDE RANGE OF OPTIONS.*

.15 **Chimneys:** Chimneys on new buildings should preferably be constructed of brick. Insulated, metal stovepipe chimneys may also be permitted provided that they are enclosed in wood or painted. Exposed stainless steel or chrome chimneys are discouraged. *ADVISORY*

Centre or offset chimneys emerging through the roof ridge are preferred to end chimneys. Wide, multiple flue chimneys attached to the outside of the building should preferably be located on a building elevation which faces away from the street. *ADVISORY*

.16 **Outbuildings:** Outbuildings constructed in association with a primary structure on the same site should be relatively small in scale with similar proportions to the primary structure.

- The maximum height of a new outbuilding shall be 1<sup>1</sup>/<sub>2</sub> storeys.
- The style, roof pitch, cladding material and windows should complement the primary structure.
- Portable metal storage sheds and mini-barns shall not be permitted. *ADVISORY*

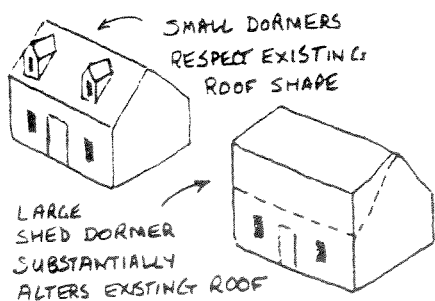
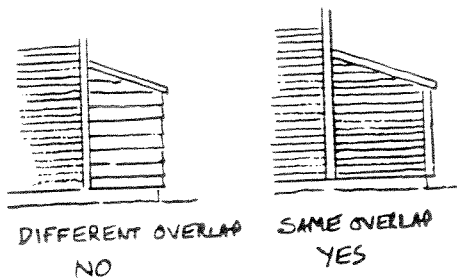
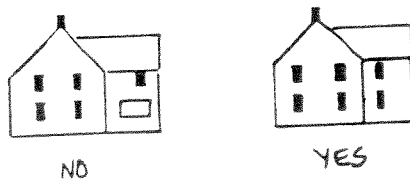
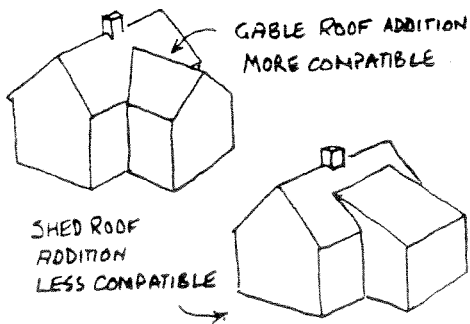
.17 **Location:**

a. **Setback:** Any new building shall have a setback which is equal to or an average of the setbacks of adjacent historic buildings. This requirement does not apply to new outbuildings. *MANDATORY*

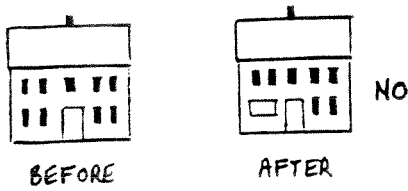
b. **Sidyard:** Minimum 6ft.

## 4.2 Design guidelines for alterations and additions to existing buildings

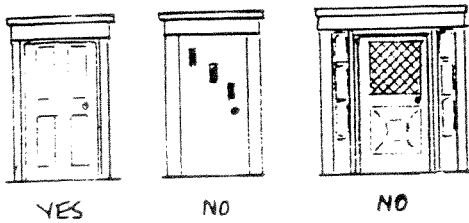
Alterations and additions to existing historic buildings in the Heritage Conservation District shall comply with the following guidelines:



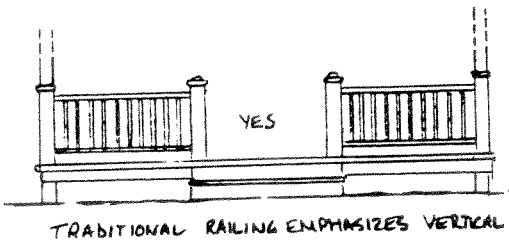
- .1 **Style:** Alterations or additions to existing historical buildings shall be designed and constructed so as to be consistent with the historical style of the principal structure. MANDATORY
- .2 **Roof shape on additions:** Additions which are visible from an adjacent or adjoining public street should preferably have a roof shape and a roof pitch which match that of the principal structure. ADVISORY
- .3 **Windows on additions:** Windows on additions which are visible from an adjacent public street should have proportions and alignment which match the proportions and alignment of the windows on the original structure. The guidelines for windows on new buildings also apply. ADVISORY
- .4 **Cladding and trim on additions:** The guidelines for exterior cladding and trim on additions are the same as those for the exterior cladding and trim on new buildings. Generally, the cladding on an addition should match the cladding on the principal structure in terms of its overlap and alignment, and the trim on the addition should match the trim on the original structure. ADVISORY
- .5 **Height of additions:** The height of an addition shall not exceed the height of the principal structure. MANDATORY
- .6 **Dormers:** New dormers shall not substantially alter the established shape or form of the roof. Where small dormers are set in a roof, they should be aligned with window or door openings in the facade below. The guidelines for dormers on new buildings also apply. ADVISORY



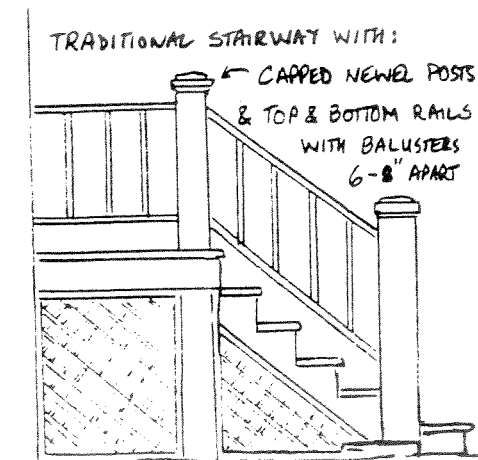
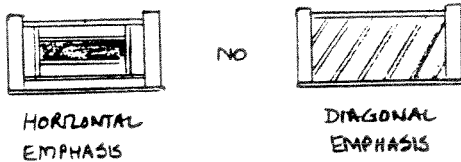
- .7 **Window alterations:** Where existing windows are to be replaced or renovated the new windows shall have proportions the same as or similar to the original windows, and shall not alter the established window pattern in the facade in terms of its visual balance or directional emphasis. Traditional windows shall not be replaced by picture windows or horizontal sliders. **MANDATORY**  
See also guidelines for windows on new buildings



- .8 **Door replacements:** Where existing doors are to be replaced the new door should match the existing style of the entrance. Panelled wooden doors are preferred to modern, metal doors or flush surface doors. **ADVISORY**

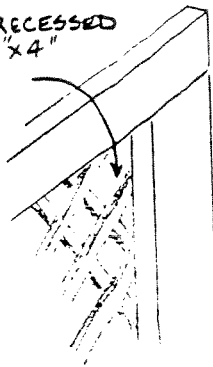


- .9 **Porches, porticos and verandas:** New porches, porticos and verandas shall be designed and constructed in a manner which reflects the historical style of the main structure. Where a railing is necessary or desired, it should be designed and constructed in the traditional way, with an upper and lower rail and vertical balusters. Contemporary railing designs which emphasize diagonals or horizontals are discouraged. End posts should be capped. Wrought iron railings and gothic fretwork are permitted where appropriate to the historical style of the building. **ADVISORY**



- .10 **Exterior staircases:** shall be permitted provided that they are designed, constructed and trimmed in a manner which reflects the style and detail of the building to which they are attached. Exterior staircases should be unobtrusive and, where possible, should be located at the rear of a building. Except for steps associated with a porch or veranda, exterior staircases shall not be permitted on the front face of a building. Railings on exterior staircases should preferably be designed and constructed in the traditional way, with upper and lower rails, vertical posts and capped newel posts. **ADVISORY**

LATTICE RECESSED  
BEHIND  
FRAME.



- .11 **Lattice screening:** Where lattice screening is installed under porches, verandas or exterior staircases, it should be properly recessed and framed at the edges.

ADVISORY

- .12 **Replacement of existing cladding materials:**

Replacement cladding materials shall preferably be traditional wooden clapboards, wooden shingles or wooden shiplap siding laid in horizontal alignment at maximum 4 1/2 inches to the weather, or wooden board and batten siding, where this is appropriate to the historical style of the existing building. The overlap of the new wooden cladding should preferably replicate the overlap of the original cladding.

ADVISORY

Vinyl, aluminum or other synthetic cladding materials are not recommended as replacement siding materials. If they are to be installed, however, they shall meet the requirements of section 4.3 of these design guidelines. An advisory article regarding the use and durability of vinyl siding is also attached in Appendix 2.

Brick cladding was not traditionally used on Maitland's historic buildings and shall not be permitted as a replacement for traditional wooden cladding. Similarly, asphalt imitation brick cladding shall not be permitted.

MANDATORY

- .13 **Trim alterations:** Existing historical trim, including cornerboards, friezeboards, baseboards, window and door trim, mouldings, brackets, dentils, etc., shall be retained wherever possible.

ADVISORY

- .14 **Roofing:** Replacement roofing materials shall be asphalt shingles, traditional wooden roof shingles or synthetic materials which replicate either of these. Sheet metal roofing shall also be permitted provided that it has a painted or other finished appearance.

WIDE RANGE OF OPTIONS

.15 **Skylights:** Skylights shall be permitted on existing buildings but flat, glazed skylights are preferable to bubble-type skylights and installation on a back roof slope is preferable to installation on a roof slope facing a public street. ALVISOR 1

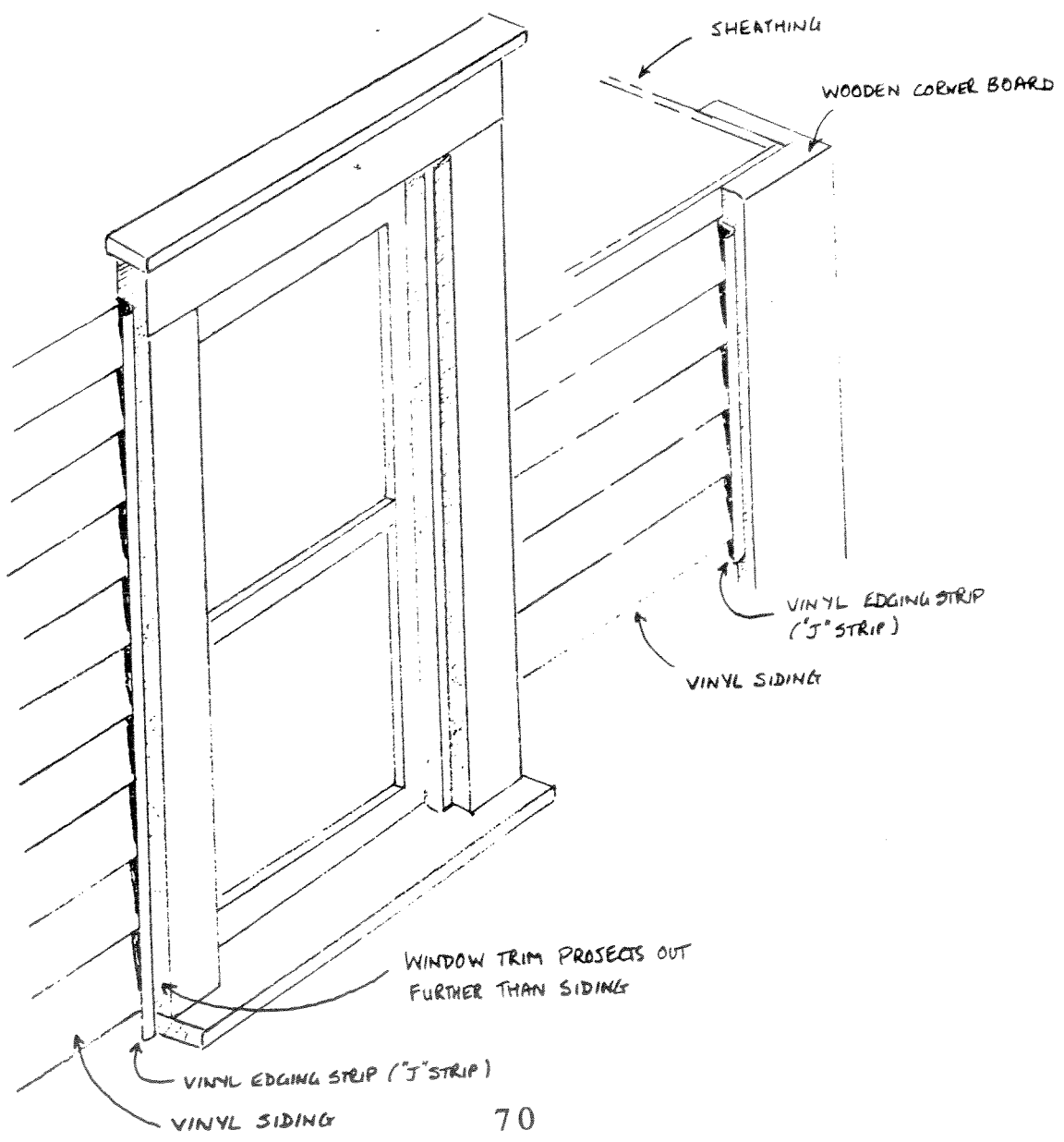
.16 **New chimneys and replacement chimneys:** See guidelines for chimneys on new buildings.

VINYL PERMITTED SUBJECT  
TO CONDITIONS . . .

4.3 Guidelines for installation of vinyl and aluminum cladding

Vinyl and aluminum cladding shall be permitted to be installed on new buildings and on existing buildings in the Heritage Conservation District subject to the following provisions.

- .1 the cladding shall be of the narrow overlap type, maximum 4 1/2" to the weather;
- .2 the cladding shall not project beyond the front surface of abutting trim around windows, doors and corners;
- .3 when installed as replacement cladding on existing buildings, the installation shall not obscure, cover, remove or alter any existing historic architectural trim or other historic architectural features;
- .4 when installed on new buildings, the cladding shall be installed and fitted with wooden trim around windows, doors and corners.



APPENDIX 11  
Draft demolition policy  
for  
Maitland, East Hants.

4.4 Design guidelines for signs.

a. **General guidelines:**

- New signs shall be designed in a manner which respects and reinforces the architecture of the building with which they are associated. Signage which is compatible with nearby buildings helps to create visual unity within the Heritage Conservation District.
- Signs such as name and address signs, building identification signs, no trespassing signs, traffic regulation or parking signs, plaques denoting historic significance, etc., shall be relatively small in relation to the building to which they are attached or with which they are associated.
- New signs should present clear, concise information in a simple manner.

b. **Permitted materials:**

New signs shall be constructed of wood and may have painted, carved or raised lettering.

c. **Illumination:**

- Internally lit, plastic signs are regarded as being out of character with Maitland's historic architecture, and shall not be permitted. New signs in the Heritage Conservation District may be externally illuminated, however, by the use of focussed spotlights, either attached to the sign or fixed to the ground or building, as appropriate.

d. **Signs prohibited:**

- Internally lit signs.
- Flashing signs.
- Moveable, portable signs.
- Advertising signs affixed to utility poles or to other highway or traffic control signs.
- Signs fixed to or supported by the roof of any building.
- Product signs.

e. **Projecting Wall Signs:**

- Maximum size of sign board - 20 sq.ft. (4' x 5');
- Wooden or wrought iron brackets preferred; iron pipe brackets discouraged.
- Sign shall not project above eaves, parapet or roof line of a building.
- Sign should be vertically aligned with vertical elements in the building facade, e.g., edges of windows, doors, edge of storefront, or mid-point of spaces between architectural features.
- Top or bottom of sign should be horizontally aligned with horizontal architectural features, e.g., the top of windows, or the lines of a transom or fascia board.
- Illumination by focussed spotlight preferred; no internal illumination.

f. **Fixed Wall Signs:**

- Maximum size of sign board - 1 sq.ft. per lineal foot of wall space.
- Fixed wall signs should preferably be centred between windows, between a window and a door, or between a window and the edge of the wall.
- Fixed wall signs should not obscure significant architectural details.
- Illumination by focussed spotlight preferred; no internal illumination.

g. **Ground signs:**

- Maximum size of sign board - 24 sq.ft. (4'x6');
- Sign shall have wooden posts;
- Maximum height 10 ft.
- Illumination by focussed spotlight preferred; no internal illumination.

4.5 Design guidelines for fences.

a. **General guidelines:**

- New fences shall be designed and constructed in a manner which respects and reinforces the architecture of the building with which they are associated.
- New fences shall be constructed of wood only.
- Maximum height of new fences shall be 6 ft.

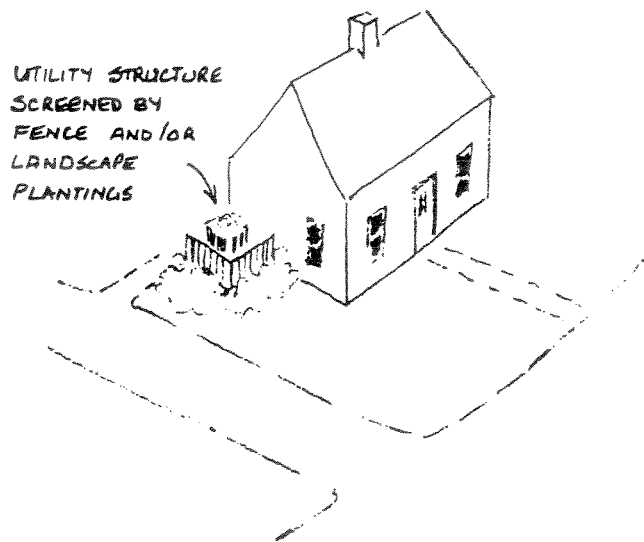
b. **Permitted fence types:**

- Post and rail.
- Board fence - boards shall be attached on same side of fence posts.
- Picket fence - pickets shall be attached on same side of fence;
  - pickets shall be uniform width;
  - pickets shall be pointed rather than square-topped.
- Lattice fences shall be permitted provided that the latticework is framed.

4.6 Utility structures.

Utility structures such as fuel tanks, garbage containers, electrical transformers, air conditioning equipment and other mechanical equipment shall be permitted in the Heritage Conservation District subject to the following conditions:

- utility structures shall not be located in front of buildings.
- where utility structures are visible from an adjacent public street, they shall be screened by a board fence, lattice fence and/or other planted landscape material.



Public hearing required for demolition or removal of certain historic buildings .

In discussions leading towards the preparation of this Plan and Bylaw, it was determined that demolition of historic buildings (historic houses, historic commercial buildings and the churches) should be the single type of development in the Heritage Conservation District for which a public hearing should be required. This requirement should also apply to the old Frieze and Roy shipyard shed because of its historical significance as the last remaining shipyard structure. The requirement for a public hearing should not apply, however, to the other old outbuildings in the district because of the difficulty in clearly determining their historic significance and because of the wide variations in their condition and appearance. The historic buildings to which the requirement for a public hearing will apply shall be shown on the Heritage Conservation District Map.

Criteria for review of applications for demolition or removal of historic buildings at public hearing.

POLICY 15 Where application is made for a Certificate of Appropriateness for the demolition or removal of any historic building identified on the Heritage Conservation District Map, it shall be the intention of Council to require that the application be considered at a public hearing. In reviewing an application, Council shall consider the following factors:

- .1 the stated reasons for the proposed demolition or removal;
- .2 building condition;
- .3 the historical significance of the building;
- .4 the architectural character and uniqueness of the building;
- .5 the visual prominence of the building and its architectural contribution to the immediate streetscape and the Heritage Conservation District in general;
- .6 the effect of the proposed demolition or removal on the immediate neighbourhood and the Heritage Conservation District in general;
- .7 the cost/benefits of rehabilitation versus demolition or removal;
- .8 any alternatives which may be available in the circumstances;
- .9 the proposal, if any, for a replacement building .

Conditions on Certificate of Appropriateness for demolition or removal

POLICY 16 A Certificate of Appropriateness for the demolition or removal of a historic building in the Heritage Conservation District may include conditions respecting:

- .1 the filing with the heritage officer of acceptable photographic or other documentation of the historic building prior to its demolition or removal;
- .2 the salvaging of specific historic architectural features such as mouldings, brackets, doors, windows, newel posts, mantles, etc., prior to demolition;
- .3 the making good, landscaping or other restoration of the site following demolition or removal of the historic building, including:
  - a. removal of demolished material;
  - b. type of finished landscaping material to be used on the vacant site;
  - c. type, species or placement of vegetation;
  - d. type or placement of fencing;
  - e. screening of any unsightly elements.
- .4 the architectural character of any replacement building;
- .5 the time frame for construction of any replacement building;
- .6 any other matter pursuant to section 14 of the provincial Regulations for Heritage Conservation Districts.

**Lunenburg, Nova Scotia**

Completed by: E. Patricia MacDonald, Consultant (*former Heritage Officer for the Town of Lunenburg*)

**Q. Prior to the designation, was there a strategy in place for the conservation of the area and for the development of a broad-based economy capitalizing on the heritage character? if so, what?**

A. Yes. The Lunenburg *World Heritage Community Strategy*, adopted in 1998, presents a strategic plan for conservation of the Town's architectural and cultural heritage. It proposes the establishment of two new organizations- the *Lunenburg World Heritage Community Foundation*, which will focus conservation, education, fundraising, heritage programming, interpretation and publishing, and the *Lunenburg World Heritage Community Corporation*, which will focus on business development, marketing and promotion, heritage product development, vacation packaging and special events.<sup>1</sup>

**Q. Prior to the designation, did the City have a Heritage Property Bylaw, adopted under the province's Heritage Property Act?**

A. Yes. There has been a Heritage Property Bylaw since 1981.

**Q. What was the rationale for establishing a historic district?**

A. To conserve the historic and architectural value of the buildings and their setting in Old Town

**Q. What was the community input and adoption process?**

A. "In 1994, the background study *Towards the establishment of a heritage conservation district in the Town of Lunenburg* outlined a rationale for establishing a heritage district in the Old Town.

In early 1995, a summary of the study was distributed to all property owners, with a questionnaire to determine the level of support for heritage district designation. Although the response rate was low (about 20%), over 80% of respondents were in favour of establishing a district. Later in 1995, a group of Old Town residents worked with the consultant to prepare a draft conservation plan and bylaw. This resulted in a first draft in March 1996 and a second draft in August 1996.

In November, 1996 public meetings were held by the Heritage Advisory Committee to discuss the proposed heritage conservation district. Most people present at the meetings supported the idea but concerns were expressed about provisions in the Heritage Property Act which made all approved developments in a heritage district appealable and which required notices for all developments, however minor, to be mailed to all property owners

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<sup>1</sup> Plaskett, Bill *Lunenburg Old Town Heritage Conservation District Plan & Bylaw with Design Guidelines*, Lunenburg, 2000

in the district. As these provisions would have made administration of the heritage district very cumbersome and costly, and as it was known that the provincial government was in process of amending the Act to remove them, the consensus was to defer further work on the conservation plan and bylaw until the amendments were in place (at that time, the amendments were incorporated into the then forthcoming Municipal Government Act, which has since been enacted). In the meantime, it was agreed that a public education program on the proposed heritage district and design guidelines should be undertaken.

In May 1997, a series of articles on the proposed heritage conservation district was published in the Progress Enterprise newspaper and an informational "phone-in" program was broadcast on community television. A workshop for local building contractors was held in November 1997.

In December 1998, the Municipal Government Act was passed by the Legislative Assembly with notice that it would become effective on 1 April, 1999. This put the Town in a position to move ahead with preparations for adoption of the conservation plan and bylaw.

A third draft was prepared in January 1999 and reviewed by the HAC and the Town Solicitor. A fourth draft was prepared and reviewed in April 1999 and updated with minor editorial changes in January, 2000. Town Council gave formal notice of its intention to adopt the conservation plan and bylaw on 13 January, 2000 and a public hearing was held on 21 February, 2000. Following minor revisions made pursuant to public input at the public hearing, the conservation plan and bylaw were officially adopted by Council on 11 May, 2000 and came into effect upon approval by the Minister of Municipal Affairs on 4 September, 2000."<sup>2</sup>

**Q. In accordance to what provincial acts has the conservation or special district been adopted?**

A. "The heritage conservation district plan and bylaw were adopted in accordance with the enabling provisions of the Nova Scotia Heritage Property Act, Chapter 199, RSNS, 1989 as amended by 1991, c.10 and section 559 of the Nova Scotia Act Respecting Municipal Government, Chapter 18, RSNS, 1998, and the Nova Scotia Heritage Conservation Districts Regulations made by the Governor in Council on 14 July, 1992 as amended on 11 July, 1995 and 25 November, 1999."<sup>3</sup>

**Q. What conservation policies of the City does the conservation plan express?**

A. "The conservation plan expresses the policies of Lunenburg Town Council regarding conservation of the historic and architectural value of buildings and their setting in the Old Town and other historic areas in Lunenburg."<sup>4</sup>

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<sup>2</sup> ibid

<sup>3</sup> ibid

<sup>4</sup> ibid

**Q. What is the purpose of your conservation plan?**

A. “The purpose of the conservation plan and bylaw is:

- to conserve the historic and architectural value of buildings and their setting in Old Town Lunenburg while allowing for change and development;
- to ensure that new development will be in keeping with the historic character of the Old Town;
- to maintain and enhance the attractiveness of the Old Town as a place to live and as a tourist destination;
- to meet the obligations of the Town with respect to protection and management of the heritage character of the Old Town National Historic District and World Heritage Site.
- to encourage good building design;
- to support the development of a successful cultural tourism economy;
- to support, maintain and enhance community pride in heritage conservation;
- to enable property owners within historic areas of the town to benefit from available financial assistance programs for conservation of property in heritage conservation districts; and,
- to supplement existing heritage conservation policies and regulations contained in the Town’s Heritage Property Bylaw and Municipal Planning Strategy and Land Use Bylaw.”<sup>5</sup>

**Q. What background studies and reports relate to the adoption of the conservation plan and the establishment of the conservation district?**

A. *Understanding Lunenburg’s Architecture*, Lunenburg County District Planning Commission and Lunenburg Heritage Society, 1979.

*Lunenburg: An Inventory of Historic Buildings*, Lunenburg County District Planning Commission and Town of Lunenburg, 1984

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<sup>5</sup> ibid

*A Series of Maps Illustrating Lunenburg Buildings by Age, Architectural Character and Historical Association*, Lunenburg County District Planning Commission, 1985.

*"Old Town" Lunenburg*, Historic Sites and Monuments Board of Canada, Agenda Paper, 1991.

*World Heritage List Nomination: Old Town Lunenburg*, Department of Canadian Heritage, September, 1994.

*Towards the establishment of a heritage conservation district in the Town of Lunenburg*, Bill Plaskett for N.S. Department of Municipal Affairs and Town of Lunenburg, September, 1994.

*Lunenburg World Heritage Community Strategy*, Roy Eugene Graham and Associates, October, 1998.

**Q. What is the local responsibility for conservation?**

A. The Town has the responsibility to implement conservation measures at the local level.

**Q. Is the conservation plan a replacement for a "municipal planning strategy and/or land use bylaw (MPS/LUB)"? Did the latter include design guidelines to illustrate their intent or assist in their interpretation? Did it/they apply only to facade alterations? All four facades or only that facing the street? Are there provisions for conservation of the setting?**

A. The design guidelines of the conservation plan and bylaw will supersede and replace the MPS & LUB architectural controls in the Old Town heritage conservation district. They apply to all four façade alterations. The Heritage Property Act defines the setting as "*the arrangement of open spaces, topography, vegetation, views from public places within the district to places within the district, and other natural or constructed features.*" Conservation of the heritage character of the setting and the Old Town's historic urban form are objectives of the conservation plan.<sup>6</sup>

**Q. With respect to stakeholders, what particular concerns, developmental or otherwise, has the Town encountered with the designation, both during the process and since the designation?**

A. An increase in tourism has resulted in problems with traffic congestion, parking and circulation. The market value of housing has increased to a point where it is not possible for local residents to purchase and maintain properties in the Town. Recent property acquisition by people from other areas has resulted in a population which only

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<sup>6</sup> ibid

resides in the Town on a seasonal basis, making it difficult to maintain the volunteer-based community.

**Q. Exactly how long did the designation process take?**

A. Six years.

**Q. What types of development require a permit or certificate of appropriateness?**

A. .1 construction of new buildings;

.2 exterior alteration of existing buildings, including, but not limited to:

any alteration to windows, doors, dormers, roof, cladding, trim, chimneys, foundation, porches, verandas, and exterior steps or stairs;

any addition, including new ells, wings, dormers, porches, verandas, decks, balconies,

and exterior stairs;

.3 demolition or removal of historic buildings;

.4 signs;

.5 fences;

.6 utility structures such as fuel tanks, mechanical or electrical equipment, satellite dishes, etc.”<sup>7</sup>

**Q. What gray areas in the bylaw and guidelines have been open to individual interpretation (is the technical wording clear)?**

A. There is no restriction on the number of dormers on a roof.

Only signs affixed to buildings require a Certificate of Appropriateness.

Landscaping is not included in the list of those requiring a Certificate of Appropriateness.

Only outbuildings over 80 square feet require a Certificate of Appropriateness.

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<sup>7</sup> ibid

**Q. Has the administration been forced to examine the actual text and make recommendations for amendments to the bylaw? If amendments were necessary, what was the process and how long did it take?**

A. No.

**Q. Have there been amendments to the boundary of the conservation district?**

A. No. "Amendments to the boundary of the heritage conservation district require a public hearing pursuant to section 9(3) of the provincial Regulations for Heritage Conservation Districts and approval by the Council and the Minister of Municipal Affairs pursuant to section 19A(6) of the Heritage Property Act."<sup>8</sup>

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<sup>8</sup> ibid

**ATTACHMENT "G" – Policy 4.8.1 of Heritage Conservation District Plan  
And Part 4.9 of the Heritage Conservation District By-law**

**Demolition or removal of heritage buildings.**

**4.8.1 Public hearing required / criteria for review of application.**

Where application is made for a Certificate of Appropriateness for the demolition or removal of any pre-1940 building in the heritage conservation district, as identified on Map 2, or any post-1940 building deemed worthy of protection from demolition (see policies 6.1.1.2 and 6.3.1.3), it shall be the intention of Council to require that the application be considered at a public hearing. In determining whether to grant or refuse permission for such demolition or removal, Council shall consider:

- .1 the physical condition, historical significance, architectural integrity, and uniqueness of the building, the extent to which it establishes or supports the architectural character of the surrounding streetscape or area, and its visual prominence and value as a local or regional landmark;
- .2 the proposal, if any, for a replacement building and the extent to which replacement may be preferable to conservation, maintenance, or rehabilitation of the existing building.
- .3 alternative economic uses for the building, and the relative costs and economic returns from rehabilitation vs the costs and economic returns from demolition or replacement, with the onus on the applicant to provide cost estimates for consideration by Council;
- .4 any alternatives to demolition or removal which may be available.
- .5 the advice of the Town of Lunenburg Heritage Advisory Committee and the Lunenburg Heritage Society.

**Part 4.9 of the Heritage Conservation District By-law**

**4.9 Consultation with Heritage Advisory Committee.**

The Heritage Officer (or the Council where the application requires a public hearing) may refer an application to the Town of Lunenburg Heritage Advisory Committee for advice, or may consult other resource persons for advice, prior to the granting or denial of a Certificate of Appropriateness or the holding of a public hearing, as applicable.

Circulated: \_\_\_\_\_

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Document No: 5(b)  
Meeting: HAC – April 20, 2020  
Circulate To: HAC, Council, BR  
File:

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**MEMORANDUM**

**TO: HERITAGE ADVISORY COMMITTEE**  
**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**  
**DATE: APRIL 14, 2020**  
**RE: HERITAGE RECOGNITION AWARDS**

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**1. FACTS**

**A. Background**

In keeping with the Town's Heritage Recognition Awards Program, the Town advertised for nominations on February 5, 2020. The nomination period closed on March 6<sup>th</sup>. Unfortunately none were received by the public. However, staff has identified seven project that were deemed worthy of consideration:

Civic Address:	Owner:	Nominator:
2 Kempt Street	Ironworks Distillery Inc.	Staff
196 Lawrence Street	Peggy Darlene Richardson	Staff
80 Creighton Street	Travis Hiltz and Mary Anne Donovan	Staff
194 Montague Street	SMP Holdings Inc. c/o Shane M. Pittman	Staff
160 Montague Street	B2 Holdings Limited c/o Marilyn MacKay-Lyons & Brian MacKay-Lyons	Staff
205 Pelham Street	David R. Hirtle	Staff
12 King Street	J. Garth Turner	Staff

The committee may wish to nominate other projects and consider the ones recommended by staff. The categories for consideration are enclosed in the Heritage Recognition Awards Program attached as Attachment "A". The Program's criteria is also attached in Attachment "A" to be used for your review of the staff's recommendations as well as any additional ones deemed worthy of consideration.

## **B. Proposal**

The Heritage Recognition Awards is intended to recognize the fine work of property owners and developers in enhancing Lunenburg as a UNESCO World Heritage Site and to heighten public awareness of Lunenburg's rich built heritage.

The owners of the nominations approved by Council will be invited to the Town's 267<sup>th</sup> Birthday Ceremony on June 5<sup>th</sup>, 2020 where they will be presented with their Heritage Recognition Certificates. Due to COVID-19, the Town's Birthday celebrations may be postponed and rescheduled for a later date.

### **2. ISSUES AND OPTIONS ANALYSIS**

- Council may approve the nominations as presented.
- Council may approve an alternative list of nominations.
- Council may refer the matter back to the HAC for further discussions.

### **3. FINANCIAL IMPACT**

There is sufficient funding in the 2020/21 fiscal budget to cover the costs associated with manufacturing the certificates as well as holding the event.

### **4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

Strategic Plan Goal #1 – To enhance appreciation of Lunenburg's heritage;

Strategic Plan Goal #2 – To promote our UNESCO designation;

### **5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council approves the following nominations for the Town's 2020 Heritage Recognition Award Ceremony.

<b>Civic Address:</b>	<b>Category:</b>
2 Kempt Street	Successfully blending an addition that contributes positively to the design of the original structure.
196 Lawrence Street	Rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure.
80 Creighton Street	Successfully blending an addition that contributes positively to the design of the original structure.

194 Montague Street	Successful adaptive reuse of a building that contributes positively to the design of the original structure.
160 Montague Street	Successfully blending an addition that contributes positively to the design of the original structure.
205 Pelham Street	Rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure.
12 King Street	Successful adaptive reuse of a building that contributes positively to the design of the original structure.

**ATTACHMENTS:**

- A.** Heritage Recognition Awards Program Complete with Criteria and Rating System.
- B.** Nominations for the 2020 Heritage Recognition Awards.

Acknowledged by:

Bea Renton  
Town Manager/Clerk

# **ATTACHMENT “A”**

## **Town of Lunenburg**

### **Heritage Recognition Awards Program**

#### **Purpose:**

To recognize property owners and developers for a “job well done” in outstanding restoration and/or rehabilitation work as well as well-designed infill developments that contribute positively to the streetscape in which they are located. It is intended the Program recognize small as well as large projects and consider nominations from throughout the Town.

#### **Recognition Categories:**

The Heritage Advisory Committee will accept nominations or will nominate from information provided by the Town’s Heritage Manager that fall under the following categories:

- preserving or restoring the original character of a building;
- rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure;
- successfully blending an addition and/or adaptive reuse of a building that contributes positively to the design of the original structure;
- new infill developments that successfully blend into and contribute positively to the streetscape in which it is located; and
- the long term preservation stewardship of a building.

#### **Review:**

Nominations will be reviewed by Staff and forwarded to the Heritage Advisory Committee (HAC) for consideration. The HAC will provide their recommendations for Council’s consideration. Upon considering the HAC’s review, Council will approve those nominations they deem appropriate.

## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	
Works contribute positively to Lunenburg's Architectural Traditions:	
Works contribute positively to the streetscape:	
Works enhances building's architectural style:	
Rating Score:	_____/ 8
	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

**ATTACHMENT “B”**  
**Nominations for the 2020 Heritage Recognition Awards**

**2 Kempt Street**

**Before Photos:**



**After Photos:**



## Heritage Recognition Awards Program

### Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	1
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg's Architectural Traditions:	2
Works contribute positively to the streetscape:	2
Works enhances building's architectural style:	1
Rating Score:	7/8
<b>2 Kempt Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

**196 Lawrence Street**

**Before Photo:**



**After Photos:**



## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	0
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg's Architectural Traditions:	1
Works contribute positively to the streetscape:	2
Works enhances building's architectural style:	2
<b>Rating Score:</b>	<b>6/8</b>
<b>196 Lawrence Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

**80 Creighton Street**

**Before Photos:**



**After Photos:**



## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	0
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg's Architectural Traditions:	1
Works contribute positively to the streetscape:	2
Works enhances building's architectural style:	1
Rating Score:	5/8
<b>80 Creighton Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

**194 Montague Street**

**Before Photo:**



**After Photo:**



## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	0
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg's Architectural Traditions:	2
Works contribute positively to the streetscape:	2
Works enhances building's architectural style:	2
Rating Score:	7/8
<b>194 Montague Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

## 160 Montague Street

**Before Photo:**



**After Photo:**



## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	0
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg's Architectural Traditions:	2
Works contribute positively to the streetscape:	2
Works enhances building's architectural style:	1
Rating Score:	6/8
<b>160 Montague Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

**205 Pelham Street**

**Before Photo:**



**After Photo:**



## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	0
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg's Architectural Traditions:	2
Works contribute positively to the streetscape:	1
Works enhances building's architectural style:	2
Rating Score:	6/8
<b>205 Pelham Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

## 12 King Street

### Before Photos:



### After/During Photos:



## Heritage Recognition Awards Program Criteria – Ranking System

Criterion:	Score: High - 2 Points; Low - 1 Point:
Registered Federal, Provincial or Municipal Heritage Property/Site: (Maximum 1 point)	0
Located in Heritage Conservation District or the Architectural Control Area: (Maximum 1 point)	1
Works contribute positively to Lunenburg’s Architectural Traditions:	1
Works contribute positively to the streetscape:	2
Works enhances building’s architectural style:	2
Rating Score:	6/8
<b>12 King Street</b>	Nominations should receive a score value of 4/8 or better to be considered for a Heritage Recognition Awards unless there is compelling evidence to consider otherwise.

## MEMORANDUM

**TO: HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: APRIL 14, 2020**

**RE: HEAT PUMP SCREEN – REQUEST FOR HERITAGE PERMIT  
AMENDMENT: 112-118 LINCOLN STREET- REGISTERED MUNICIPAL  
HERITAGE PROPERTY**

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### **1. FACTS**

The applicant for the installation of a heat pump and screen at 112-118 Lincoln Street wishes to amend the Heritage Permit approved by Council on October 22, 2019. The applicant's application is attached as **Attachment I**. The applicant wishes to alter the design of the screen as shown in **Attachment H**.

The property is a registered Municipal Heritage Property and according to the Town's Alteration Guidelines for Municipally Registered Heritage Properties (**Attachment B**) the installation of a Utility Structure such as a heat pump is deemed to be a substantial alternation requiring Council's approval by means of a Heritage Permit.

### **2. ISSUES AND OPTIONS ANALYSIS**

The applicant did not conform to the Heritage Permit issued on October 23, 2019 and enclosed as **Attachment G**. The screen is not designed as submitted in the application.

Upon being notified of the discrepancy, the applicant has requested the Town's consideration for an amendment to the Certificate of Appropriateness and Heritage Permit for the installed screen as presented and as shown in **Attachment H**.

There are basically two options to consider:

- 1) To recommend that Council refuse the request to amend the Heritage Permit issued on October 23<sup>rd</sup>, 2019.
- 2) To recommend that Council approves the issuance of an amended Heritage Permit for the revised design of the heat pump screen as submitted.

### 3. **FINANCIAL IMPACT**

The enforcement into compliance with the original Heritage Permit issued on October 23, 2019 may have a financial impact on the Town's resources. However, it is important for the Town to maintain compliance with its by-laws and regulations. Though the enforcement may have a financial impact, the installed screen is considered not appropriate to the historic nature of the building and its streetscape, particularly in regards to its location as a prominent entrance point into the Old Town World Heritage Site.

The approval to accept the alternate design proposal for the heat pump screen and the issuance of an amended Heritage Permit (and subsequent amendment to the Certificate of Appropriateness) will have minimal impacts on the Town's resources.

### 4. **STRATEGIC PLAN RELEVANCE**

#### **#4, FOSTER AN ENVIRONMENT FOR BUSINESS SUCCESS**

**C.** To foster and maintain positive relationships with the business community we will:

- b)** Respond diligently to opportunities for questions from and concerns of business interest.

### 5. **RECOMMENDATION AND DRAFT MOTION**

To recommend that Council refuse the 112-118 Lincoln Street, Registered Municipal Heritage Property, request to amend the Heritage Permit issued on October 23<sup>rd</sup>, 2019 for a heat pump screen as shown in Attachment H and Attachment I.

#### **Attachments:**

- A:** Applicant's Original Application for a Heat Pump Installation
- B.** Alteration Guidelines for Municipally Registered Heritage Properties
- C.** 112-118 Lincoln Street – Statement of Significance
- D.** Old Town Heritage Conservation District By-law – Section 10
- E.** Property Deed Description

- F.** Survey Plan
- G.** Certificate of Appropriateness and Heritage Permit
- H.** Proposed Screen for Heat Pump
- I.** Application to Amend Heritage Permit

Acknowledged only by:

Bea Renton  
Town Manager/Clerk



TOWN OF LUNENBURG  
HERITAGE, DEVELOPMENT PERMIT AND ENCROACHMENT LICENSE APPLICATION FORM

Date: Sep 5, 2019

Civic Address: 118 Lincoln St.

PID: \_\_\_\_\_ ZONE: \_\_\_\_\_  HCD  ARCH CONTRL  MuDesHER

**Applicant Information:**

Name: Jack Cahn

Mailing Address: 118 Lincoln St. Lunenburg, NS B0J 2C0

Telephone: 902-329-5466 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: jack@deepcryogenics.com

**Property Owner Information:**  Same as applicant/owner

Name: Scott Sherman

Mailing Address: Eleven Eleven Group of Companies Boston, MA

Telephone: 617-267-1100 Cell: 902-634-1100 Fax: \_\_\_\_\_

Email: srsherman@elevenelevencos.com

**Proposed Use and Construction:**

Current use:

- Single-unit dwelling Describe: \_\_\_\_\_
- Multiple occupancy Describe: \_\_\_\_\_
- Commercial Describe: Installation of single heat pump
- Institutional Describe: \_\_\_\_\_
- Other Describe: \_\_\_\_\_

Proposed use:

- No change
- Change to \_\_\_\_\_

**Proposed scope of project:**

1. Installation of single heat pump on west side of building within Screen as shown attached. Ducting will be painted pale grey similar to the electrical conduit pipes. No exterior building modifications will be necessary. No internal modifications, other than installation of a single ducting head, will be necessary.

Contractor Information:  Same as applicant; or

Name: SeaCoast HVAC Telephone: 902-543-7994

Email: doug@thenoddinggroup.ca Cell: \_\_\_\_\_

**Documentation attached:**

- Site Plan showing distances to lot lines
- Photograph of existing conditions
- Elevation drawings
- Other \_\_\_\_\_

**Permits/Fees:**

- Old Town Heritage Certificate of Appropriateness (free)
- Heritage Permit (free)
- Development Permit (free)
- Encroachment License (\$100.00)
- Indemnification Agreement for a portable/sandwich board sign

**Applicant Declaration:**

I solemnly declare:

1. That I am the authorized agent of the owner/the owner named in this application for a permit.
2. If the owner is a corporation or partnership, I have the authority to sign for the corporation or partnership.
3. That the plans and specifications submitted are prepared for the construction or alteration of the building or buildings described.
4. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge and made with a full knowledge of the circumstances connected with the same.
5. It is clearly understood by the undersigned that this is only an application and does not authorize the applicant to proceed with any work until all required permits are issued.
6. It is clearly understood by the undersigned that the changes in the design must be submitted for approval prior to construction.

Signature of Authorized Applicant: Jack Cahn Date: 9/5/19

**OFFICE USE ONLY**

Permits required for this project:

- Development Permit
- Encroachment License (GEMC \$100.00)
- Indemnification agreement for a portable/sandwich board sign
- Heritage Permit
- Old Town Certificate of Appropriateness
- Building Permit (under separate application)



Location



Proposed Screen

## ATTACHMENT B

### **Alteration Guidelines for Municipally Registered Heritage Properties Town of Lunenburg As Recommended by HAC and Approved by Council February 13, 2006**

#### **1.0 Scope**

These guidelines apply to all municipally registered heritage properties in the Town of Lunenburg, whether located outside of or inside the Heritage Conservation District.

#### **2.0 Background**

The Heritage Property Act allows municipalities to identify and protect structures of heritage significance. The Lunenburg Heritage Advisory Committee, established in March of 1981, has registered sixty-one (61) properties following a request from the owner and investigation by the Heritage Advisory Committee. These properties are located throughout Town, including within the Heritage Conservation District. The adoption of the Heritage Conservation Plan and By-law in 2000 effectively registered all of the buildings within the Heritage Conservation District, so further individual registrations within the Heritage Conservation District are not possible.

For those individually registered properties within the District, both a Heritage Permit and a Certificate of Appropriateness issued under the Heritage Conservation By-law are required for any external alterations.

#### **3.0 Process**

All applications to alter a registered heritage property shall be made to the Heritage Officer, who will review each application and determine whether the proposed change is a substantial or non-substantial alteration. If the Heritage Officer is unable to determine whether a proposed change is substantial or non-substantial, the application shall follow the process for a substantial change.

If the proposed changes are determined by the Heritage Officer to be non-substantial, the Heritage Officer will send a letter to the applicant advising that a Heritage Permit is not required.

If the proposed changes are determined to be substantial, a report will be prepared by the Heritage Officer for consideration by the Heritage Advisory Committee and recommendation to Council.

#### **4.0 Substantial and Non-Substantial Alterations**

For clarity, both substantial and non-substantial alterations are listed. Any non-substantial alteration must meet the criteria of the Heritage Conservation District Guidelines.

The following shall be considered substantial alterations:

- additions, including porches, verandas, entries, stairways and dormers
- addition or removal of windows or window openings
- changes to the openings for doors or windows
- change in roof pitch or style (including pitch or style of a dormer)
- removal of porches, verandas, entries, stairways, dormers, windows, trim materials of any type, or chimneys
- change in style or design of railing or guards on porches or stairs
- addition of an accessory building
- addition of utilities such as air conditioning units, kitchen vents

- landscaping elements such as stairways which are not connected to the main building
- re shingling of roofs where not required for maintenance, including changes in the type of shingle
- the installation of turf stone (added by motion of Council May 25, 2006)
- the addition of utility structures (added by motion of Council March 27, 2008)

The following shall be considered non-substantial alterations:

- changes in storm windows from painted wood to aluminum
- fences which meet the criteria of the Heritage Conservation District Guidelines
- replacement/repair where no changes are intended
- use of vinyl window inserts if no other changes taking place
- replacement of shingles with clad board with the same exposure, and clad board with shingles
- placement of commercial advertising signs
- items which the Heritage Officer considers to be maintenance (ie. reshingle roof if needed)
- replacement of doors or storm doors with doors which meet the Heritage Conservation Guidelines
- replacement of non-traditional elements with traditional (ie clad concrete steps with wood; shingle a wall now covered in plywood)
- addition of glass doors inside wooden storm doors (added by motion of Council September 28, 2006)
- wooden rain barrels and other minor accessory structures (added by motion of Council November 10, 2006)
- the installation of wooden gutters (September 29, 2009)

## ATTACHMENT C

### 112-118 Lincoln Street

112-118 Lincoln Street, Lunenburg, Nova Scotia, B0J, Canada

Formally Recognized: 1993/02/25



South façade



Front façade



West end of building

#### OTHER NAME(S)

The Wamboldt Building

112-118 Lincoln Street

#### LINKS AND DOCUMENTS

[Overview of Lunenburg, including architectural tour and town history provided by the Town of Lunenburg.](#)

#### CONSTRUCTION DATE(S)

1907/01/01 to 1907/12/31

**LISTED ON THE CANADIAN REGISTER: 2004/10/14**

**STATEMENT OF SIGNIFICANCE**

**DESCRIPTION OF HISTORIC PLACE**

112-118 Lincoln Street is a commercial property located on a triangular lot where Pelham and Lincoln Streets meet on the edge of Old Town Lunenburg, a Heritage Conservation District in Lunenburg, NS. Built at the turn of the twentieth century, 112-118 Lincoln Street is a wooden building with access from both façades that are two storeys high on the Lincoln Street side and three storeys on the Pelham Street side. Designation covers the building and surrounding property.

**HERITAGE VALUE**

112-118 Lincoln Street is valued as an example of commercial architecture in Old Town Lunenburg and as an integral addition to the Lincoln Street streetscape. Built in 1907, this building was first owned by Lemuel Wamboldt, a Lunenburg tinsmith who had developed a large clientele on the south shore of Nova Scotia over the previous twenty years. It has been used for a variety of businesses since that time, including a general store and a drycleaner. The building retains many original features, including large storefront windows, the doors on the Lincoln Street façade, and the larger service doors on Pelham Street. The interior retains its pressed tin ceilings that were installed by Wamboldt, and are in excellent condition.

The building derives its unusual shape from the acute angle at the lot's west end where Pelham and Lincoln Streets meet. The builder made use of this angle and the steep slope to put in a full blind bay at this end of the building, where Wamboldt's business sign was originally placed. This intersection is a major crossroads in Lunenburg, and 112-118 Lincoln Street acts as an introduction to the Lincoln and Pelham Streets commercial district.

Source: Heritage Designation File 66400-40-28, Town of Lunenburg.

**CHARACTER-DEFINING ELEMENTS**

Character-defining elements of 112-118 Lincoln Street relate to its role as a commercial building and as an anchor of the Lincoln Street commercial streetscape, and include:

- the location of the building on a steep and narrow lot at the junction of Lincoln and Pelham Streets, with a large two-storey bay facing the intersection;
- original windows designed for commercial use, including large shopfront windows with heavy moulded trim on the first floor on Lincoln Street, symmetrically placed second and third storey windows, large windows in the bay ends, and multi-paned transom windows on the Lincoln Street shop windows and doors;
- original doors designed for commercial use, including central double-hung doors on the Lincoln Street façade

and a large service bay door with multi-paned windows;- access from both Lincoln Street and Pelham Street, which are Lunenburg's busiest commercial streets;

- clapboard cladding, with cornerboards and endboards that follow the slope of the western end of the building, accentuating the large western end bay;
- interior details, especially the pressed tin ceiling installed by the original owner.

## RECOGNITION

### **JURISDICTION**

Nova Scotia

### **RECOGNITION AUTHORITY**

Local Governments (NS)

### **RECOGNITION STATUTE**

Heritage Property Act

### **RECOGNITION TYPE**

Municipally Registered Property

### **RECOGNITION DATE**

1993/02/25

## HISTORICAL INFORMATION

### **SIGNIFICANT DATE(S)**

n/a

### **THEME - CATEGORY AND TYPE**

Developing Economies

Trade and Commerce

### **FUNCTION - CATEGORY AND TYPE**

#### **CURRENT**

#### **HISTORIC**

Commerce / Commercial Services

Shop or Wholesale Establishment

### **ARCHITECT / DESIGNER**

n/a

### **BUILDER**

n/a

## ADDITIONAL INFORMATION

### **LOCATION OF SUPPORTING DOCUMENTATION**

Town of Lunenburg, 119 Cumberland Street, P.O. Box 129, Lunenburg, Nova Scotia, B0J 2C0

**CROSS-REFERENCE TO COLLECTION  
FED/PROV/TERR IDENTIFIER**

37MNS0028

**STATUS**

Published

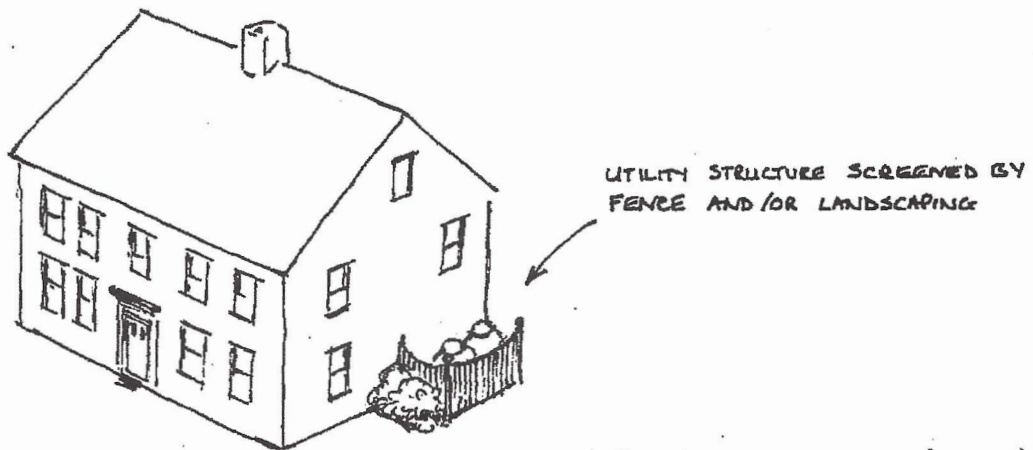
# ATTACHMENT "D"

## 10.0 UTILITY STRUCTURES

### 10.1 Screening required

Utility structures such as fuel tanks, garbage containers, air conditioning units, heat pumps, electrical transformers, and other mechanical equipment shall be permitted in the heritage conservation district subject to the following conditions:

- .1 Utility structures shall not be located on the front facade of buildings or in the front yard.
- .2 Where utility structures are visible from an adjacent public street, they shall be screened by a board fence, lattice fence and/or planted landscape material.



These conditions do not apply in the waterfront industrial area.

### 10.2 Satellite dishes

Satellite dishes are permitted in the heritage conservation district but should be located out of view from the public street.

Ground mounted satellite dishes shall not be located in a front yard and, if visible from a public street, shall be screened by a fence or planted landscape material.

No satellite dish shall be attached to the front wall or the front roof of a building.

Small satellite dishes (36" diameter or less) are preferred to large dishes.

For the purposes of this section, where a building is located on a corner lot, the terms front wall, front yard, and front roof include the side yard, side wall, or side roof facing the flanking street.

## ATTACHMENT "E"

## SCHEDULE "A"

ALL that certain lot, piece, parcel of land described in a Deed from Merrill L. Strong and Judith M. Strong to Edgar Nelson Blinn and Margaret Thelma Blinn dated the 28th day of August, 1992, and recorded at the Bridgewater Registry of Deeds on the 1st day of September, 1992, in Book 528 at Page 464 under Document Number 6702, and therein described as follows;

ALL that piece or portion of land conveyed by Herbert V. Zinck and Phyllis J. Zinck to Merrill and Judith Strong by Deed dated September 15, 1980 and recorded in the Bridgewater Registry of Deeds in Book 287 at Page 351 under No. 7102 and therein more particularly described as follows:

ALL that certain piece or parcel of land with a shop or building thereon in the Town of Lunenburg known as part of lot Number 13 in the Third Division and set apart according to a Plan and Survey made by John P. Lawson, County Surveyor, dated 19th. day of July, 1862, said lot being bounded Westwardly by the road leading out from Pelham Street beginning at the Eastern corner wall of the Wamboldt building (so-called) distant from the Southern corner of Pelham and Kaulback Streets One Hundred feet;

THENCE from said Eastern wall of said Wamboldt building Westwardly along the said extension of said Pelham Street until it meets the point of said lot "Jib Shaped" at the junction of Lincoln and Pelham Streets;

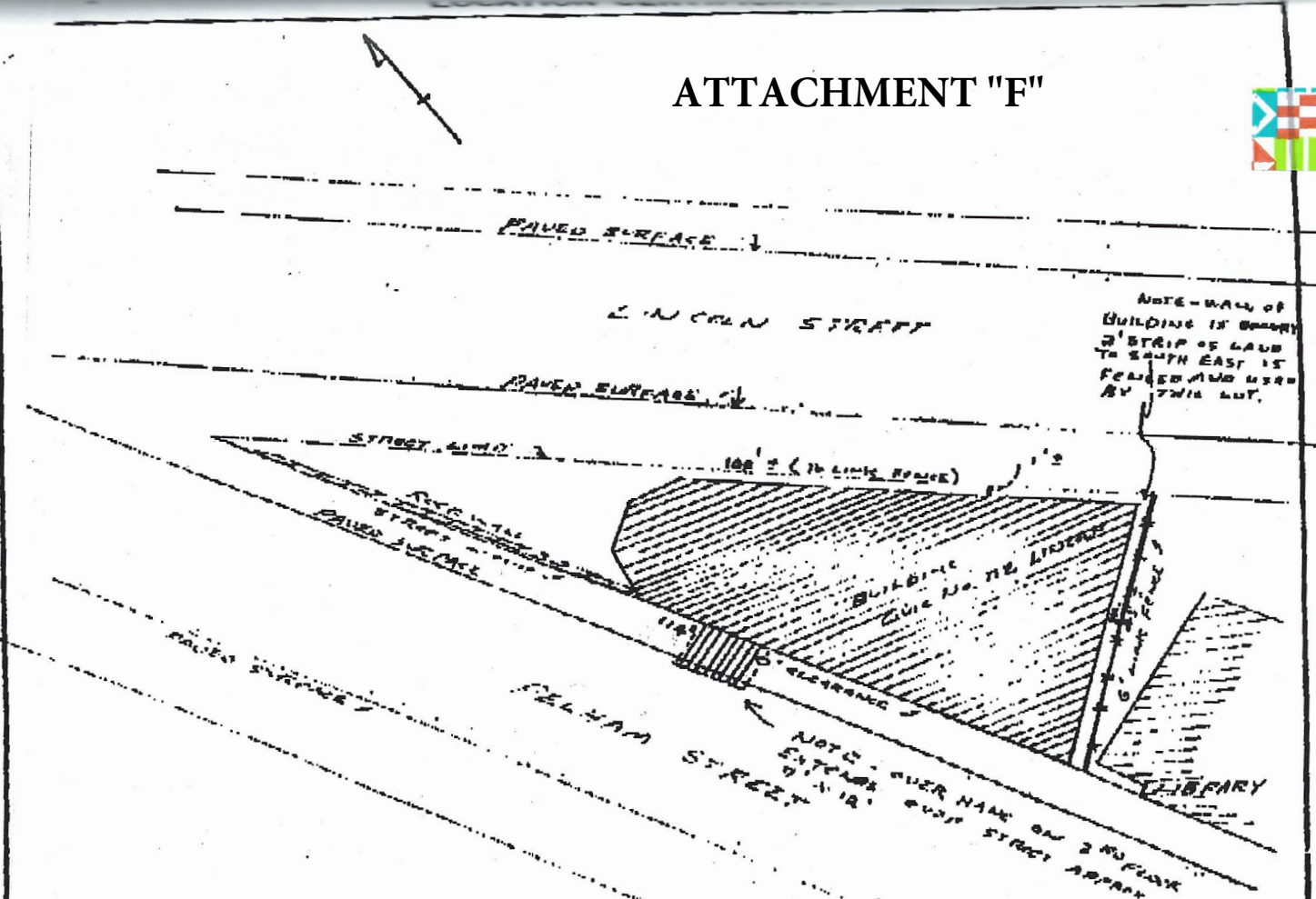
THENCE from said last named point of junction along Lincoln Street Eastwardly One Hundred and Six feet to the said Eastern corner wall of said Wamboldt building distant from said Eastern corner of said Kaulback and Lincoln Streets Sixty-eight feet;

THENCE along said wall of said Wamboldt building to place of beginning, together with the use and enjoyment of a parallel strip of land Two Feet in width alongside the Eastern wall of said Wamboldt building from said Lincoln Street to said Pelham Street for the purposes of repairing and to be used in common with one C.E. Kaulback.

Being the same lands and premises as conveyed to Lawrence L. Hebb by Joshua M. Huntley and wife by Deed bearing date the 1st. day of November, A.D., 1945, which said Deed has been duly recorded in the Office of the Registrar of Deeds at Bridgewater, N.S. in Book 112 at Page 510 under Number 772.

Subject to a Mortgage in favour of the Business Development Bank of Canada as recorded at the Bridgewater Registry of Deeds, Lunenburg County, in Book 616 at Page 509 under Document #3718; to be assumed by the Grantee herein.

# ATTACHMENT "F"



NOTE 1. CLEARANCES SHOWN ARE PERPENDICULAR TO THE BOUNDARY AND ARE TO THE CLOSEST CORNERS OF THE STRUCTURE  
 2. CLEARANCES ARE DEFINED TO A TOLERANCE OF 3/64" FT. SCALE 1" = 20'

TO: IRGAR M. GLINN & U.S. MORTGAGE CORPORATION  
 RE: LOCATION OF BUILDING LOCATED ON PROPERTY OF MERRILL & JUDITH SIEGAL, CIVIC NO. 112 LINCOLN STREET, FORT STANBURY, N.S.

I HAVE SUPERVISED AN INSPECTION OF THE SUBJECT LANDS AND HAVE CAUSED SUCH MEASUREMENTS TO BE MADE AS I DEEMED NECESSARY TO CERTIFY THAT:

- (1) THE BUILDING SHOWN HEREON IS LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE SUBJECT LANDS AS SAID BOUNDARIES ARE DEFINED BY PELHAM STREET ON SOUTHWEST, LINCOLN STREET ON NORTH EAST, LINN FENCE ON SOUTH EAST.
- (2) CULTURAL FEATURES SHOWN HEREON ARE LOCATED TO PLOTTING ACCURACY UNLESS SPECIFICALLY DIMENSIONED.
- (3) ALL EASEMENTS, DOCUMENTED IN THE DEED RECORDED IN BOOK 787 PAGE 351 IN THE COUNTY OF CUMBERLAND, ARE REFLECTED HEREON.

NO FURTHER CERTIFICATION OR ASSURANCE IS IMPLIED BY OR TO BE INFERRED FROM THIS DOCUMENT.

THIS DOCUMENT IS NOT TO BE USED FOR BOUNDARY DEFINITION OR CONVEYANCING PURPOSES.



**Lester W. Berrigan**  
 NOVA SCOTIA LAND SURVEYOR NO. 409

P.O. Box 418  
 Bridgewater, N.S.  
 B4V 2X6

Office  
 Station No.  
 543-5695

Aug. 25, 1999  
 DATE

Attachment G



119 Cumberland Street  
P.O. Box 129  
Lunenburg, Nova Scotia  
Canada B0J 2C0

[www.explorelunenburg.ca](http://www.explorelunenburg.ca)

TOWN OFFICE  
902-634-4410

ELECTRIC UTILITY  
902-634-4410

FIRE DEPARTMENT  
902-634-8343

PUBLIC WORKS  
902-634-8992

RECREATION  
902-634-4006

FACSIMILIE  
902-634-4416

October 23, 2019

Jack Cahn  
118 Lincoln Street,  
Lunenburg, N.S.,  
B0J 2C0

Dear Mr. Cahn:

**Re: 112-118 Lincoln Street, Lunenburg, NS  
PID 60061280, AAN 05050537**

Please find enclosed Certificate of Appropriateness #COA 19095 as well as Heritage Permit #19095 for the installation of a heat pump at 112-118 Lincoln Street complete with Screen.

This Certificate certifies that your heat pump conforms to the Town's Heritage Conservation District By-law.

The Certificate has been forwarded to Dawn Sutherland, Development Officer for review and issuance of the Development Permit, if required, and MODL Building Official for issuance of a Building Permit, if required.

If you are carrying out any electrical work, please contact Town of Lunenburg Electric Utility at 634-4410 for an Electrical Wiring Permit.

Before beginning your project, please ensure you have received all applicable permits.

If you have any questions, please contact me at your convenience.

Thank you for your cooperation and assistance.

With best regards,

Arthur MacDonald  
Heritage Manager  
902-634-4410 ext 234  
[amacdonald@explorelunenburg.ca](mailto:amacdonald@explorelunenburg.ca)

Enclosed (1) – Certificate of Appropriateness

**UNESCO** *World Heritage Site*

**TOWN OF LUNENBURG:**  
**CERTIFICATE OF APPROPRIATENESS**

**(For buildings in the Lunenburg Old Town Heritage Conservation District)**

<b>Certificate #:</b>	COA 19095
<b>Date:</b>	October 23, 2019
<b>Civic Address:</b>	112-118 Lincoln Street
<b>PID#:</b>	60061280
<b>AAN#:</b>	05050537
<b>Applicant:</b>	Jack Cahn
<b>Owner:</b>	Scott Richard Sherman - Eleven Eleven Properties

**Description of Authorized Work:**

For the installation of a heat pump (utility structure) complete with screen at 112-118 Lincoln Street as requested in your application dated September 5, 2019 in conformity with the Town's Heritage Conservation District By-law and as approved by Council on October 22, 2019 with the following conditions:

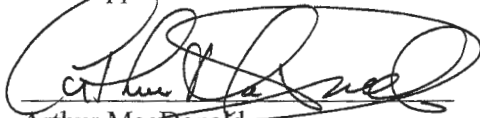
- 1) Provided the heat pump is located on the West Elevation as submitted;
- 2) Provided the heat pump is screened as submitted; and
- 3) Provided the conduit pipes for the heat pump are coloured in a similar colour as the electrical conduit pipes as submitted.

Construction must be in strict conformity with the attached submission. Any changes require submission of revised plans and approval of the Town in the form of an amended Certificate of Appropriateness. Please contact the undersigned when this work is completed for a follow up inspection.

This Certificate of Appropriateness expires one year after the approved date, but may be renewed upon request if the development has not been carried out.

Please remember that you may still require a Town of Lunenburg Development Permit, Building Permit, Electrical Permit and/or Occupancy Permit. To contact the Development Officer, Building Inspector or Electrical Inspector for more information, please call 902-634-4410.

Encl. Application Submission.



Arthur MacDonald  
Heritage Manager  
Town of Lunenburg  
PO Box 129, 119 Cumberland Street  
Lunenburg, NS, B0J 2C0  
902-634-4410 ext 234 902-634-4416/fax  
[amacdonald@explorelunenburg.ca](mailto:amacdonald@explorelunenburg.ca)  
[www.explorelunenburg.ca](http://www.explorelunenburg.ca)

**TOWN OF LUNENBURG:**  
**HERITAGE PERMIT**

**Permit #:** 19095  
**Date:** October 23, 2019  
**Civic Address:** 112-118 Lincoln Street  
**PID#:** 60061280  
**AAN#:** 05050537  
**Applicant:** Jack Cahn  
**Owner:** Scott Richard Sherman - Eleven Eleven Properties

**Description of Authorized Work:** For the installation of a heat pump complete with screen in conformity with the Heritage Conservation District By-law and the attached Certificate of Appropriateness.

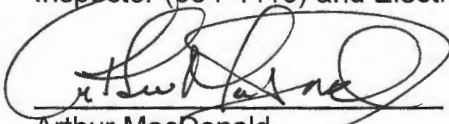
The issuance of this Heritage Permit was approved by the Lunenburg Town Council on October 22, 2019 as per the Heritage Property Act with the following conditions.

- 1) Provided the heat pump is located on the West Elevation as submitted;
- 2) Provided the heat pump is screened as submitted; and
- 3) Provided the conduit pipes for the heat pump are coloured in a similar colour as the electrical conduit pipes as submitted.

This Heritage Permit expires one year after the approved date, but may be renewed upon request, if, the development has not been carried out.

Any changes require submission of revised plans and approval of the Town in the form of an amended Heritage Permit. Please contact the undersigned when this work is completed for a follow up inspection.

Please remember that you may still require a Town of Lunenburg Development Permit, Building Permit, Electrical Permit and/or Occupancy Permit. Contact the Town Building Inspector (634-4410) and Electrical Inspector (634-8311) for more information.



Arthur MacDonald  
Heritage Manager  
902-634-4410 ext 234  
amacdonald@explorelunenburg.ca

**ATTACHMENT H**  
**Proposed Screen for Heat Pump**

Proposed screen as original submitted in application dated September 5<sup>th</sup>, 2020, as approved by Council on October 22<sup>nd</sup>, 2019, and attached to Certificate of Appropriateness and Heritage Permit issued on October 23<sup>rd</sup>, 2019.



Heat pump screen that has been erected and requesting approval:





**TOWN OF LUNENBURG**  
**HERITAGE, DEVELOPMENT PERMIT AND ENCROACHMENT LICENSE APPLICATION FORM**

Date: Sep 5, 2019

Civic Address: 118 Lincoln St.

PID: \_\_\_\_\_ ZONE: \_\_\_\_\_  HCD  ARCH CONTRL  MuDesHER

**Applicant Information:**

Name: Jack Cahn

Mailing Address: 118 Lincoln St. Lunenburg, NS B0J 2C0

Telephone: 902-329-5466 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: jack@deepcryogenics.com

**Property Owner Information:**  Same as applicant/owner

Name: Scott Sherman

Mailing Address: Eleven Eleven Group of Companies Boston, MA

Telephone: 617-267-1100 Cell: 902-634-1100 Fax: \_\_\_\_\_

Email: srsherman@elevenelevencos.com

**Proposed Use and Construction:**

Current use:

- Single-unit dwelling Describe: \_\_\_\_\_
- Multiple occupancy Describe: \_\_\_\_\_
- Commercial Describe: Installation of single heat pump
- Institutional Describe: \_\_\_\_\_
- Other Describe: \_\_\_\_\_

Proposed use:

- No change
- Change to \_\_\_\_\_

**Proposed scope of project:**

1. Installation of single heat pump on west side of building within Screen as shown attached. Ducting will be painted pale grey similar to the electrical conduit pipes. No exterior building modifications will be necessary. No internal modifications, other than installation of a single ducting head, will be necessary.

Contractor Information:  Same as applicant; or

Name: SeaCoast HVAC Telephone: 902-543-7994

Email: doug@thenoddinggroup.ca Cell: \_\_\_\_\_

**Documentation attached:**

- Site Plan showing distances to lot lines
- Photograph of existing conditions
- Elevation drawings
- Other \_\_\_\_\_

**Permits/Fees:**

- Old Town Heritage Certificate of Appropriateness (free)
- Heritage Permit (free)
- Development Permit (free)
- Encroachment License (\$100.00)
- Indemnification Agreement for a portable/sandwich board sign

**Applicant Declaration:**

I solemnly declare:

1. That I am the authorized agent of the owner/the owner named in this application for a permit.
2. If the owner is a corporation or partnership, I have the authority to sign for the corporation or partnership.
3. That the plans and specifications submitted are prepared for the construction or alteration of the building or buildings described.
4. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge and made with a full knowledge of the circumstances connected with the same.
5. It is clearly understood by the undersigned that this is only an application and does not authorize the applicant to proceed with any work until all required permits are issued.
6. It is clearly understood by the undersigned that the changes in the design must be submitted for approval prior to construction.

Signature of Authorized Applicant: Jack Cahn Date: 9/5/19

**OFFICE USE ONLY**

Permits required for this project:

- Development Permit
- Encroachment License (GEMC \$100.00)
- Indemnification agreement for a portable/sandwich board sign
- Heritage Permit
- Old Town Certificate of Appropriateness
- Building Permit (under separate application)



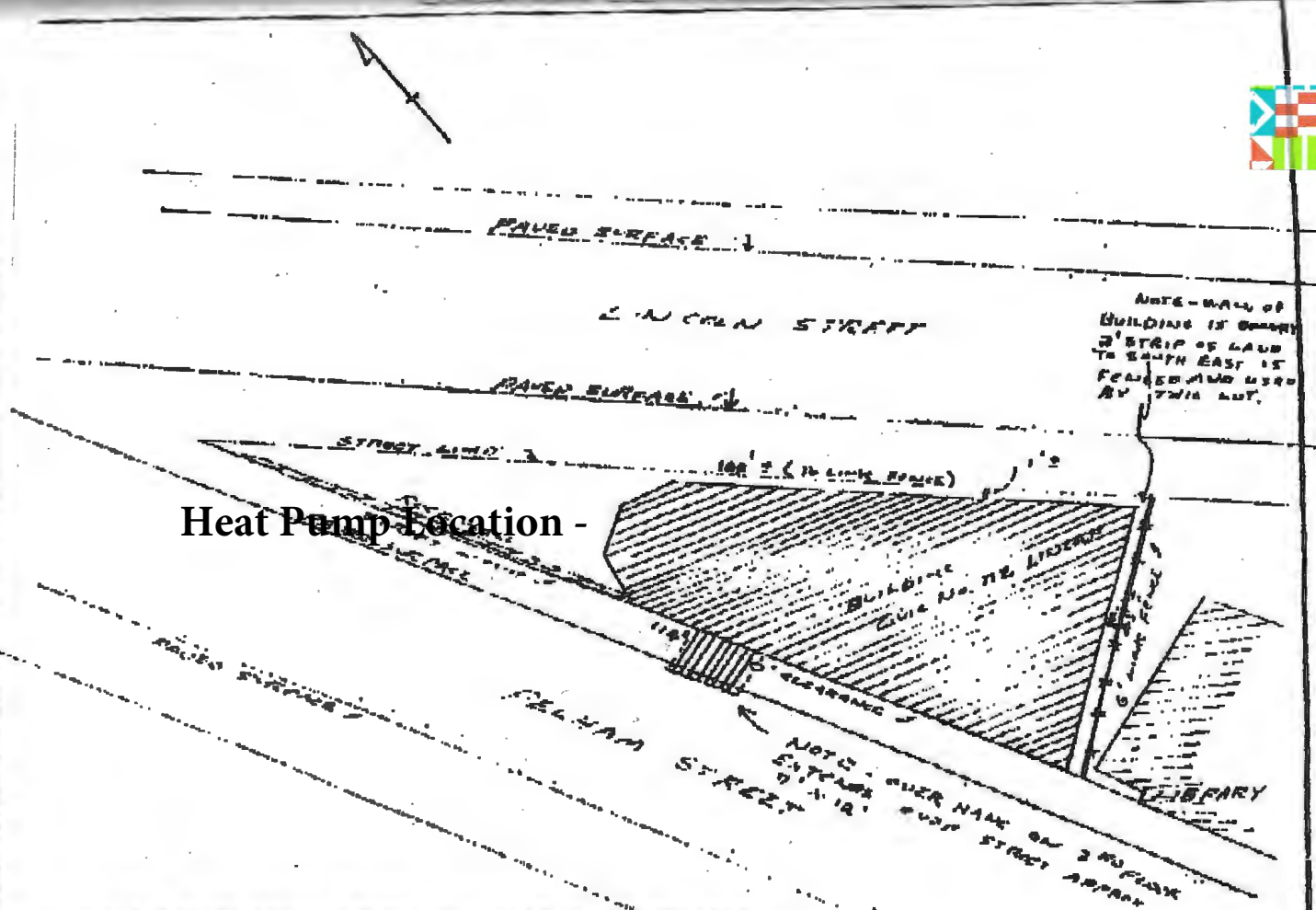
Location



Proposed Screen



# Heat Pump Location -



NOTE - WALL OF BUILDING IS ONLY 2' STRIP OF LAND TO SOUTH EAST IS FENCED AND USED BY THIS LOT.

NOTE - OVER HANG ON 2nd FLOOR EXTENDS 9' x 12' OVER STREET AREA

NOTE 1. CLEARANCES SHOWN ARE PERPENDICULAR TO THE BOUNDARY AND ARE TO THE CLOSEST CORNERS OF THE STRUCTURE  
 2. CLEARANCES ARE DEFINED TO A TOLERANCE OF 0.05 FT. SCALE 1" = 20'

TO: IRGAR M. GLINN & U.S. MORTGAGE CORPORATION  
 RE: LOCATION OF BUILDING LOCATED ON PROPERTY OF MERRILL JUDITH SIEMMIS, C/O 112 LINCOLN STREET, FORT ST. CLAIR, MO.

I HAVE SUPERVISED AN INSPECTION OF THE SUBJECT LANDS AND HAVE CAUSED SUCH MEASUREMENTS TO BE MADE AS I DEEMED NECESSARY TO CERTIFY THAT:

- (1) THE BUILDING SHOWN HEREON IS LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE SUBJECT LANDS AS SAID BOUNDARIES ARE DEFINED BY PELHAM STREET ON SOUTHWEST, LINCOLN STREET ON NORTH EAST, LINDA FRANKS ON SOUTHWEST.
- (2) CULTURAL FEATURES SHOWN HEREON ARE LOCATED TO PLOTTING ACCURACY UNLESS SPECIFICALLY DIMENSIONED.
- (3) ALL EASMENTS, DOCUMENTED IN THE DEED RECORDED IN BOOK 787 PAGE 351 IN THE COUNTY OF CUMBERLAND, ARE REFLECTED HEREON.

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 THIS DOCUMENT IS NOT TO BE USED FOR BOUNDARY DEFINITION OR CONVEYANCING PURPOSES.



**Lester W. Berrigan**  
 NOVA SCOTIA LAND SURVEYOR NO. 409

P.O. Box 418  
 Bridgewater, N.S.  
 B4V 2X6

Office  
 646-6600 No.  
 543-5895

Aug. 26, 2008  
 DATE