



# AGENDA

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## Heritage Advisory Committee Meeting

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

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1. Agenda - *motion to approve.*
2. April 20<sup>th</sup>, 2020 Heritage Advisory Committee meeting minutes - *motion to approve.*
3. Public Hearings and Presentations
4. Unfinished Business
5. New Business
  - a. Request to Remove 82 Kempt Street from HCD (Referred by Council to HCD Plan and By-law Review) – *refer to item 5b staff report,*
  - b. Consideration of Revised HCD Background Study and Review of the Triggers for Public Hearings - *staff report,*
  - c. Consideration of Revised Substantial Alternation Guidelines - *staff report;* and
  - d. Heritage Trust of NS Awards BMO Building and B2 Lofts – *for information.*
6. Adjournment – *motion to adjourn.*

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

1. It is recommended that Council authorize the HAC to invite the Board of 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.

2. It is recommended that Town Council approve 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.

3. It is recommended that Town 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 (Schedule “C”).

**HERITAGE ADVISORY COMMITTEE MEETING MINUTES**

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

**Via Audio/Video Conference**

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**PRESENT:** Councillor Peter Mosher, Chair  
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

**ABSENT:** Councillor Ronnie Bachman

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The Chair called the meeting to order at 2:11 p.m.

1. Agenda

**Motion: moved and seconded to approve the agenda. Motion carried.**

2. January 20, 2020 Heritage Advisory Committee meeting minutes

It was noted that there is an error in the January 20 meeting minutes, where it reads, "The next meeting was re-scheduled to Wednesday, April 20 at 5:15 p.m." It should read: "...rescheduled to Monday, April 20".

**Motion: moved and seconded to approve the January 20, 2020 Heritage Advisory Committee meeting minutes, with the above correction. Motion carried.**

3. Public Hearings and Presentations

Nil.

4. Unfinished Business

a. Heritage Conservation District Plan and By-law Review

The HM reviewed his report (**Schedule "A"**) from page 6, where the current updates begin (purple-coloured text).

The report addressed, in summary:

- Town Council's February 11, 2020 decision to defer of the Heritage Conservation District (HCD) Plan and Bylaw until Project Lunenburg documents are completed and staff can do a comparison between documents to ensure there are no major

conflicts. He noted that in all likelihood, the First Reading of the HCD Plan and Bylaw will take place after the municipal election scheduled for October 17, 2020.

- Recognition of Parks Canada’s Standard and Guidelines, Part 3.8 into the HCD Plan and Bylaw, and how the HCD Plan and Bylaw complies with same.
- A review of Project Lunenburg’s “Built Heritage and Streetscapes” Discussion Paper and “What We Heard Report”.
- A discussion of modern new builds and additions.

**Motion:** moved and seconded to recommend that Town Council authorize the HAC to invite the Board of 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. **Motion carried.**

The Heritage Manager agreed to conduct a review of the HCD Background Study and bring back to the next HAC meeting, with a view to potentially amending the study and re-submitting to Council and the Province.

5. New Business

a. Heritage Recognition Awards

The Committee discussed the staff report (Schedule “B”).

**Motion:** moved and seconded to recommend that Town Council approve 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.

Motion carried.

b. Heat Pump: 114-118 Lincoln Street

The HM reviewed his report (Schedule "C").

Motion: moved and seconded to recommend that Town 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 (Schedule "C"). Motion carried.

6. Adjournment

The next meeting is scheduled for Monday, July 20 at 5:15 p.m. if in person; at 2:00 p.m. if virtual.

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

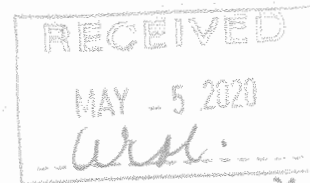
The meeting was adjourned at 3:15 p.m.

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Heather McCallum, Assistant Municipal Clerk

1 May 2020

Edward J. Kelly  
82 Kempt St  
Lunenburg NS  
B0J 2C0



Mayor & Council  
Town of Lunenburg  
PO Box 129  
Lunenburg NS  
B0J 2C0

Re: 82 Kempt Street

Dear Mayor & Members of Town Council;

Please accept this letter as a request to have my property at 82 Kempt Street removed from the Heritage Conservation District (HCD). My reasons for this request are:

1. the boundaries of the Heritage Conservation District seem to have been established arbitrarily, without consistently applied rationale;
2. the structure that was on the property when the HCD was established had no architectural merit; and
3. the restrictions of the Heritage Conservation District By Law unjustly infringes on the property rights of ownership.

I will be pleased to speak to the foregoing reasons at your convenience.

Yours truly,

A handwritten signature in cursive, appearing to read "E. J. Kelly".

E. J. Kelly

# MEMORANDUM

**TO:** Lunenburg Town Council  
**FROM:** Ted Kelly  
**Date:** May 19, 2020  
**RE:** Request to remove 82 Kempt St from HCD

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This Memorandum is generally intended to be an expansion of reasons given for the referenced request in my letter dated 1 May 2020. More specifically it will address the assertions made by the Heritage Manager in his Memorandum of May 20, 2020.

## General

1. In the time we have lived in Lunenburg, my wife Sue and I have actively supported the heritage of this community – particularly the old town, where we worked to restore three properties. Like many residents we assumed that the conservation measures that were brought into force over a period of time were confined to the National Historic District/World Heritage Site. Indeed it was not until I undertook the re development of the property at 82 Kempt St in 2008 that I learned that although outside the boundaries of the World Heritage Site, it was part of the Heritage Conservation District and as such, Council permission was necessary to demolish the building. The process for which was estimated by the then Development Officer to take a year.
2. In his Memorandum dated May 20, 2020 on the subject of this request, Mr. MacDonald, the Heritage Manager references Attachment F to his report “Policy 3.3 Old Town heritage conservation district boundary which holds that
  - a. The subject property being adjacent to the Old Town National Historic District (NHD) and World Heritage Site (WHS) and is deemed to have “----an architectural, historical and contextual continuity with the old town and for all intents and purposes part of it even though they were not part of the original 1753 town site and are not included in the NHD or WHS-----shall be included within the HCD as a “buffer” to ensure that the Old Town and its surroundings are protected from unsympathetic development.
  - b. A photo of the structure that was on the property until 2009 is attached. I submit that this building, which was apparently constructed in 1954 with a shed dormer added to the back of the house in 1989, cannot be regarded as having any “architectural, historical or contextual continuity with the old Town”. If it is not the building but the lot that is to be given those attributes, then why are not all the properties on the north side of Creighton Street and the slope going down to the Back Harbour also included? If the rationale for an HCD is not applied to all properties with the same characteristics then the boundary becomes, as I stated in my letter, arbitrary.

## Issues and Options Analysis

3. In the analysis section of his report, the Heritage Manager states that

the removal of the 82 Kempt St. property from the HCD will have an impact on the WHS, because it “would remove architectural controls that would ensure sympathetic developments adjacent to the WHS”. This is an unsupported assertion, which begs the question as to why removal of this property from the HCD would be any different from those other adjacent properties that were never included in the HCD when it was established? All properties adjacent to the WHS should be equally subject to the same requirements. ‘Sympathetic’ development is not achieved by restricting the architectural form to that which mirrors nearby properties. Rather, it is accomplished through the Zoning regulations. These can incorporate all the tools necessary to govern the nature, height, size, use and other necessary restrictions necessary to facilitate the conservation of Heritage, without stifling the opportunity for a creative design appropriate to the setting,

4. Mr. MacDonald also states that the removal of 82 Kempt St from the HCD would necessitate a report to the World Heritage Convention pursuant to the Operational Guidelines for the Implementation of the World Heritage Convention, which he attaches to his report. The invitation to report in Guideline 172 clearly applies only to “--- major restorations or new constructions which may affect the Outstanding Universal Value----” I submit that the removal of 82 Kempt St from the HCD hardly fits those criteria.
5. Mr. MacDonald’s report expresses concern that the removal would “poke a hole” in the HCD. This request should rather be looked at as an opportunity to consider the rationale for the HCD to get it soundly and sustainably established.
6. Under “Financial Impact” the Heritage Officer’s report raises the prospect that approval of my request may trigger a flood of similar requests with cost implications that are unknown. This assertion is grossly speculative and should have no place in Council’s consideration. There is surely a ‘cost of doing business’, but it is infinitely more costly in not getting it right in the first place.
7. Finally, though it is only a related matter to my specific request, let me add that throughout my examination of all the background documents for the HCD, I did not once see any mention of the subject of “private property rights”. I expect that Councilors are well aware that property rights have been hard fought for through the ages. They have been the basis for wars and revolutions. Their existence is well established in common law, yet they have been given short shrift in the determination of the HCD.

I do not suggest that private property owners have absolute rights. There are circumstances when they must give way to greater public good and there is a strong case that those properties within the NHD and WHS fall into that category. Courts have generally accepted heritage preservation as justifiable grounds for public infringement. However the literature indicates they have maintained a high threshold. I suspect the notion, that protection of heritage in the old town can only be achieved by surrounding it with “artificial heritage”, would be a tough sell. Real diamonds are not readily recognized or appreciated in a necklace of fake ones.

Respectfully submitted,

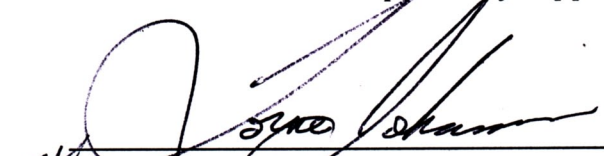
Ted Kelly

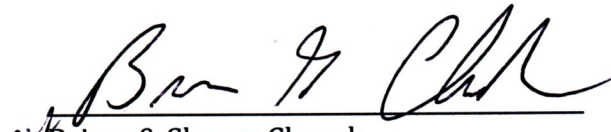
22 May 2020  
Lunenburg NS


**Attachment A to  
Memorandum to Lunenburg Town Council  
Re: Request to remove 82 Kempt St. from the HCD  
Dated 19 Ma**

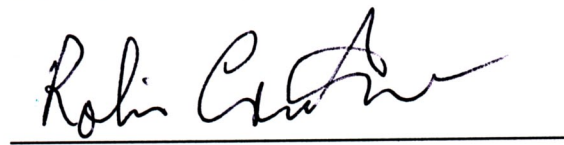
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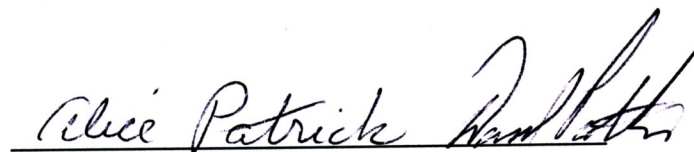
I am fully aware that Mr. Ted Kelly and Sue Kelly have requested that their property at 82 Kempt St. be removed from the old town Heritage Conservation District (HCD). I wish to attest that I have no concerns in respect of the removal of this property from the HCD and unequivocally support their request.

  
Janet & Lorne Johansen  
201 Lawrence St

  
Brian & Sherry Church  
202 Lawrence St

  
Maureen Slaby  
205 York St

  
Robin Crickmer  
201 York St.

  
Alice & Dave Patrick  
206 York St.

6 June 2020

Edward Kelly  
82 Kempt St.  
Lunenburg NS  
B0J 2C0

Mayor & Town Council  
Town of Lunenburg  
PO Box 129  
Lunenburg NS  
B0J 2C0

Dear Mayor Bailey and Members of Council:

Re: Removal of 82 Kempt St from Old Town Heritage Conservation District (HCD)

No doubt you are as weary of receiving correspondence on this subject as I am in sending it. However having given thought to how my request was dealt with at the May 26 Council Meeting, I feel the principle at stake is too important to have it effectively set aside. Referring it to the Heritage Advisory Committee is neither appropriate nor productive. This is particularly so given that it is recognized as some sort of "Kangaroo Proceeding", the result of which even the Deputy Mayor acknowledged is already known.

My request, simply put, contends that 82 Kempt St does not satisfy the criteria established for its inclusion in the HCD. The reasons I cited were not addressed in the Staff Report, which was designed to obfuscate the issue with unsupported assertions and inaccurate claims. I respectfully submit that there are two options

1. Council accepts the validity of my reasons and takes necessary action to remove the property, or
2. Does not accept them and refuses the request. In which case, Council is confirming the arbitrary decision made originally and I will then pursue resolution of the issue with higher authority.

Yours truly,

OSB

E. J. Kelly

## MEMORANDUM

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

**FROM: HERITAGE MANAGER**

**DATE: JUNE 16, 2020**

**RE: CONSIDERATION OF REVISED HCD BACKGROUND STUDY AND REVIEW OF THE TRIGGERS FOR PUBLIC HEARINGS**

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### **1. FACTS**

On April 20, 2020 the HAC requested a review of the Heritage Conservation District (HCD) Background Study as reflected in the minutes below:

The Heritage Manager agreed to conduct a review of the HCD Background Study and bring back to the next HAC meeting, with a view to potentially amending the study and re-submitting to Council and the Province.

The intent of the review was to consider the expansion of the proposed HCD boundaries to include lands surrounding Front Harbour and lands of the Lunenburg Golf Course.

During the Public Participation Meeting of October 15<sup>th</sup>, 2019 Jane Ritcey and Martin Salvador noted the following as recorded in the minutes:

- Jane Ritcey, Blockhouse Hill Road, asked if there were ways to protect the working waterfront if the entire shoreline is not within the Heritage Conservation District. Ms. Ritcey would prefer to see the entire waterfront, from Old Town to the Bluenose Golf Course included as one uninterrupted area to protect the overall aesthetic.
- Martin Salvador, Salt Shaker Deli, Montague Street, asked why the Lunenburg Foundry lands were not on the proposed new Heritage Conservation District Map. The HM explained that the additional areas were the two Architectural Control Areas identified in the Municipal Planning Strategy and Land Use Bylaw (LUB), with the addition of the island off ABCO property and 17 Tannery Road, the Old New Town School. These areas were identified in the approved March 2018 Background Study.

The following excerpt was also recorded in the minutes:

Committee members agreed by consensus that they will look again at expanding the Heritage Conservation District to include more than the original District and the architectural control areas.

During the Public Participation Meeting of October 19<sup>th</sup>, 2019 Committee member Stephen Ernst noted the following as recorded in the minutes:

- Regarding the proposed Heritage Conservation District Map: Mr. Ernst commented that gaps along the waterfront were discussed at the October 15<sup>th</sup> meeting, and the Committee will be re-looking at it for consideration.

Excerpts from the HAC Report of November 18<sup>th</sup>, 2019 regarding the District's boundaries are attached in **Attachment I** for information.

On May 26<sup>th</sup>, 2020 Council referred a request to remove 82 Kempt Street from the HCD as reflected in their motion below:

Motion: moved and seconded to refer the letter of request dated May 1, 2020 (Schedule "F") to the Heritage Advisory Committee to consider as part of the Heritage Conservation District Plan and Bylaw Review. Motion carried.

On February 11, 2020 Council passed the following motion:

Motion: moved by Councillor Risser, seconded by Councillor Mosher to defer further consideration of a draft revised Heritage Conservation District Plan and Bylaw until such time as the draft Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw are prepared by Project Lunenburg. Motion carried.

Staff believes this motion's intent was to defer further consideration by Council on the draft revised HCD Plan and By-law until such time as the draft Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw are prepared by Project Lunenburg so that we can ensure that they are compatible with one another. Council may wish to provide clarity if it was their intention to freeze the HAC review. The development and approval of a new Background Study will take 6-12 months, and further amendments to the HCD Plan and By-law to implement the concepts of the Background Study will require an additional 6-12 months as well as a new Public Participation Meeting. In light of this it is recommended that the HAC continue its review and that Council considers the merits of approving a new Background Study if the proposed boundaries are altered.

Staff is seeking the direction of Council with regards to defining the HCD boundaries. The Background Study is the mechanism where the rationale for the district boundaries are defined. Therefore, in order to undertake a revised Background Study, staff needs to know Council's wishes with regard to the District's boundaries. The HAC's role is to provide advice to Council. Council may

accept the advice of the HAC or decide to proceed with an alternant boundary proposal. Ultimately, the approval of the Background Study rests with Council.

The first part of this report attempts to address two (2) questions.

- 1) What is Council's wishes with regards to the proposed HCD boundaries?
- 2) What are the level of controls for each Area of the HCD?

The second half of this report reviews the triggers for public hearings. This review attempts to reduce the number of applications requiring Council's approval through the Public Hearing process.

Some applications will continue to require Council's approval by provincial statute such as:

- Registration of new Municipal Heritage Properties;
- Substantial alterations to registered Municipal Heritage Properties;
- Demolitions of registered Municipal Heritage Properties;
- Demolition of Structures in the HCD where a Certificate of Appropriateness is required for their demolition or removal;
- Amendments to Heritage Policies or the HCD Plan and/or By-law, including any amendments to their schedules such as the HCD Map;
- Any development proposal that requires a public hearing according to the HCD Plan and By-law;

We can reduce the number of applications requiring Council's approval through the Public Hearing process in the proposed HCD Plan and By-law. This is the focus of the second half of this report.

Once Council has defined the proposed HCD boundaries and the level of controls, staff will undertake the Background Report. Once the Background Report has been approved by Council, staff will initiate amendments to the draft HCD Plan and By-law to reflect the changes and to ensure compatibility with the Town's Comprehensive Community Plan (CCP). The HAC will then review the revised draft HCD Plan and By-law and hold a new Public Participation Meeting with the hopes of making a recommendation to Council to proceed to the public hearing stage.

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

A Background Study for the revised Heritage Conservation District (HCD) Plan and By-law was approved by Council on March 27th, 2018 and subsequently Council was notified by Communities, Culture and Heritage on May 17, 2018 that no further studies would be required. The 2018 Background Study is available at [https://www.explorelunenburg.ca/images/HCD\\_Background\\_Study\\_Lunenburg.pdf](https://www.explorelunenburg.ca/images/HCD_Background_Study_Lunenburg.pdf)

In line with the adopted Public Participation Program, the Heritage Advisory Committee held two public participation meetings on October 15th and 21st, 2019.

One of the reoccurring themes of these public meetings suggested the expansion of the District along Falkland Street, Lower Street, Linden Avenue and the Tannery Road area; and lands surrounding the Front Harbour, including lands of the Lunenburg Golf Course.

It is important to note that Council has a current Municipal Planning Strategy (MPS) Policy regarding the expansion of the HCD as outlined below:

**“POLICIES**

It shall be the policy of Council to:

...

**Future Expansion of Heritage Conservation District**

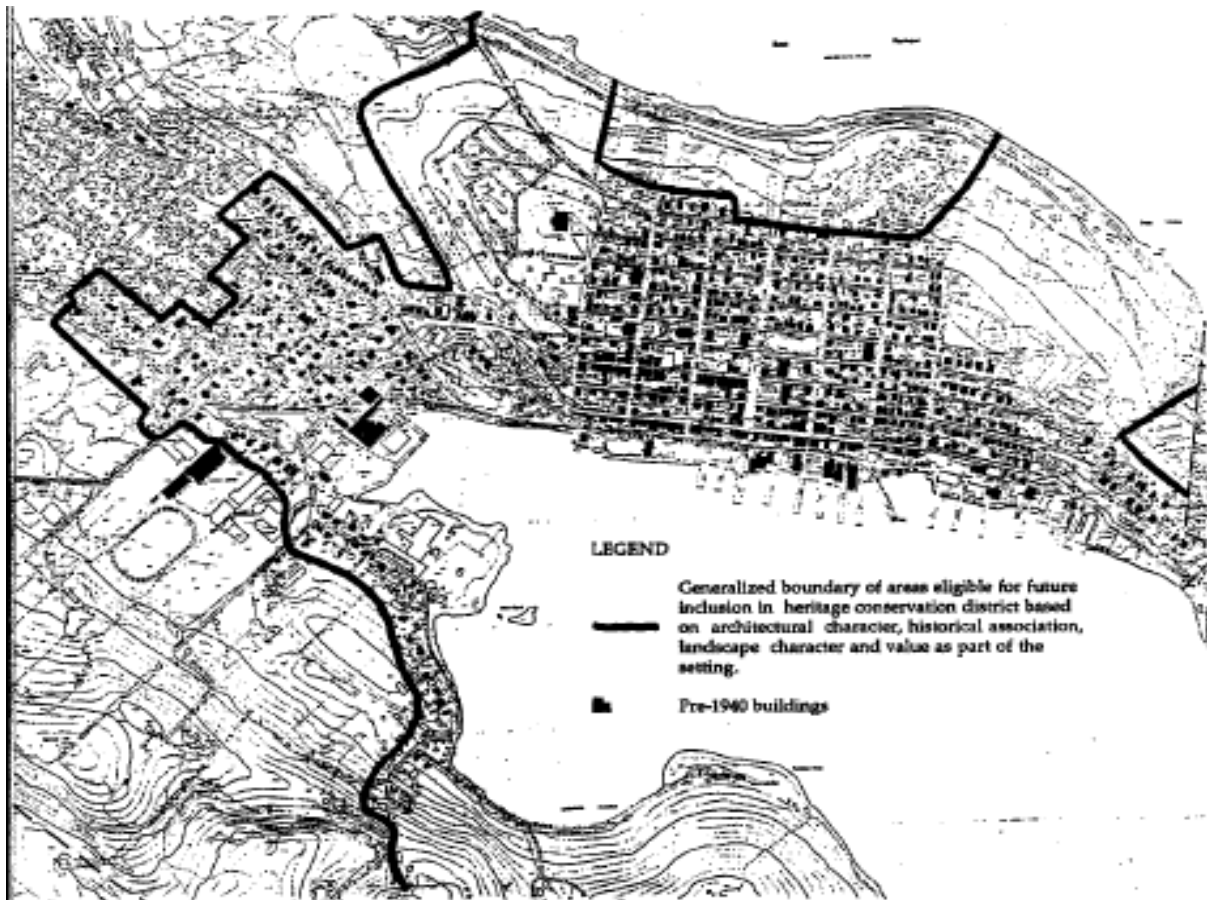
**10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.”

The current HCD Plan also has a policy regarding the expansion of the District as outlined below:

**“3.4 Future inclusion of other historically and architecturally significant areas.**

It shall be the intention of Council to consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street and Tannery Road architectural control areas designated under the Municipal Planning Strategy and Land Use Bylaw, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street out to the Town boundary. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts. A generalized indication of the possible future extent of the heritage conservation district is shown on Map 2A.”

For convenience sake, Map 2A is provided below:



## MAP 2A

### POSSIBLE FUTURE HERITAGE CONSERVATION DISTRICT AND PRE-1940 BUILDINGS

Scale 1: 9920 (1 inch = 825') January 2000

43

#### Question 1: District Boundaries

It is difficult for staff to determine the wishes of Council regarding the boundaries of the proposed District and staff is seeking Council's direction. The issues arising from the inclusion of Front Harbour lands is compounded by Council's resent decision to remove six (6) ABCO's properties from the Architectural Control Area (May 5, 2020). This issue is further compounded by Council's referral of the request to remove 82 Kempt Street from the HCD.

For the HAC to provide advice to Council it might be helpful to break the boundary concepts into sections. Please refer to Question 2 “Levels of Control” for reference to the control levels suggested the in table below:

<b>Questions:</b>	Yes	No	<b>Control Level</b>
Should the UNESCO World Heritage Site (WHS) be included in the HCD?	Yes	No	1
Should the Architectural Control Area of the Town’s MPS Future Land Use Map be included in the HCD?	Yes	No	1 or 2
Should Linden Avenue and Lower Street be included in the HCD?	Yes	No	1 or 2
Should the waterfront lands of Lunenburg Foundry be included in the HCD?	Yes	No	2
Should the waterfront lands of ABCO be included in the HCD?	Yes	No	2
Should lands west of WHS be included in HCD?	Yes	No	1 or 2
Should lands north of WHS be included in HCD?	Yes	No	1 or 2
Should lands east of WHS be included in HCD?	Yes	No	1 or 2
Should portions of the Lunenburg Golf Course be included in the HCD?	Yes	No	3

To help members of the HAC and Council to visualize the areas there are four Maps; Map 1 (**Attachment A**), Map 2 (**Attachment B**), Map 3 (**Attachment C**) and Map 4 (**Attachment D**), to use as a reference. Map 1 shows Area 1 as the UNESCO Site, Map 2 shows Area 1 as the existing HCD with the two Architectural Control Areas; Map 3 shows Area 1 as the existing HCD with the lands of Blockhouse Hill removed along the eastern side of the District, and does not include the Foundry lands nor the 6 ABCO properties in Area 2; and Map 4 shows the HCD with a portion of lands along the eastern side (Blockhouse Hill - 82 Kempt Street) removed and the two Architectural Control Areas included with Lot A1 Dufferin Street and the 6 ABCO lots removed.

**Question 2: Area 1, 2 & 3 – Levels of Control:**

ABCO’s Public Hearing of May 5<sup>th</sup>, 2020 acknowledged a conflict of ideologies associated with the waterfront lands. One based upon “no architectural controls”. The other suggesting “architectural controls” around Front Harbour, including lands of the Golf Course.

Participants during the Public Hearing suggested a desire to have a certain level of architectural controls without causing time delays associated with amendments or triggers for public hearings, particularly with regards to waterfront lands.

This report attempts to provide a path forward and suggests three (3) Heritage Conservation Areas with three different levels of control as shown in Map 1 - **Attachment A**, Map 2 – **Attachment B** and Map 3 – **Attachment C**. A suggestion on the levels of controls is outlined in the Table in **Attachment E**. Note a fourth map has been included as **Attachment D** – Map 4 with just one level of control.

With regards to the three (3) Areas, each area may have different levels of architectural controls. For example, the range of architectural controls could be as shown in **Attachment E**, with Level 1 being the strongest level of controls, requiring all developments to comply with the provisions of the HCD By-law including the Design Guidelines; Level 2, being a mid-level amount of controls with regards to minimizes impacts on Area 1 with no triggers for public hearings, but still requiring the issuance of a Certificate of Appropriateness (CoA) except for demolitions and removals; and Level 3, with the least amount of controls where works can voluntarily apply for a CoA but is not mandatory and no triggers for public hearings. Where no triggers are provided for public hearings the development proposals would proceed as-of-right provided the requirements of the HCD By-law are complied with.

Council may wish to increase the levels of controls in Area 2 from those proposed in **Attachment E** by incorporating a certain level of Design Guidelines on Area 2 which may be less than those being proposed for Area 1. However, it is recommended that there would be no triggers for public hearings in Area 2 and no requirement for a CoA for demolitions or removals in Area 2 (explained further down in this memo) to enable quick turnaround of permit applications.

#### **Options:**

- 1) To keep the existing approved 2018 Heritage Conservation District Background Study District Boundaries and proceed with the development of the HCD Plan and By-law; or
- 2) To proceed with the development of a new Background Study with the possibility of incorporating a version of the three (3) Areas (may be two (2) Areas if Council wishes not to include Area 3) with Level 1, Level 2 or Level 3 controls as outlined in the proposed motions or, alternatively, a different level of control(s) (This option is in reference to Map 1, 2 and 3); or
- 3) To proceed with the development of a new Background Study with Attachment D - Map 4. (This option does not incorporate different levels of controls but could develop different levels for the three areas identified on Map 4 if Council wishes);

Staff is seeking the Committee's opinions in order to inform Council. Ultimately Council is required to approve the Background Study which provides the rationale for the District's boundaries and their direction is required in order to undertake the study.

If Council wishes to entertain Option 2, it is recommended that Council advise staff as to the areas to be incorporated into the HCD and advise as to the level of control they wish to impose on each area.

*This ends the section on the District Boundaries and Levels of Control. In an effort to reduce the number of applications to Council the next section deals with the triggers for Public Hearings:*

### **Area 1 Triggers for Public Hearing:**

**Attachment F** outlines the triggers for a Public Hearing. These triggers are aligned with those that are currently established under the current HCD Plan and By-law. In order to minimize Council's approvals and to enable more developments to proceed as-of-right, it is recommended that Council reviews the triggers to see if any of them could be deleted to enable more developments to proceed without Council's approval and without a public hearing delay. It should be pointed out that complete demolitions or removals within a HCD are required by provincial statute to have a public hearing prior to Council's approval if the Plan and By-law requires them to have a Certificate of Appropriateness (CoA). Section 19F of the Heritage Property Act is attached in **Attachment H**. An alternative could be not to require a Certificate of Appropriateness (CoA) for demolitions or removals in Area 2. By not requiring a Certificate, Section 19F requirement for a public hearing would not apply. A Demolition Permit from the Building Official would still be required. This is the recommended course of action for Area 2.

In addition, the percentage of partial demolitions may be specified by Council for Area 1. Therefore, the percentages as outlined in 4.3 (1) – see **Attachment G**, may be increased to reduce the potential number of applications requiring Council's permission through the public hearing process. Council may wish not to have any public hearings triggers in all areas, including Area 1 if they wish.

In light of Project Lunenburg, and the goal of increasing the number of dwelling units, new residential dwellings should be able to proceed as-of-right provided the provisions of the HCD are complied with. Currently new dwellings greater than 2 units requires Council's approval through the public hearing process. Council should also enable new Waterfront Buildings (Industrial Buildings) to be permitted as-of-right provided the provisions of the HCD are complied with. Council may also wish for new commercial and institutional buildings to be permitted as-of-right. Staff is seeking Council's direction with regards to the triggers for a public hearing. A proposal is attached in **Attachment G** for Council's consideration.

### **3. FINANCIAL IMPACT**

There are no direct financial impacts to the Municipality associated with the HCD boundaries extension, other than possible increase in costs associated with the required notifications, map production and administration costs for a larger HCD area.

#### 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**

1) It is recommended that Council advise staff as to the areas to be included in the HCD and advise as to the level of controls for each area.

Note: It is not possible to provide a concrete draft motion as to the District’s boundaries as there are so many options available. However, possible motions for consideration are outlined below:

##### **A) Motion for solely the UNESCO World Heritage Site:**

Motion: Moved by \_\_\_\_, Seconded by \_\_\_\_ that Council advise staff to draft a Background Study to incorporate solely the UNESCO World Heritage Site in the revised Heritage Conservation District.

##### **B) Motion for Attachment D – Map 4:**

Description – the HCD with a portion of lands along the eastern side (Blockhouse Hill - 82 Kempt Street) removed and the two Architectural Control Areas added with Lot A1 Dufferin Street and the six ABCO lots removed.

Motion: Moved by \_\_\_\_, Seconded by \_\_\_\_ that Council advise staff to draft a Background Study to incorporate Attachment D – Map 4 in the revised Heritage Conservation District.

##### **C) Motion for Attachment C – Map 3:**

Description – Portion of Blockhouse Hill removed (82 Kempt Street); portions of Linden Avenue and Lower Street added, the two (2) Architectural Control Areas of the MPS added with the exception of Lot 1A Dufferin Street and the six (6) ABCO’s lots, with the Foundry lands not included; and open space area of Golf Course added.

Motion: Moved by \_\_\_\_, Seconded by \_\_\_\_ that council advise staff to draft a Background Study to incorporate Attachment C – Map 3 in the revised Heritage Conservation District.

##### **D) Motion for Attachment B – Map 2:**

Description – The entire existing HCD with portions of Linden Avenue and Lower Street added, the two (2) Architectural Control Areas of the MPS added with the exception of Lot 1A Dufferin Street, with the Foundry lands and ABCO lands added; and open space area of Golf Course added.

Motion: Moved by \_\_\_\_, Seconded by \_\_\_\_ that council advise staff to draft a Background Study to incorporate Attachment B – Map 2 in the revised Heritage Conservation District.

**E) Motion for Attachment A – Map 1:**

Description – The entire existing UNESCO World Heritage Site included with the eastern portion of the HCD removed (Blockhouse Hill) and the northern portion of the HCD removed (northern side of Creighton Street); with the western portion of the HCD added; with portions of Linden Avenue and Lower Street added, with the two (2) Architectural Control Areas of the MPS added with the exception of Lot 1A Dufferin Street, with the Foundry lands and ABCO lands added; and open space area of Golf Course added.

Motion: Moved by \_\_\_\_, Seconded by \_\_\_\_ that council advise staff to draft a Background Study to incorporate Attachment A – Map 1 in the revised Heritage Conservation District.

**Note:** Of the five proposed motions described above, Staff would be inclined to recommend **Motion B, Motion for Attachment D – Map 4** with only one level of control – Level 1 as outlined in the table below. An alternative staff recommendation would be **Motion C, Motion for Attachment C – Map 3** with three levels of control – Level 1, Level 2 and Level 3 as outlined in the table below.

If Council is in favour of revising the District’s boundaries from those identified in the 2018 Background Study with the concept of the three conservation areas with three levels of control (as shown in the examples provided in Map 1 - Attachment A, Map 2 - Attachment B and Map 3 - Attachment C), staff recommends the following levels of controls.

<b>District Areas with Assigned Levels of Controls:</b>		
<b>Area 1 - Level 1 Controls</b>	<b>Area 2 - Level 2 Controls</b>	<b>Area 3 - Level 3 Controls</b>
Full By-law and Design Guidelines apply – triggers for public hearings apply.	Design Guidelines do not apply or alternatively a mid-level of Design Guidelines – Mandatory Certificate of Appropriateness (CoA) required except for demolitions and removals. Modern designs are permitted provided the work is physically and visually compatible with, subordinate to, and distinguishable from works located in Area 1 and that the character-defining elements of Area 1 are conserved and maintained. The works must not detract from developments in Area 1 or impair any of its heritage value. No triggers for Public Hearings.	No mandatory Certificate of Appropriateness (CoA) required. Design Guidelines do not apply – Only a Policy in Plan to preserve the Open Space Landscape of Kaulbach Head. No By-law restrictions. No triggers for Public Hearings.

Motion: Moved by \_\_\_\_, Seconded by \_\_\_\_ that Council advise staff to draft a Background Study to incorporate three areas within the HCD as shown on *Map 1, Map 2 or Map 3* with three levels of Control as outlined in the table above.

**Note: The Map reference above would correspond with the one chosen in the first motion above.**

- 2) It is recommended that Council advised staff as to the triggers for the public hearing process for Area 1. A staff proposal is attached in **Attachment G** for consideration.

Motion: Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_ that Council advise staff to draft the proposed HCD Plan and By-law with Attachment G as the proposed triggers for a public hearing pursuant to the revised HCD Plan and By-law.

Note: It is recommended that there will be no triggers for Public Hearings in Area 2 and Area 3 if Map 1, 2 or 3 are chosen.

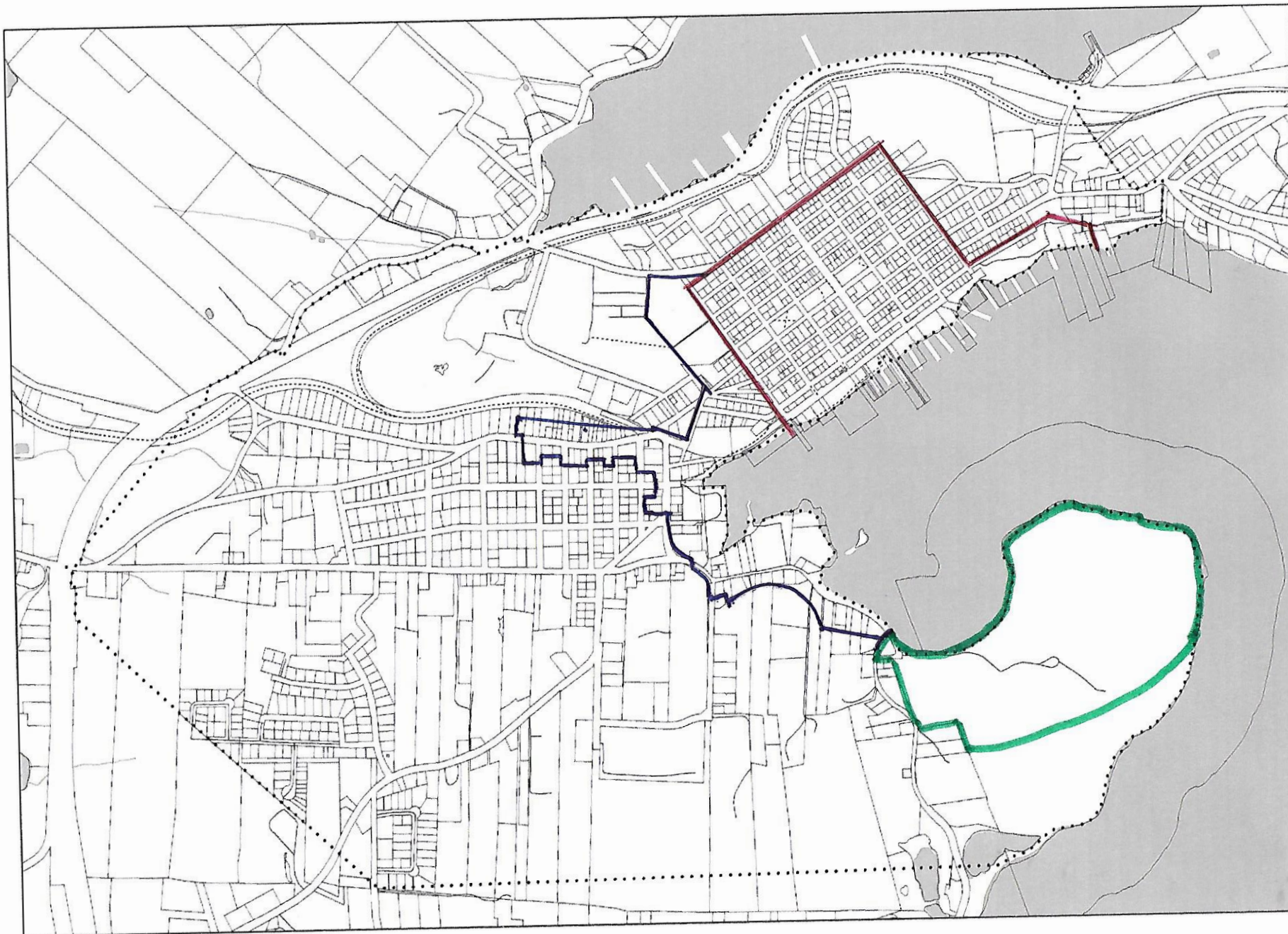
## **Attachments**

- A. Map 1 - Areas 1, 2 and 3;
- B. Map 2 - Areas 1, 2 and 3;
- C. Map 3 - Areas 1, 2 and 3;
- D. Map 4 – Area 1
- E. Levels of Control Table (Example Only);
- F. Triggers for Public Hearing (As proposed in revised HCD Plan and By-law)
- G. Proposed Revised Triggers for Public Hearing for Area 1
- H. Section 19F of the Heritage Property Act
- I. Excerpts from HAC Report of November 18<sup>th</sup>, 2019

Acknowledged only by:

Bea Renton  
Town Manager/Clerk

# ATTACHMENT A - MAP 1



**UPLAND**

13 King Street  
Dunbar Station, VA 22902  
415.592.8000  
uplandva.com

TITLE  
**Basemap**

PROJECT  
**Project Lunenburg**

CLIENT

CREATED BY

REVIEWED BY

APPROVED BY

DATE  
4/22/2020

NOTES  
••• Town of Lunenburg  
Boundary

**UNESCO SITE**  
**AREA 1**

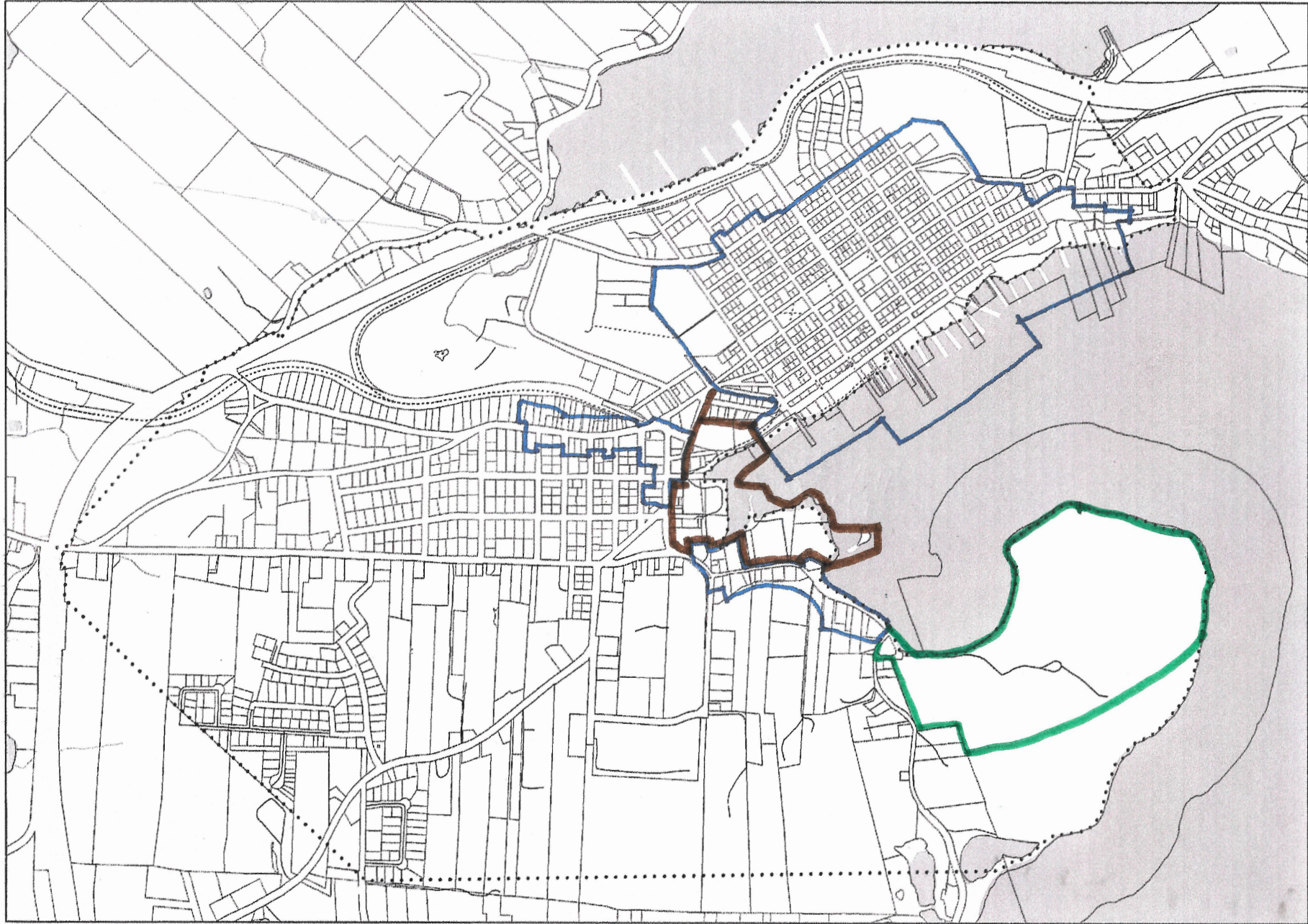
**AREA 2**

**AREA 3**

NORTH

SCALE  
1 cm = 50 m

# ATTACHMENT B - MAP 2



**UPLAND**

113 King Street  
Dunbar, VA 22827  
+1 502 423 0142  
upland@do.com

TITLE

Basemap

PROJECT

Project Lunenburg

CLIENT

CREATED BY

REVIEWED BY

APPROVED BY

DATE

4/22/2020

NOTES

••• Town of Lunenburg  
Boundary

AREA 1

AREA 2

AREA 3

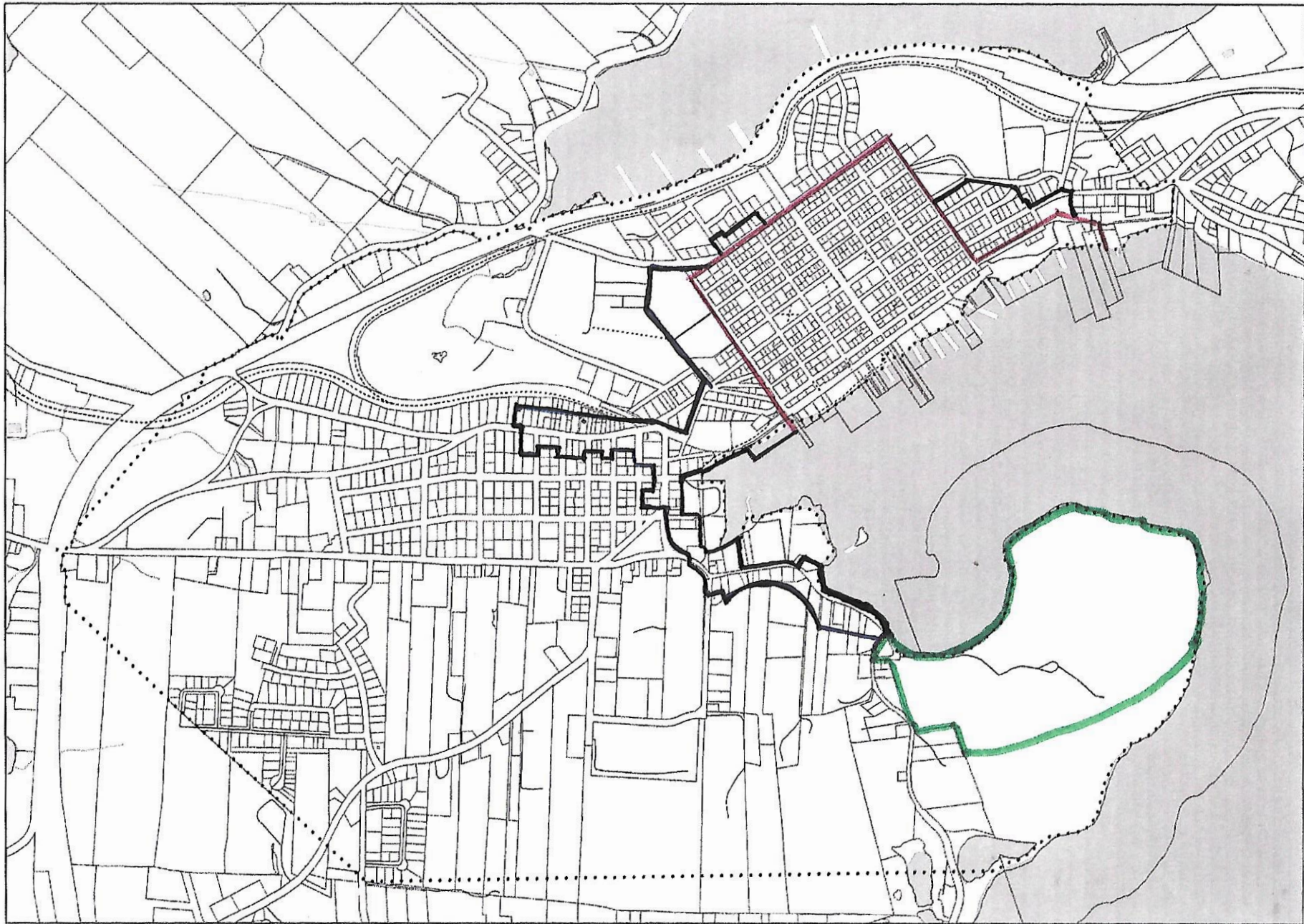
NORTH

SCALE

1 cm = 50 ft

0 250

# ATTACHMENT C - MAP 3



## UPLAND

13 King Street  
Lunenburg, VA 22972  
Tel: 434-422-2222  
www.lunenburgva.org

TITLE

Basemap

PROJECT

Project Lunenburg

CLIENT

CREATED BY

REVIEWED BY

APPROVED BY

DATE

4/22/2020

NOTES

- Town of Lunenburg Boundary
- Boundary

UNESCO SITE  
AREA 1

AREA 2

AREA 3

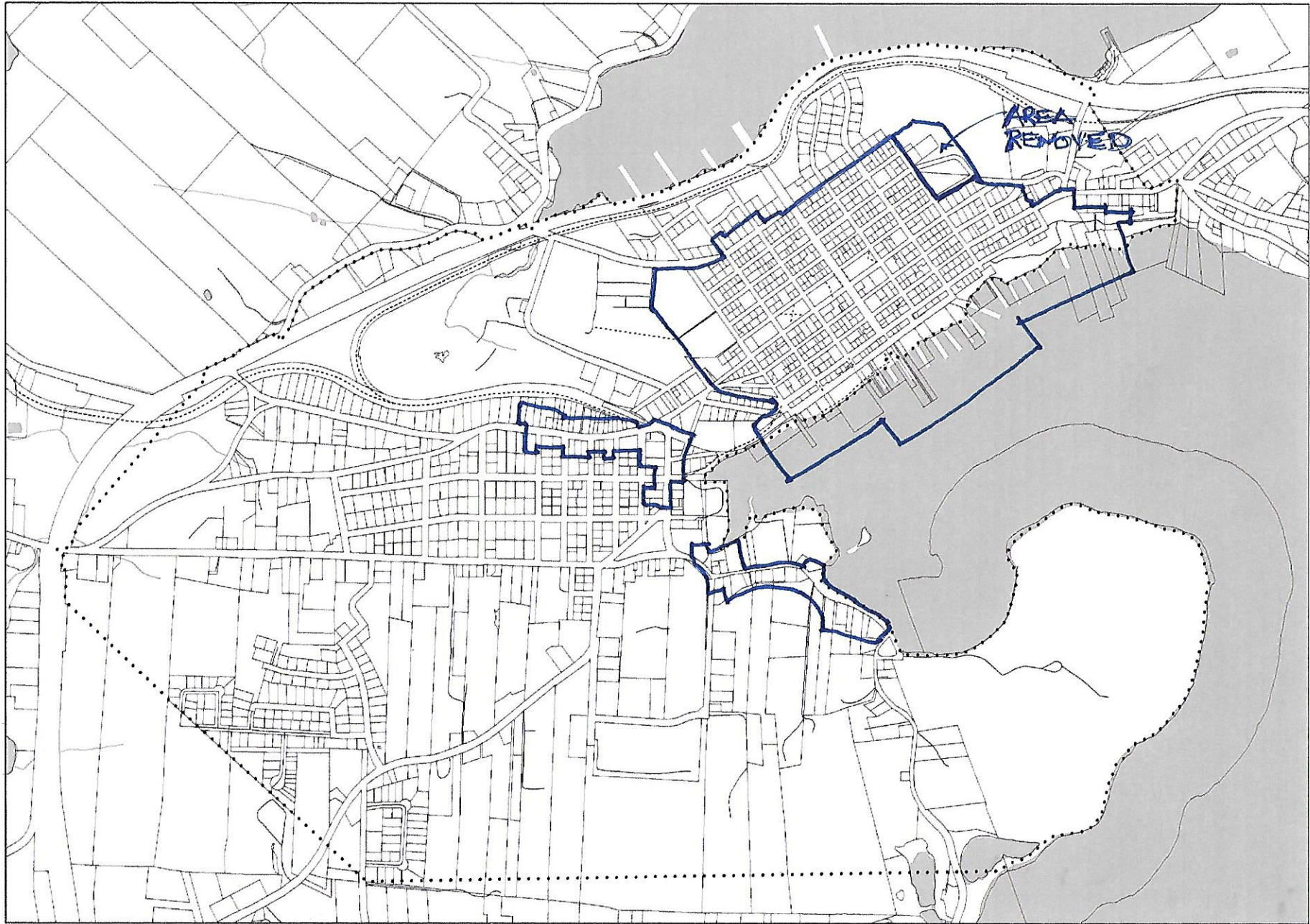
NORTH

SCALE

1 in = 50 ft

0 50 100

# ATTACHMENT D - MAP 4



**UPLAND**

63 King Street  
Dorset, VT 05834  
41.512.42.1549  
upland@vt.net

TITLE

Basemap

PROJECT

Project Lunenburg

CLIENT

CREATED BY

REVIEWED BY

APPROVED BY

DATE

4/22/2020

NOTES

••• Town of Lunenburg  
Boundary

 AREA 1

NORTH

SCALE

1 cm = 50 m



**ATTACHMENT E**  
**Levels of Control Table (Example Only)**

Level 1:	Level 2:	Level 3:
<p>Full By-law and Design Guidelines apply – triggers for public hearings apply.</p>	<p>Design Guidelines do not apply or alternatively a mid-level of Design Guidelines – Mandatory Certificate of Appropriateness (CoA) required except for demolitions and removals. Modern designs are permitted provided the work is physically and visually compatible with, subordinate to, and distinguishable from works located in Area 1 and that the character-defining elements of Area 1 are conserved and maintained. The works must not detract from developments in Area 1 or impair any of its heritage value. No triggers for Public Hearings.</p>	<p>No mandatory Certificate of Appropriateness (CoA) required. Design Guidelines do not apply – Only a Policy in Plan to preserve the Open Space Landscape of Kaulbach Head. No By-law restrictions. No triggers for Public Hearings.</p>

## **ATTACHMENT F**

### **Triggers for Public Hearings (As proposed in revised HCD Plan and By-law)**

#### **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.

## ATTACHMENT G

### Proposed Revised Triggers for Public Hearing for Area 1

#### 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
  - c) more than 25% of the total usable floor area of all floors of the main building including the usable floor areas of any basement and attic; or
  - d) any part of a main building for which the cumulative sum of all areas of its horizontal dimensions exceeds 50% of the area of the existing footprint of the main building.
  
- (2) The demolition or removal of
  - c) more than 25% 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
  - d) 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 50% of the area of the existing footprint of the building.
  
- ~~(3) Any new building containing more than two (2) dwelling units;~~
  
- (5) Any addition to a building which is greater than 50% of the area of the existing residential building's footprint, or any addition where the cumulative sum of the area of residential additions over time is greater than 50% 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 existing buildings located in the Waterfront Buildings Area as identified on Schedule "B", Waterfront Buildings Area Map; any existing commercial building's additions or any existing institutional (public buildings) building's additions are exempt from this provision;

and

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

## ATTACHMENT H

### Requirement for Public Hearing for Demolitions

#### Heritage Property Act (19F):

#### “Public hearing and conditions for approval of demolition or removal

**19F (1)** Where the conservation plan and conservation by-law require that a certificate be issued for demolition or removal of a building or structure in a heritage conservation district, the council shall hold a public hearing.

**(2)** Where the council considers an application for a certificate for demolition or removal of a building or structure, the council shall not approve the application unless

**(a)** there is irreversible structural damage or deterioration to the building or structure; or

**(b)** the applicable policies of the conservation plan respecting demolition or removal of the building or structure are met. *1991, c. 10, s. 4.*”

**ATTACHMENT I**  
**Excerpts from HAC Report of November 18<sup>th</sup>, 2019**

**“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.

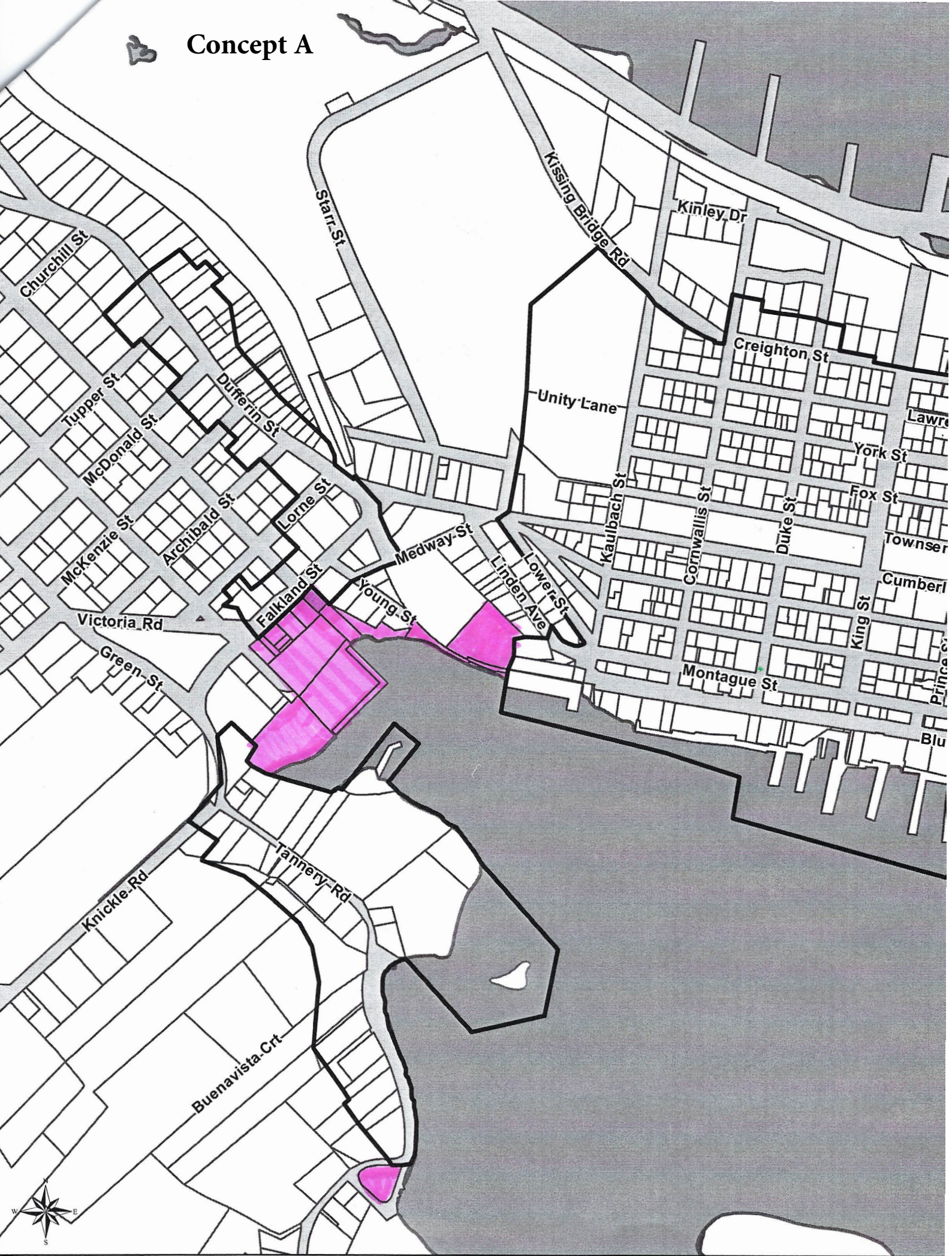
...

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. ...”

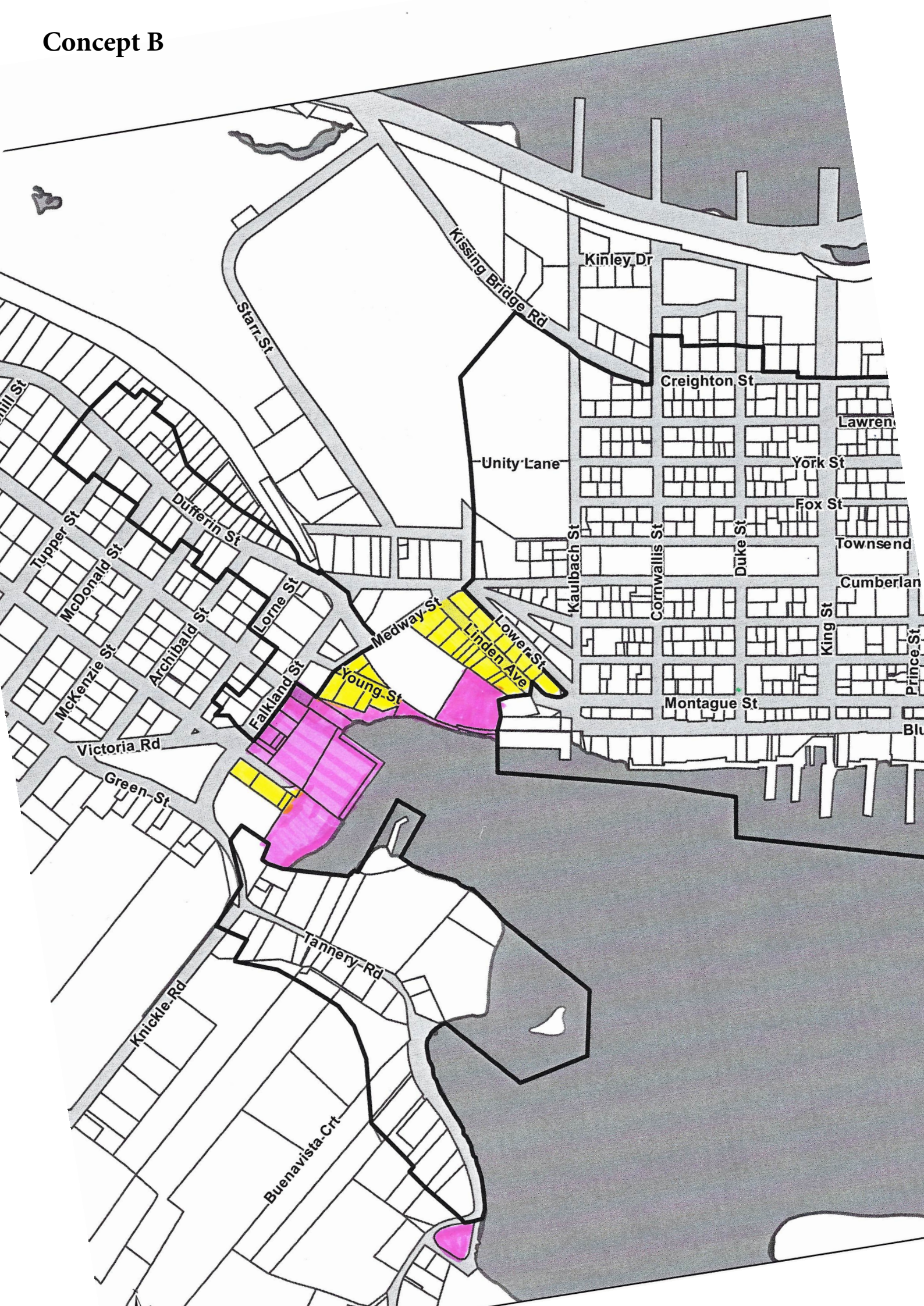
The concept drawings and submissions are attached to this attachment below:



# Concept A



# Concept B



Black Outline.

AMENDED....include Red Line area...

# Concept C

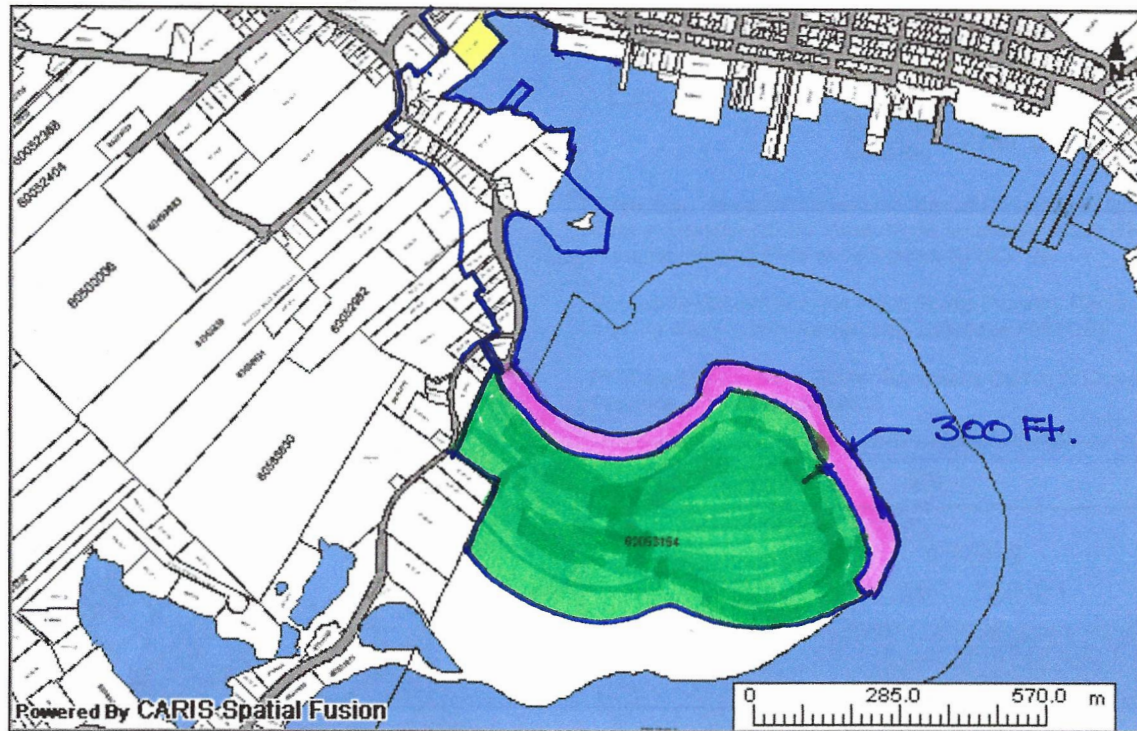


## Concept D



## Property Online Map

Date: Oct 21, 2019 9:20:11 AM



PID:	60703873	Owner:	LUNENBURG FOUNDRY & ENGINEERING LIMITED	AAN:	02620596
County:	LUNENBURG COUNTY	Address:	2 BROOK STREET LUNENBURG	Value:	\$487,300 (2019 COMMERCIAL TAXABLE)
LR Status:	LAND REGISTRATION				

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.





**Property Online version 2.0**

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# Concept E - Burma Road

## Schedule "A" Heritage Conservation District Map

### Legend

-  Heritage Conservation District Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

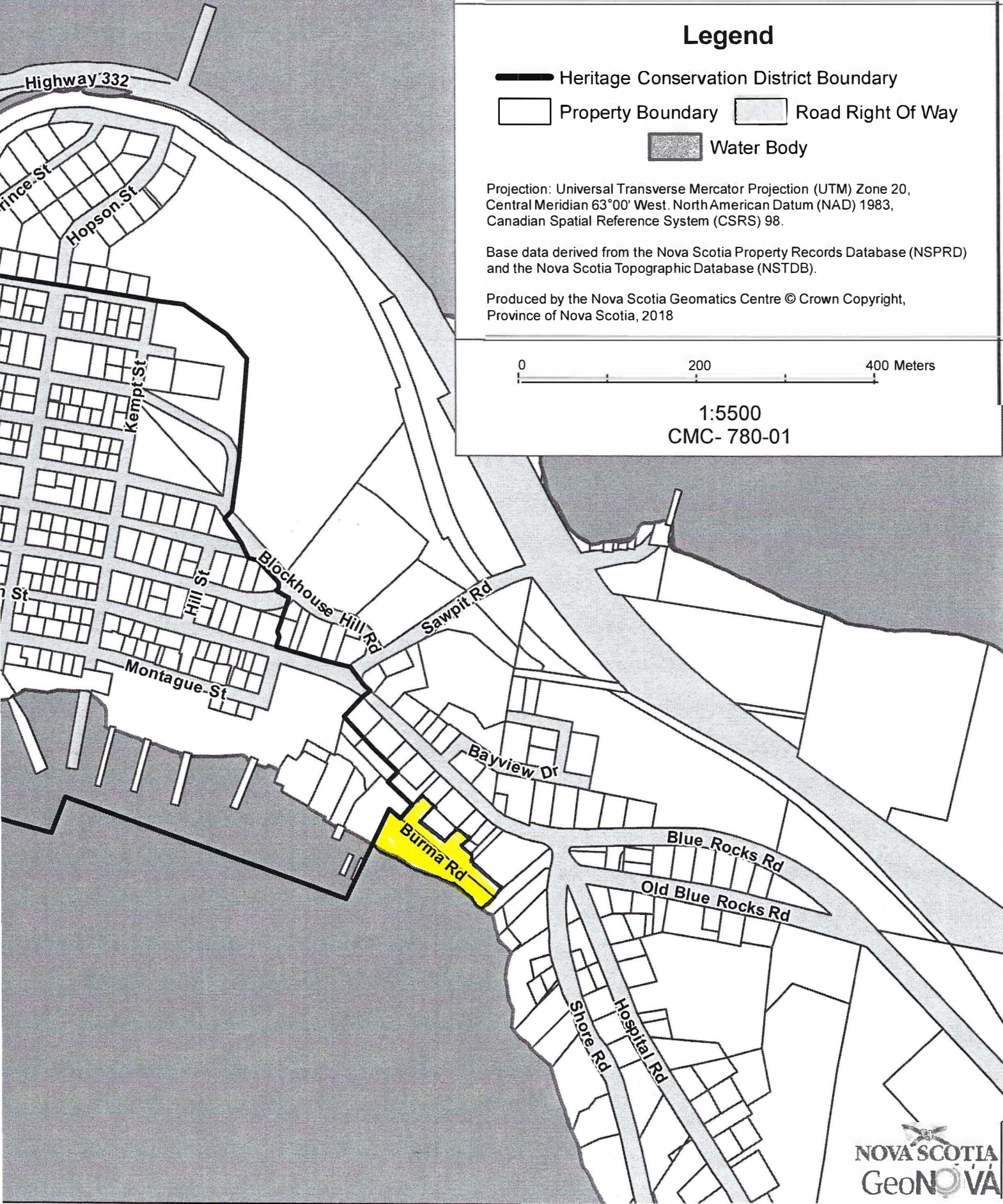
Projection: Universal Transverse Mercator Projection (UTM) Zone 20,  
Central Meridian 63°00' West, North American Datum (NAD) 1983,  
Canadian Spatial Reference System (CSRS) 98.

Base data derived from the Nova Scotia Property Records Database (NSPRD)  
and the Nova Scotia Topographic Database (NSTDB).

Produced by the Nova Scotia Geomatics Centre © Crown Copyright,  
Province of Nova Scotia, 2018

0 200 400 Meters

1:5500  
CMC- 780-01



P.O. Box 1600  
136 Tannery Rd.,  
Lunenburg, NS  
B0J 2C0

**John & Gail Patriarche**

[crown@eastlink.ca](mailto:crown@eastlink.ca)  
Ph: (902) 634-3020

Arthur MacDonald,  
Heritage Manager  
Town of Lunenburg, NS

Oct. 21, 2019

Dear Arthur MacDonald

I am writing this letter in regards to the proposed new HERITAGE CONSERVATION DISTRICT PLAN AND BY-LAW

I note from the Attached Map that the boundaries include areas outside of the core area. Example, Dufferin St., Falkland St. Tannery Rd. It appears that the committee has expanded the area now proposed, so that approaches to Town which are highly visible, also are included in the new Conservation District.

This is all very good.....EXCEPT I don't see why you have excluded that area between the Core Area and Tannery Rd. Area. (Lower St, Falkland St., Tannery Rd. and Harbour) It is just as visible, and should also be controlled so as **“to be compatible with the traditional waterfront vernacular to maintain Lunenburg’s traditional historic waterfront built form”**

I believe that the committee has the common sense and is armed with sufficient information on the preservation of that important part of Lunenburg ....our waterfront ... to make the decision to include this area as well.

IF NOT... it leaves the door open for persons or businesses to opt out of the Conservation District. This can be seen immediately as it is noted that in the next Town Council Meeting, (Oct. 22) there will be a request by ABCO, which is currently included in the Conservation District, to be excluded. If this were to be approved by Council, it would be in direct contravention to the purpose of the new Plan... that being **“to be compatible with the traditional waterfront vernacular to maintain Lunenburg’s traditional historic waterfront built form”**

By adopting this new Plan, I believe it would give the Town the authority to deny the current proposal by ABCO to proceed with its Development Plan that includes infilling the harbour adjacent to their property for the building of 2 storey apartments (condominiums).

Also it would assist in their decision making to deny approval of the building of Residential buildings on their existing property, which is zoned Marine Industrial.

Both of the above surely could not be considered, as being a step in the direction of maintaining Lunenburg’s traditional historic waterfront .

It is not only the Tannery Rd. residents who are affected, but all of Lunenburg. Although it is not an area within the currently designated UNESCO area of Lunenburg, it is close enough that ‘Line of Sight’ especially from Tannery Rd. or the Lunenburg Waterfront would be negated. We must remember, that Dresden, Germany was a designated UNESCO site, but lost its designation when it built a bridge that was deemed to ruin the 20-kilometer long (12 mile), World Heritage-worthy stretch of Dresden cityscape.

I do not want this to happen and I believe that in the hearts of most Lunenburg Residents, they cherish our UNESCO designation. It certainly shows with the number of cars and Tour Buses that stop on Tannery Rd. to take that perfect picture of the Town.

I note that the Project Lunenburg's mandate seems to include "Keeping Contemporary needs while preserving Heritage". And "Protecting Views of the Lunenburg Cultural Landscape" just as important.

I also note in the Town's handout piece of literature about the UNESCO World Heritage Designation Ceremony, the following paragraph, "A nations cultural and natural heritage is one of its most important possessions. It is irreplaceable; any loss is a tragedy, not only for the nation concerned, but for humanity itself."

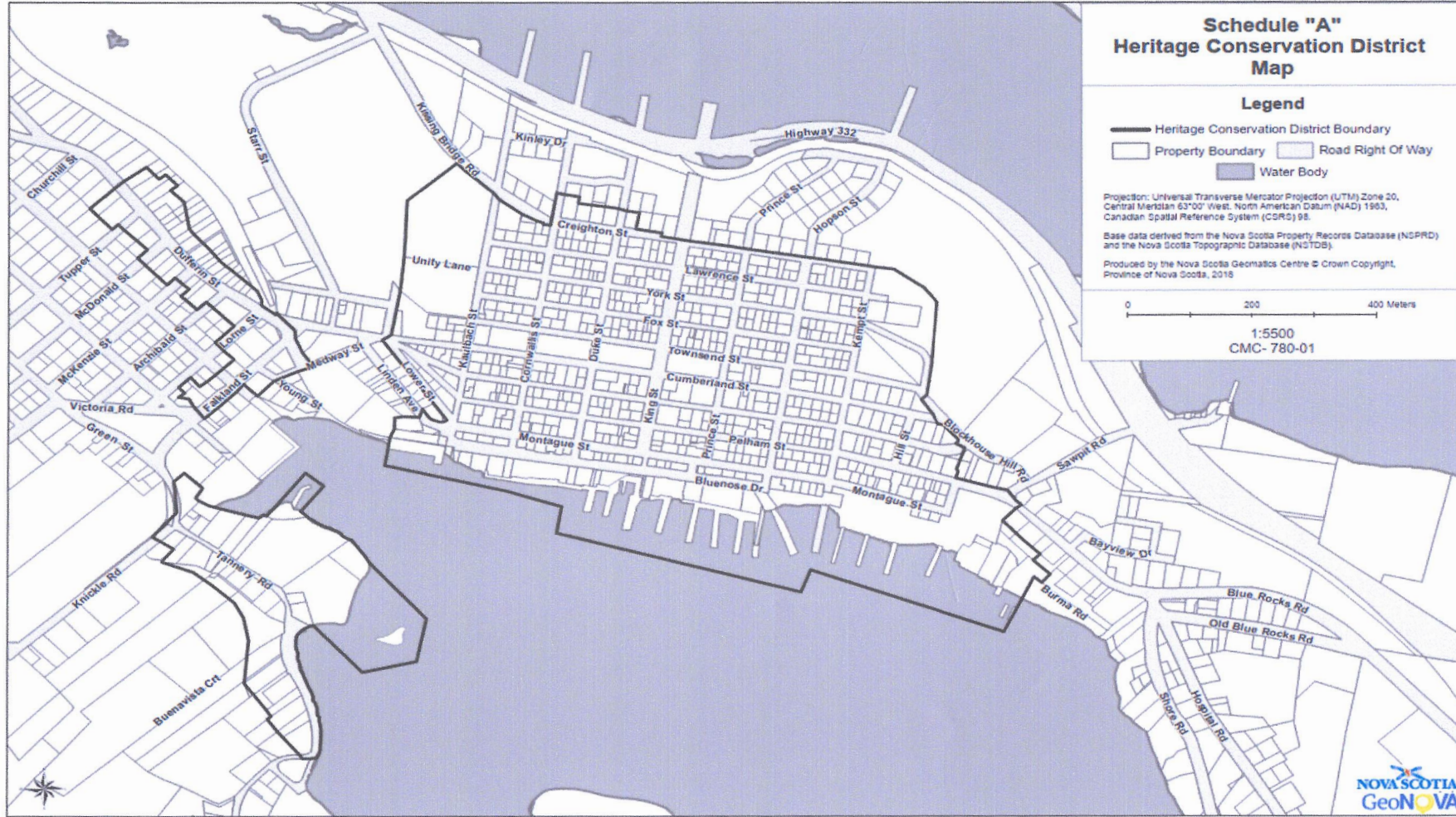
I have Attached a copy of your Map, but it includes the omitted area in Red that I feel should be included.

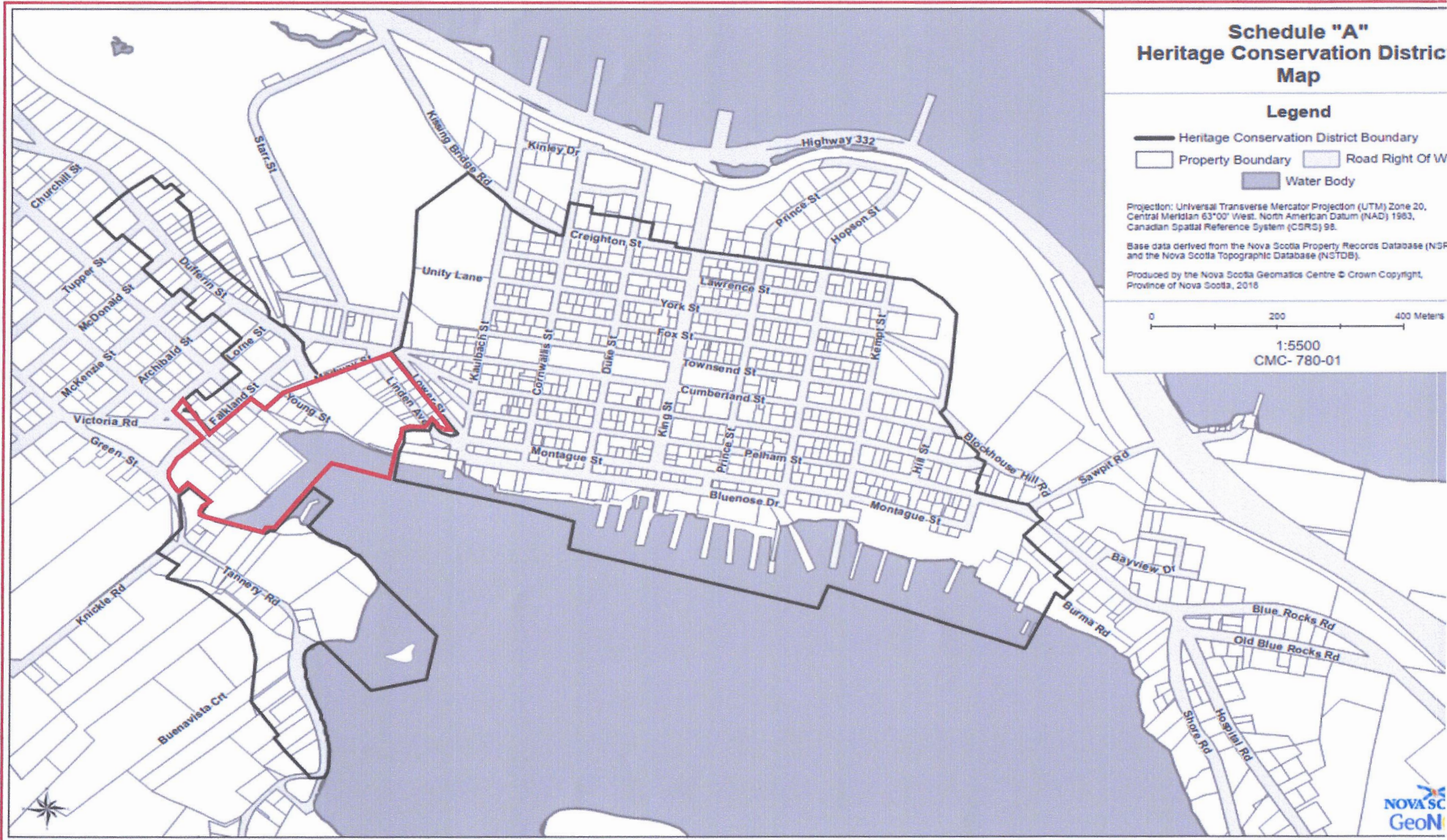
This is also the feeling of our members of the 'Save Our Lunenburg' Group.

Your truly,

A handwritten signature in dark ink, appearing to read "John & Gail Patriarche". The signature is stylized and includes a long horizontal line extending to the right.

John & Gail Patriarche,  
136 Tannery Rd.





**SUSAN S. PRATT**  
PO Box 597  
208 Adams Street  
Lunenburg, N.S. B0J 2C0

October 23, 2019

Town of Lunenburg  
Heritage Advisory Committee  
Peter Mosher, Chair  
Ronald Bachman, Oliver Osmond, Natalie Irving, Steven Ernst, David John Lobb  
Arthur MacDonald, Heritage Manager

Dear members of the Committee:

Thank you for your efforts in updating the Heritage District By-Law and new Heritage Conservation District Plan.

I attended the second public participation meeting held on October 21, and would like to follow up by offering some comments for the Committee to consider:

I did not read nor hear anything about the criteria you used to designate what streets, area would be included in the historic district.

Perhaps you did not use any specific criteria (such as age) in your deliberations but I wonder why the properties on Dufferin and the corner of Tupper are included—perhaps to make an even side to the area? What was known as the Powers house is included and is younger than for example, some houses on the lower part of Green Street which are not included in an historic district.

Perhaps, your reasoning may have included that you did not wish to enlarge the historic district too much thereby increasing the number of affected households? So, I do wonder about how borders of historic areas were determined.

May I suggest that you consider including the east side of Falkland Street and Young Street in the historic district?

At the meeting, I raised the question which to me is just as important as the suggested architectural guidelines – and that is colour. Many historic districts have strict guidelines concerning colour. Lunenburg has none. In my opinion, one of the glaring omissions in the original bylaw was colour. Many of us only discovered this omission in the by-law when one individual property owner decided that Lunenburg's colours were too dull, and then chose to paint her buildings colours that were not historically appropriate. When we raised our concerns to the Town, we were told that nothing could be done because the by-law did not include provisions about colour. Lime green, azure blue, raspberry pink, brown mustard were colours never in Lunenburg's historic home palette. Perhaps, since I am in my mid-80s and can remember how the houses used to be, I find these colours totally incompatible with the architecture. Unfortunately, weird colours have proliferated – I mean really - lavender??

Waterfront, commercial properties were often painted strong, primary, vivid colours but residential homes were generally white with black trim, or had subdued, muted colours. Perhaps, the committee is

not opposed to jelly-bean St. John's colours on our streets, but if so, do not pretend to yourselves and others that homes are being maintained with historic appropriateness and accuracy.

I would urge that since many guidelines are being established, that the committee seriously consider arriving at suggested appropriate colour options. I believe that Lunenburg historic colours have been recorded and would not be difficult to research. Whether these guidelines would be followed is perhaps difficult to foresee or enforce, but at least it would give homeowners some historically accurate suggestions. Choosing house colours can be challenging and providing colour samples may prove very welcome by owners. Because colour is so predominant and plays such an important role in our view plains, omitting it from the by-law guidelines leaves them truly incomplete historically.

I offer these points which I hope that the Committee will duly and seriously consider.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan S. Pratt". The signature is written in dark ink and is positioned above the printed name.

Susan S. Pratt

P.S. I offer the following comments in a postscript because they rate lower in priority for me than colour. Regarding Stairs and Railings: there was some discussion at the meeting re the not permitted unpainted or unstained stair railings. Unfortunately, it appears common practice locally to leave them untreated and become weathered. As such, they are unattractive, obtrusive and stick out like a sore thumb. Although possibly more difficult to maintain, painted or stained railings blend much more successfully and pleasingly into the appearance of a home.

## MEMORANDUM

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

**FROM: HERITAGE MANAGER**

**DATE: JUNE 18, 2020**

**RE: CONSIDERATION OF REVISED SUBSTANTIAL ALTERNATION GUIDELINES**

---

### **1. FACTS**

In an effort of minimizing applications that are required to be reviewed and approved by Council it is recommended that Council consider adopting a new policy respecting the Town's Substantial Alteration Guidelines as shown in **Attachment A**.

This policy is not with regards to the Heritage Conservation District (HCD). This policy is strictly in reference to those properties registered as Municipal Heritage Properties under the provisions of the Heritage Property Act (HPA). The location of these properties are throughout Town. Though some may be within the HCD others are not.

Pursuant to the HPA any substantial alteration to a registered Municipal Heritage Property requires the issuance of a Heritage Permit approved by Council. This is a separate permit from a Certificate of Appropriateness issued pursuant to the HCD approved by the Heritage Officer.

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

The proposed Substantial Alteration Guidelines as shown in **Attachment B** will enable the Heritage Officer to declare to the applicant that their proposed development is not determined to be a substantial alteration and issue a letter advising the applicant that no Heritage Permit is required and in essence, no approval from Council is required. As shown in Attachment B, any development to a registered Municipal Heritage Property that conforms with the Design Guidelines of the HCD By-law will fall within this category. This will significantly reduce the number of applications requiring Council's approval.

For example, under the current Substantial Alteration Guideline, “change in style or design of railing or guards on porches or stairs” would be deemed a substantial alteration requiring Council’s approval even when the change conforms with the Design Guidelines of the HCD By-law. Another example would be “re-shingling of roofs where not required for maintenance, including changes in the type of shingle” would be deemed a substantial alteration requiring Council’s approval even when the change conforms with the Design Guidelines of the HCD By-law. Note the HCD By-law permits metal roofs with certain restrictions such as a dark-medium tone matte colour which can be approved through the issuance of a Certificate of Appropriateness in the HCD but if it is also a registered Municipal Heritage Property, it would also require the permission of Council under the Substantial Alteration Guidelines. Please refer to **Attachment A** for other examples. If Council is concerned about relaxing these Substantial Alteration Guidelines and wishes to continue the practice of approving these substantial alterations, then staff would recommend maintaining the status quo and maintain the existing Substantial Alteration Guidelines as shown in **Attachment A**.

The proposed Substantial Alteration Guidelines as shown in **Attachment B** does not limit the size of additions. As long as the addition conforms with the Design Guidelines of the HCD By-law it would be determined not to be a substantial alteration. If Council wishes to limit the size of additions onto registered Municipal Heritage Properties, and to require their approval through the issuance of a Heritage Permit, then this requirement should be added to the proposed Substantial Alteration Guidelines. A draft of such is included in **Attachment C**.

Demolitions of registered Municipal Heritage Properties will still require the approval of Council in accordance with Section 17 the Heritage Property Act. The Act is available at the following link:

<https://www.nslegislature.ca/sites/default/files/legc/statutes/heritage.htm>

#### **Options:**

- 1) To provide a notice of motion to consider the rescinding of the current Substantial Alteration Guidelines (Attachment A) and the adoption of a new Substantial Alteration Guidelines Attachment B or Substantial Alteration Guidelines Attachment C; or
- 2) To maintain the status quo by keeping the existing Substantial Alteration Guidelines (Attachment A).

### **3. FINANCIAL IMPACT**

There are no direct financial impacts to the Municipality associated with the proposal to adopt the proposed Substantial Alteration Guidelines as outlined in Attachment B or Attachment C.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

Strategic Plan Goal #5 - Operate the Town efficiently and effectively.

**5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council provide a notice of motion to consider the rescinding of the current Substantial Alteration Guidelines (Attachment A) and the adoption of a new Substantial Alteration Guidelines (Attachment B).

*Note:* Council may wish to adopt the proposed Substantial Alteration Guidelines as outlined in Attachment C.

**Attachments**

- A.** Existing Substantial Alteration Guidelines
- B.** Proposed Substantial Alteration Guidelines
- C.** Proposed Substantial Alteration Guidelines with Size Limitation

Acknowledged only by:

Bea Renton  
Town Manager/Clerk

## **ATTACHMENT A EXISTING SUBSTANTIAL ALTERATION GUIDELINES**

### **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 B**  
**Proposed Substantial Alteration Guidelines**

**Alteration Guidelines for Municipally Registered Heritage Properties**  
**Town of Lunenburg**  
**Approved by Council \_\_\_\_\_ (Date)**

**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.

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

**4.0 Substantial and Non-Substantial Alterations**

For clarity, both substantial and non-substantial alterations are listed.

The following shall be considered substantial alterations:

- any development that does not conform to the Design Guidelines of the Heritage Conservation District By-law applicable to Old Town Lunenburg National Historic Site.

The following shall be considered non-substantial alterations:

- any development that is not defined as a substantial alteration as outlined above.

**ATTACHMENT C**  
**PROPOSED SUBSTANTIAL ALTERATION GUIDELINES WITH SIZE LIMITATIONS**

**Alteration Guidelines for Municipally Registered Heritage Properties**  
**Town of Lunenburg**  
**Approved by Council \_\_\_\_\_ (Date)**

**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.

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 substantial 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 for recommendation to Council.

**4.0 Substantial and Non-Substantial Alterations**

For clarity, both substantial and non-substantial alterations are listed.

The following shall be considered substantial alterations:

- any development that does not conform to the Design Guidelines of the Heritage Conservation District By-law applicable to Old Town Lunenburg National Historic Site.
- any demolition or removal of
  - a) more than 10 % of the total usable floor area of all floors including the usable floor areas of any basement and attic; or
  - b) any part of a building for which the cumulative sum of all areas of its horizontal dimensions exceeds 25% of the area of the building's existing footprint.

**Usable Floor Area** means the floor area that has a minimum height clearance of 1.2 m (4 ft.) or higher.

- 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).

The following shall be considered non-substantial alterations:

- any development that is not defined as a substantial alteration as outlined above.



# HERITAGE TRUST OF NOVA SCOTIA

PRESERVING NOVA SCOTIA'S BUILT HERITAGE

## Heritage Trust of Nova Scotia Announces Diverse Group of Heritage Awards

HALIFAX, NS, June 7, 2020.....The Board of Heritage Trust of Nova Scotia (HTNS) has announced five Built Heritage Award recipients, after recently endorsing the HTNS Awards Committee's recommendation.

For the first time, HTNS will recognize a project for excellence in the respectful insertion of a new building among heritage buildings: Brian MacKay-Lyons of MacKay-Lyons Sweetapple Architects repurposed an existing 19<sup>th</sup> century building and attached a new-build which reflects the vocabulary of Lunenburg's marine industrial buildings. The resulting B2 Lofts provides six residential units atop two main floor commercial spaces, which pay homage to the town's UNESCO heritage status with their lovely design and bright colours.

The other winners for 2019 and their award categories are:

- Bank of Montreal Building, Lunenburg, owned by Garth Turner (Commercial Adaptive Reuse);
- Kentville Library in the former St Stephen and St Paul United Church, owned by John Parsons (Places of Worship);
- Old Town Clock, Halifax, owned by Government of Canada (Exterior Conservation of an Institutional Building); and
- White Cottage, Chester, owned by Mark Narsansky and Philip Mitchell (Excellence in Supporting Heritage Conservation).

"Every project had its own story of meeting unexpected challenges or finding new opportunities," said committee chair, William Breckenridge. "That is what makes this recognition so rewarding."

Few challenges are as extreme as Chester's White Cottage where prospective buyers were advised by the realtor not to try to save it. The new owners discovered so many problems that they had to take it down to the ground, numbering pieces as they went and then storing the house in container boxes while the foundation was rebuilt and suitable material found to replace anything that was rotten or not salvageable. Initially, the committee discussed intently whether to consider a totally rebuilt house. However, one of the mandates of the awards committee is to recognize properties preserved in the face of probable loss. And the likely fate of this property, had it not been bought by the current owners, was demolition of the existing cottage dating, in parts, from the late 1700s-early 1800s and division of the waterfront lot for re-sale and development.

In the case of the Old Town Clock, early consultation by federal staff with HTNS and local experts steered the proposed conservation work more in line with best practices as laid out in the federal *Standards and Guidelines for the Conservation of Historic Places in Canada*.

The original structure of the Bank of Montreal Building in Lunenburg was completed in 1907 and is a rarity in the area, being constructed of grey Shelburne granite while the Kentville Library's beauty is accentuated by the incredible stained glass craftsmanship, high ceilings and natural light.

“Visiting the nominated buildings was a real treat and we were truly gratified that all those involved were deeply interested in their local history and proud to have been involved in saving and/or restoring a heritage building,” added Awards committee member Michal Crowe. “There was a common thread of pride in repurposing and refurbishing as well as a heritage vision.”

Usually recipients would be recognized on Historic Places Day (July 4, 2020) but in light of the current global pandemic situation, these 2019 Built Heritage Awards will be formally conferred in 2021 along with any winners from this year.

Canada’s Historic Places Day is a national celebration to encourage Canadians to visit historic places close to home. The Trust’s Built Heritage Awards bring attention to excellence in heritage conservation. The awards are designed to recognize and honour outstanding individuals, groups, companies and government departments who have made a significant contribution towards preserving and rehabilitating Nova Scotia’s built heritage.

Heritage Trust of Nova Scotia, founded in 1959, is a non-profit registered charity whose goal is to conserve buildings and sites of historic significance, and to promote this important cultural component of Nova Scotia’s identity.

For information visit: [www.htns.ca](http://www.htns.ca) | Twitter [@HTNovaScotia](https://twitter.com/HTNovaScotia) | Facebook [@HeritageTrustNovaScotia](https://www.facebook.com/HeritageTrustNovaScotia)

- 30 -

**Media Contact:** Kimberly Dickson, Communications Chair [communications@htns.ca](mailto:communications@htns.ca) or 902-423-4807





# HERITAGE TRUST OF NOVA SCOTIA

PRESERVING NOVA SCOTIA'S BUILT HERITAGE

June 6, 2020

Garth Turner  
12 King Street,  
Lunenburg, Nova Scotia  
B0J 2C0

Dear Mr. Turner:

**RE: 2019 BUILT HERITAGE AWARDS**

On behalf of Heritage Trust of Nova Scotia, I am pleased to advise that the Built Heritage Awards Committee has selected **The BMO Building, Lunenburg**, as recipient of the **2019 Heritage Award for Commercial Adaptive Reuse**.

It is inspiring to see a building reborn, maintaining its use in the financial industry while also serving as a place for community betterment and involvement. The Committee also selected four other buildings as 2019 award winners:

- **B2 Lofts:** 160 Montague Street, Lunenburg;
- **Kentville Library:** 440 Main Street, Kentville;
- **Halifax Town Clock:** Brunswick Street, Halifax; and
- **White Cottage:** 72 Duke Street, Chester.

Due to the current COVID-19 pandemic, the awards cannot be presented in person at this time. The Committee intends to host an Awards Gala at a later date.

On behalf on the Built Heritage Awards Committee and Heritage Trust, I thank you for your commitment to heritage in Lunenburg and extend our congratulations on winning this award.

Regards,

**HERITAGE TRUST OF NOVA SCOTIA**

**WILLIAM G. BRECKENRIDGE**

Chairman, Heritage Awards Committee

cc: Cynthia Street



# HERITAGE TRUST OF NOVA SCOTIA

PRESERVING NOVA SCOTIA'S BUILT HERITAGE

Brian MacKay-Lyons  
160 Montague Street,  
Lunenburg, Nova Scotia  
B0J 2C0

June 6, 2020

Dear Mr. MacKay-Lyons:

**RE: 2019 BUILT HERITAGE AWARDS**

On behalf of Heritage Trust of Nova Scotia, I am pleased to advise that the Built Heritage Awards Committee has selected **B2 Lofts, Lunenburg**, as recipient of the **2019 Built Heritage Award, Magna Cum Laude**.

Your project truly brings understanding and respect for heritage to the UNESCO site of the Town of Lunenburg. The Built Heritage Awards Committee has also selected four other buildings as 2019 award winners:

- **BMO Building:** 15 King Street, Lunenburg;
- **Kentville Library:** 440 Main Street, Kentville;
- **Halifax Town Clock:** Brunswick Street, Halifax; and
- **White Cottage:** 72 Duke Street, Chester.

Due to the current COVID-19 pandemic, the awards cannot be presented in person at this time. The Committee intends to host an Awards Gala at a later date.

On behalf on the Built Heritage Awards Committee and Heritage Trust, I thank you for your commitment to heritage in Lunenburg and extend our congratulations on winning this award.

Regards,

HERITAGE TRUST OF NOVA SCOTIA

**WILLIAM G. BRECKENRIDGE**

Chairman, Heritage Awards Committee

cc Matt Jones and Arthur MacDonald

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

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Document No: 5(e)  
Meeting: HAC – July 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: JULY 13, 2020**

**RE: 111 TOWNSEND STREET – INSTALLATION OF METAL ROOF ON REGISTERED MUNICIPAL HERITAGE PROPERTY**

---

### **1. FACTS**

#### **A. Background**

The Town has received an application to install a metal roof at 111 Townsend Street. The St. Andrew's Presbyterian Church is a Registered Municipal Heritage Property. According to the Town's Alteration Guidelines for Municipally Registered Heritage Properties the installation of a new metal roof over an existing asphalt shingle roof would be deemed to be a "Substantial Alterations" requiring the approval of Council and the issuance of a Heritage Permit.

#### **B. Proposal**

An application for the metal roof is enclosed for your review (**Attachment "A"**). The subject property is located in the Old Town Heritage Conservation District and is registered as a Municipal Heritage Property. In keeping with the Town's Alteration Guidelines for Municipally Registered Heritage Properties (**Attachment "B"**), the proposal is deemed to be a substantial alteration requiring Council's approval and the issuance of a Heritage Permit. Pursuant to the Heritage Property Act an application for a substantial alteration to a Municipal Heritage Property shall be referred to the Heritage Advisory Committee for comments, and be approved by the municipality. The municipality may grant the application either with or without conditions or may refuse it.

Upon review of the building's "Statement of Significance" (**Attachment "C"**) the proposed installation of the metal roof would not have a significant impact on the building's character-defining elements. The existing asphalt roof is not defined as a character-defining element of the building.

The installation will cover all roof surfaces with the exception of the bell tower. The installation is required to repair a leak over the organ area. If everything goes well and there are sufficient funds in the future, the church intends to install a metal roof over the bell tower as well. The textured charcoal colour is the closest metal colour available that would be in keeping with the colour of the asphalt shingles located on the bell tower.

In addition they plan on installing a snow/ice guard roughly 8 inches from the fascia board so large slabs of ice and snow cannot fall off the roof without being broken up before they hit the sidewalk or surrounding yard.

The application has also been sent to the Fire Chief as well as the Town's Fire Inspector for comments. Both have advised that they have no issues with the installation of the metal roof on the St. Andrew's Presbyterian Church.

**2. ISSUES AND OPTIONS**

The municipality may grant the application either with or without conditions or may refuse it.

**3. FINANCIAL IMPACT**

There are no direct financial impacts to the Town with regards to this application.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

*Strategic Plan Goal #1E – Fostering Lunenburg's development as a cultural hub;*

**5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council approved the issuance of a Heritage Permit for the metal roof at 111 Townsend Street with the following conditions:

- 1) Provided the metal roof has narrow spacing between ribs - spacing between ribs shall not exceed 18 inches;
- 2) Provided the metal roof has a medium tone matte colour as submitted in the application and attached;
- 3) Provided a snow-ice guard is installed along the bottom of the roof's slope in proximity to the fascia board to control large slabs of ice and snow from falling off the roof; and
- 4) Provided the installation shall be complete and consistent throughout with the exception of the bell tower which is excluded from the application.

*Motion:* Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_ that Council approves the issuance of a Heritage Permit for the installation of a metal roof at 111 Townsend Street with the following conditions:

- 1) Provided the metal roof has narrow spacing between ribs - spacing between ribs shall not exceed 18 inches;
- 2) Provided the metal roof has a medium tone matte colour as submitted in the application and attached;
- 3) Provided a snow-ice guard is installed along the bottom of the roof's slope in proximity to the fascia board to control large slabs of ice and snow from falling off the roof; and
- 4) Provided the installation shall be complete and consistent throughout with the exception of the bell tower which is excluded from the application.

**ATTACHMENTS:**

- A. 111 Townsend Street – Application for a Metal Roof
- B. Alteration Guidelines for Municipally Registered Heritage Properties
- C. 111 Townsend Street – Statement of Significance, Municipal Heritage Property

Acknowledged by:

Bea Renton  
Town Manager/Clerk



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

Date: July 10 / 2020  
Civic Address: 111 Townsend Street Lunenburg.  
PID: \_\_\_\_\_ ZONE: \_\_\_\_\_  HCD  ARCH CONTRL  MuDesHER

Applicant Information:

Name: St. Andrews Presbyterian Church.  
Mailing Address: Box #218, 111 Townsend Street Lunenburg. B0J 2C0  
Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Property Owner Information:

Same as applicant/owner

Name: Property Co-Chair Gordon Wright  
Mailing Address: Box 1574 397 Green Street Lunenburg N.S. B0J 2C0  
Telephone: 902-634-4502 Cell: 902-298-2703 Fax: -  
Email: MPGORDONWRIGHT@G-MAIL.COM (call lower case)

Proposed Use and Construction:

Current use:

- Single-unit dwelling Describe: \_\_\_\_\_
- Multiple occupancy Describe: \_\_\_\_\_
- Commercial Describe: \_\_\_\_\_
- Institutional Describe: Presbyterian Church (
- Other Describe: \_\_\_\_\_

Proposed use:

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

Proposed scope of project:

1. To install metal roof over main body + choir + office addition of main building.
2. 28 Gauge Textured ABM Profile Panel, a heavy gauge metal panel that will be applied with non glare matte finish (Charcoal color) Since leaks are appearing in existing roof we will install main roof first and then consider bell tower roof at later date.

**Contractor Information:**

Same as applicant; or

Name: Walls Metal Roofing Telephone: 902-298-3022

Email: joe@wallsmetalroofing.com Cell: 1-902-956-9288

**Documentation attached:**

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

**Permits/Fees:**

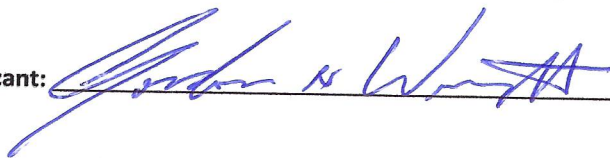
- Old Town Heritage Certificate of Appropriateness (free)
- Heritage Permit (free)
- Development Permit (free)
- Encroachment License (\$100.00)
- Indemnification Agreement for a portable/sandwich board sign

**Applicant Declaration:**

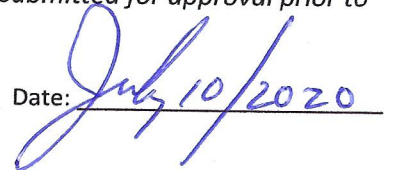
I solemnly declare:

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: \_\_\_\_\_



Date: \_\_\_\_\_



**OFFICE USE ONLY**

Permits required for this project:

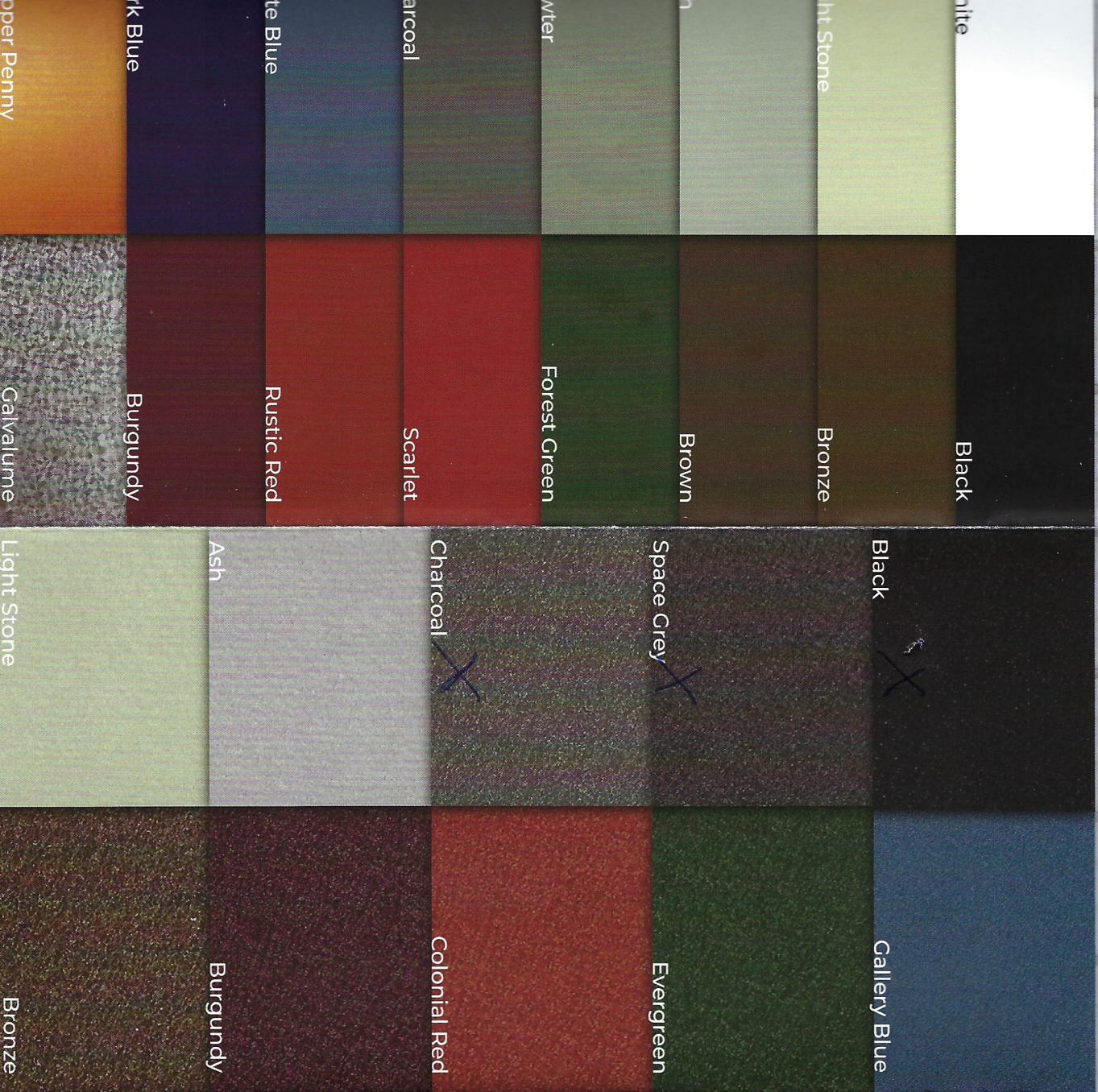
- Development Permit
- Encroachment License (GEMC \$100.00)
- Indemnification agreement for a portable/sandwich board sign
- Heritage Permit
- Old Town Certificate of Appropriateness
- Building Permit (under separate application)

# Glossy

- Versatile 28 Gauge Steel
- 40 year color warranty

# Textured

- Premium 26 Gauge Steel
- 40 year color warranty



## Metal Sales

Now offering Metal Roofing Packages to home owners and contractors

### Metal Roofing Package Includes:

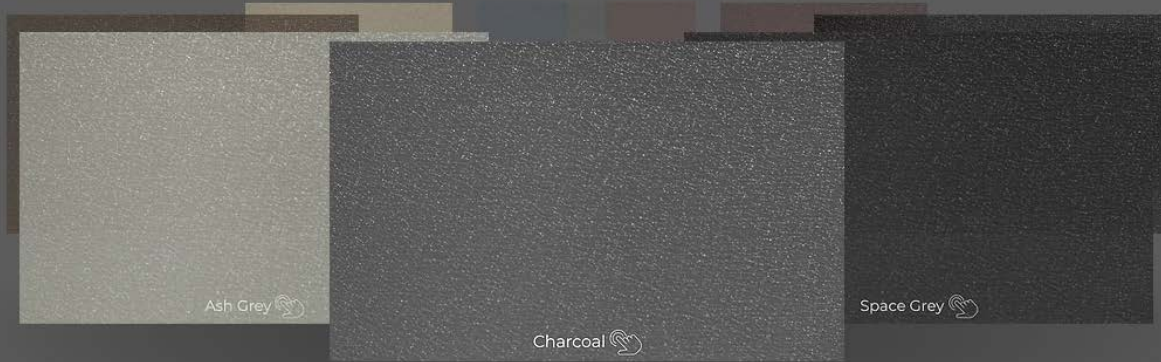
- Roofing Panels
- Metal Trims/Flashing
- Fasteners
- Strapping
- Rubber Boot Flashing
- Foam Closures
- Caulking



Delivery Available

## 26 Gauge Galvalume or Galvanized

\*We strive to make our colour charts as accurate as possible, but they are not guaranteed. For 100% colour accuracy, please visit our showroom.



Charcoal Matte colour -The texture charcoal

**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 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

## St. Andrew's Presbyterian Church

111 Townsend Street, Lunenburg, Nova Scotia, B0J, Canada

Formally Recognized: 1990/04/26



rear façade



Front and Side Elevations

### OTHER NAME(S)

n/a

### LINKS AND DOCUMENTS

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

### CONSTRUCTION DATE(S)

1828/01/01 to 1828/12/31

LISTED ON THE CANADIAN REGISTER: 2004/10/07

### STATEMENT OF SIGNIFICANCE

### DESCRIPTION OF HISTORIC PLACE

St. Andrew's Presbyterian Church is located on the corner of Townsend and King Streets in Old Town Lunenburg, NS. Built in 1828, it is a neo-gothic structure, clad in clapboard, with a prominent steeple and with the

side of the nave flush with the street line. The property is located within a designated municipal heritage district and municipal designation includes the building and surrounding property.

## **HERITAGE VALUE**

St. Andrew's Presbyterian Church is valued as the home of the oldest Presbyterian congregation in Canada, as well as being a fine example of nineteenth century ecclesiastical neo-gothic architecture. Built in 1828 it replaced an earlier church that was built on the same site. St. Andrew's is a prominent landmark in the centre of Old Town Lunenburg; the church's importance is demonstrated by its location adjacent to an area designated by the original 1753 town plans as the institutional core of the town, with the town hall, courthouse and Anglican church.

In 1879, the church was substantially renovated: it was lengthened to 83 feet, broadened to 40 feet and the spire's height was increased to 118 feet. In 1909, further renovations were carried out on the interior and the church was renovated to its present Gothic Revival/High Victorian Gothic style, which is typical of Lunenburg churches and adds to its value as a Lunenburg landmark. At this time, the chancel on the eastern end of the building was constructed.

Source: Notice of Recommendation to Register as a Town Heritage Property, Heritage Designation File 66400-40-12, Town of Lunenburg

## **CHARACTER-DEFINING ELEMENTS**

Character-defining elements relate to the prominence of St. Andrew's Presbyterian Church in Lunenburg, as well as the neo-Gothic architecture, including:

- elements relating to the prominence of the church and congregation in Lunenburg, including a central location adjacent to the institutional area of Old Town Lunenburg as originally laid out in Old Town Lunenburg's 1753 plans, and landmark status, accentuated by a tall central tower with small, paired gablets on each side that support the 118 ft. spire; each gablet sheltering a hooded louvre window;
- elements relating to the neo-Gothic architecture of the church, including a steep gable roof over the nave, with a chancel at the rear of the nave, a row of six gothic hooded windows with stained glass along the nave, the arched and hooded ornamentation on the doors and windows of the tower, matching the nave windows, large three-paned central window with gothic-style tracery on the tower, also with a hooded arch, and fully hipped bell cast gable roof over the nave, with an end gable over the three-sided end chancel;
- elements that are typical of Old Town Lunenburg nineteenth century architecture including white clapboard cladding, with wide corner boards and frieze under the eaves in black trim, and the entrances in the central tower, and to the sides of the tower in the adjacent porch area, located close to the street.

## **RECOGNITION**

## **JURISDICTION**

Nova Scotia

**RECOGNITION AUTHORITY**

Local Governments (NS)

**RECOGNITION STATUTE**

Heritage Property Act

**RECOGNITION TYPE**

Municipally Registered Property

**RECOGNITION DATE**

1990/04/26

 **HISTORICAL INFORMATION**

**SIGNIFICANT DATE(S)**

n/a

**THEME - CATEGORY AND TYPE**

Building Social and Community Life

Religious Institutions

**FUNCTION - CATEGORY AND TYPE**

**CURRENT**

Religion, Ritual and Funeral

Religious Facility or Place of Worship

**HISTORIC**

**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**

37MNS0012

**STATUS**

Published