



# AGENDA

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## Heritage Advisory Committee Meeting

Monday, January 20, 2020 at 5:15 p.m.

Lunenburg Town Hall, 2<sup>nd</sup> Floor, 120 Townsend Street

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1. Agenda - *motion to approve.*
2. November 18<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes - *motion to approve.*
3. Public Hearings and Presentations
4. Unfinished Business
  - a. Heritage Conservation District Plan and By-law Review – *staff report.*
  - b. Heritage Conservation District Plan and By-law Review – Submission Review – *staff report.*
5. New Business
  - a. Heritage Recognition Awards Program – Call for Nominations – *staff report.*
  - b. Heritage Day Proclamation – February 17<sup>th</sup>, 2020 – *staff report.*
6. Adjournment – *motion to adjourn.*

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

<u>Agenda Item</u>	<u>Department</u>	<u>Meeting Assigned</u>	<u>Status</u>
(Nil.)			

**HERITAGE ADVISORY COMMITTEE MEETING MINUTES**

**MONDAY, NOVEMBER 18, 2019 AT 5:15 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Councillor Peter Mosher, Chair  
Councillor Ronnie Bachman  
Stephen Ernst  
Nathalie Irving (departed 6:23 p.m.)  
David John Lobb  
Oliver Osmond  
Mayor Rachel Bailey, ex officio

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

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

1. Agenda

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

2. September 16<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes

October 7<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes

October 15<sup>th</sup>, 2019 Heritage Advisory Committee meeting PPM minutes

October 21<sup>st</sup>, 2019 Heritage Advisory Committee meeting PPM minutes

October 21<sup>st</sup>, 2019 Heritage Advisory Committee meeting minutes

**Motion: moved and seconded to approve the September 16, October 7, and 21, 2019 Heritage Advisory Committee meeting minutes and the September 15 and 21, 2019 Heritage Advisory Committee Public Participation Meeting minutes. Motion carried.**

In response to a Committee question on matters arising from the October 7, 2019 minutes, the heat pump installed at 112-118 Lincoln Street is not yet screened. The Heritage Manager (HM) is aware of the status and confirmed the screen will be put in place.

3. Public Hearings and Presentations

Nil.

4. Unfinished Business

a. Heritage Conservation District Plan and By-law Review

The HM circulated the handout “Uses excluded from Heritage Conservation District (HCD) Plan and By-law” (Schedule “A”) and reviewed his report (Schedule “B”), including several public submissions for a potentially further expanded Heritage Conservation District (HCD) boundary.

In response to questions by the Committee, the HM explained that if boundaries are changed, a new Background Study would be required which would in turn have to be re-submitted to Council and the Province for approval.

The Committee agreed by consensus that they will proceed with the current Heritage Conservation District boundaries as envisioned in the Background Study approved by Council on March 27, 2018 (Schedule “C”). The Committee is open to considering expansion of the boundaries once the revised Heritage Conservation District Plan and Bylaw come into effect.

## 5. New Business

The Chair noted that while the Planning Advisory Committee has authority over amendments to the Municipal Planning Strategy and Generalized Future Land Use Map, the applications for removal from an Architectural Control Area were raised by members of the public in both HAC Public Participation Meetings (October 15 and 21). For this reason, and because changing the boundaries on Land Use Bylaw (LUB) Architectural Control Areas affects the boundaries for the proposed Heritage Conservation District, comments on the applications from a heritage perspective is considered relevant to this Committee. Possible feedback to PAC will therefore be considered by HAC at this meeting for these two agenda items.

### a. 69 Tannery Road – ABCO’S Removal from LUB Architectural Control Area

The HM reviewed his report (Schedule “D”) to offer a heritage impact analysis of ABCO’s application for the purpose of manufacturing expansion. He advised that the revised Heritage Conservation District Bylaw, if passed, has provisions regarding buildings located in the Waterfront Buildings Area that are not as stringent at the current LUB Architectural Control Area provisions. A new commercial or industrial building would currently trigger a public hearing under the revised Heritage Conservation District Bylaw, but building expansions under a single roof form would not. Building expansions are not limited in size provided each component under a single roof form does not exceed 800 square metres.

The Committee discussed the historical relevance of former Camp Norway, as a Norwegian military training facility during WWII, which is located on ABCO’s property.

Motion: moved and seconded to:

- a) Recommend to the Planning Advisory Committee the refusal of ABCO’s request to amend the Generalized Future Land Use Map (GFLUM) of the Town’s Municipal Planning Strategy (MPS) to remove six (6) properties along Tannery Road from the Architectural Control Area as per the staff report (Schedule “D”); and

- b) Include the proviso that the use of metal cladding be permitted under the revised Heritage Conservation District Plan and Bylaw for commercial and industrial buildings in New Town Waterfront Buildings Area, where it is fitting with surrounding buildings.

Motion carried. Councillor Bachman voted in the negative.

The Committee discussed the HM's suggestion that correspondence be sent to Parks Canada requesting their review and comments in keeping with the Operational Guidelines for the Implementation of the World Heritage Convention regarding the potential infilling of Lunenburg's Harbour and the potential development of the infilled lands' possible impact on the Outstanding Universal Value of the Old Town Lunenburg World Heritage Site.

The Committee decided by consensus that it was premature to correspond with Parks Canada regarding any potential future infill development, as there is no current application from ABCO regarding this.

b. Lot A1- Dufferin Street – Removal from LUB Architectural Control Area

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

Motion: motion moved and seconded to recommend to the Planning Advisory Committee the refusal of the owner's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove Lot A1 (PID# 60642741), Dufferin Street, a vacant lot, from the Architectural Control Area as per the staff report (Schedule "E"). Motion carried.

The HAC's recommendations on the two applications and HM's reports will be forwarded to the PAC for their possible consideration.

6. Adjournment

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

The meeting was adjourned at 7:27 p.m.

The next meeting is scheduled for Wednesday, January 20, 2020 at 5:15 p.m.

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Heather McCallum, Assistant Municipal Clerk

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Document No: 4(a)  
Meeting: HAC – January 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: JANUARY 7, 2020**

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

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1. **FACT**

**A. Preamble**

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

**B. Background**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **5.22 Wharves**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

During the Public Participation Meetings, the HAC heard comments that the requirement to paint or stain railings and fences should be removed. There was agreement from the committee

members that this was a reasonable request and the Design Guidelines have been amended to reflect this notion.

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

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

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

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

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

- (a)** the rationale or justification for heritage conservation measures in the district;
- (b)** the rationale for the boundaries of the district;
- (c)** the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
- (d)** an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

**(2)** After acceptance by a council of background studies prepared pursuant to this Section, the council shall provide public access to the studies and provide two copies of the studies to the Minister.

**(3)** Within sixty days of the receipt of the studies, the Minister may prescribe additional background studies.

**(4)** The Minister shall advise the council when no additional studies are required.

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

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

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

boundaries as they were and consider the boundaries extension when deemed appropriate at a later date.

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

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

### **C. Proposal**

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

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

## **2. ISSUES AND OPTIONS**

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

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

## **3. FINANCIAL IMPACT**

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

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

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

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

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

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

**5. RECOMMENDATION AND DRAFT MOTION**

For discussion purposes only.

**ATTACHMENTS:**

- A. Draft of the proposed Heritage Conservation District Plan and By-law
- B. Appendix “A” – Developments in the Tannery Road Waterfront Buildings Area

Acknowledged by:

Bea Renton  
Town Manager/Clerk

## **Appendix “A” – Developments in the Tannery Road Waterfront Buildings Area**

### **1. Metal Cladding in the Waterfront Buildings Area: (New Provision 4.13)**

#### **“4.13 Metal Cladding in the Tannery Road Waterfront Buildings Area**

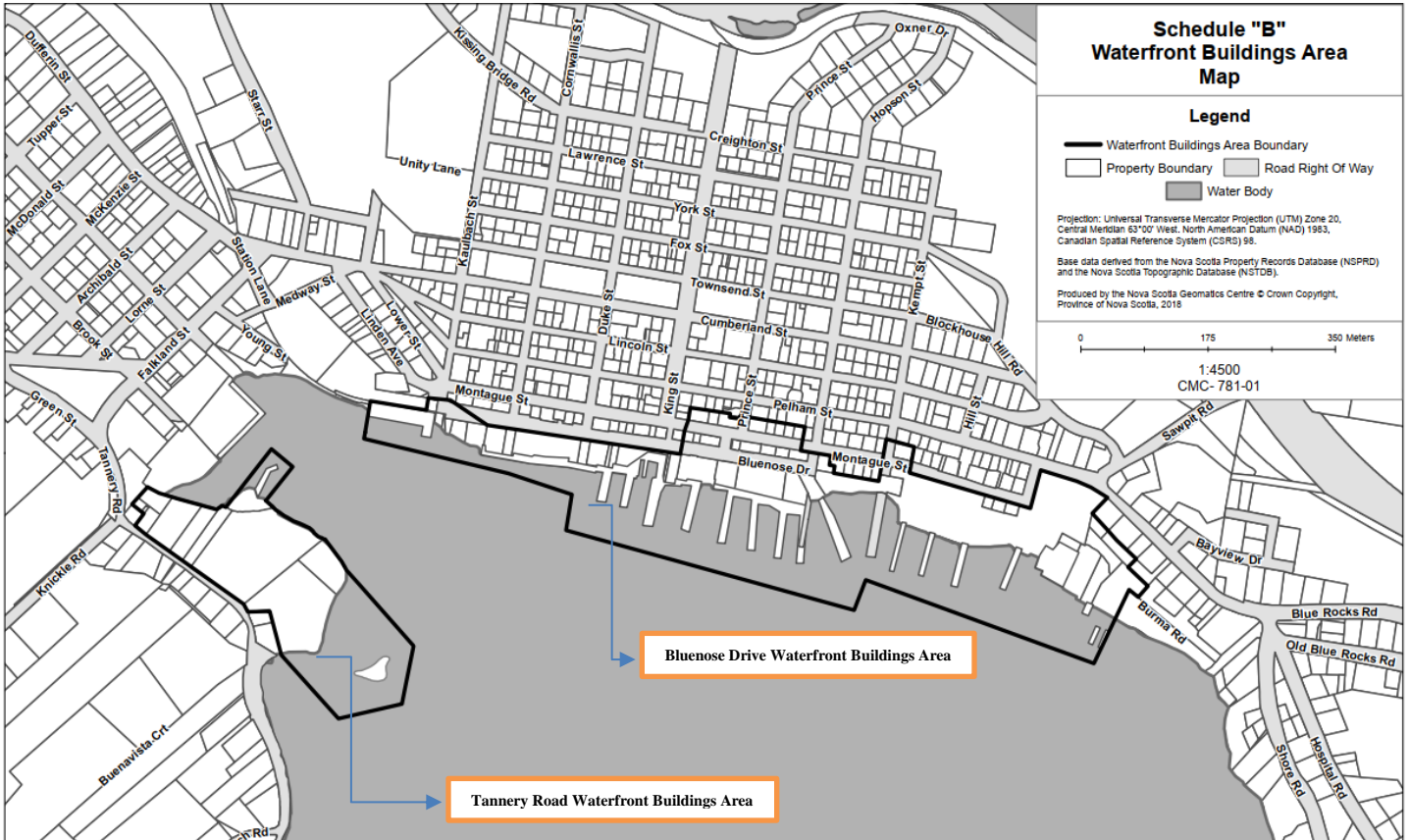
Notwithstanding anything contained in Schedule “D” Design Guidelines of this By-law, metal cladding may be used on commercial and industrial buildings located in the Tannery Road Waterfront Buildings Area located in New Town as shown on Schedule “B”, the Waterfront Buildings Area Map provided the metal cladding materials have a matte dark or medium-toned colour. Exposed bare metal cladding, bright reflective shiny metal, and light coloured metal cladding materials shall be prohibited. For the sake of clarity, this provision does not apply to those buildings located in the Bluenose Drive Waterfront Buildings Area located in Old Town as shown on Schedule “B”, the Waterfront Buildings Area Map.”

### **2. New Commercial and Industrial Buildings in Waterfront Area without Public Hearing: (New Provision 4.14)**

#### **“4.14 New Commercial and Industrial Buildings in the Tannery Road Waterfront Buildings Area**

Notwithstanding anything contained in Part 4.3 of this By-law new commercial buildings and new industrial buildings located in the Tannery Road Waterfront Buildings Area located in New Town as shown on Schedule “B”, the Waterfront Buildings Area Map may receive a Certificate of Appropriateness by the Heritage Officer without a Public Hearing process provided the development conforms with all other provisions of this By-law. For the sake of clarity, this provision does not apply to those buildings located in the Bluenose Drive Waterfront Buildings Area located in Old Town as shown on Schedule “B”, the Waterfront Buildings Area Map.”

## Appendix "A" – Waterfront Buildings Area Map



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Document No: 4(b)  
Meeting: HAC – January 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: JANUARY 7, 2020**

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

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1. **FACTS**

**A. Background**

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. We received comments respecting the following:

**Painting of Railings and Posts and Fences:**

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

The proposed By-law now enables the wood to weather naturally as outlined below:

“The railings and posts of stairs and decks shall be painted or stained with a solid colour or otherwise left to weather in their natural finished state.”

**Colour:**

The Committee previously talked about colour in the Plan and By-law review and it was felt that it would be better not to regulate colour but assist people with colour choices as part of their application review. I have discussed colour options with applicants and have sent them a copy of Newfoundland’s Historic Colours Booklet attached in **Attachment A** for their information.

Historically residential homes were generally white with black trims, or had subdued, muted colours. However, I do not feel a majority of people would wish to have all our homes painted in such a fashion. Bright colours help to living the place up in a similar fashion as Jelly Bean Row has done in St. John’s and Saint John. The buildings along King Street for example are one of the most photographed group of buildings in Lunenburg. Bright colours enable the details of a

building's facades come to life and helps people understand and appreciate the craftsmanship that went into these creations.

The Old Town National Historic District Statement of Significance notes the bright colours of Lunenburg buildings. Even though it could be argued that historically these bright colours are not accurate they have, over time, been entrenched into the fabric of Lunenburg. The Old Town National Historic District Statement of Significance is attached in **Attachment B** for your review.

On an administration side, many municipalities have decided not to regulate colour in their Heritage Conservation Districts as it would become too cumbersome. For example Annapolis Royal does not regulate colour in their Heritage District. Grand Pre Heritage Conservation District does not regulate colour. Maitland's Heritage Conservation District By-law has a general statement that the colours are to be compatible but do not list a colour chart requiring only those colours to be used. The Town of Truro's Heritage Conservation District does not regulate colour. The Collins Heritage Conservation District in Yarmouth does not regulate colour type but rather requires them to be compatible as outlined below:

"Any change in colour or application of colour to any exterior facade of any main building, accessory building, fence or sign located within the Collins Heritage Conservation District shall not require a Certificate of Appropriateness. However, the colour shall be uniform and consistent throughout and enhance rather than detract from the character-defining elements of the facade. Multi-colour applications of the cladding materials shall be prohibited. However, trims and articulated details of the facade may be multi-colour to enhance their physical appearance."

The administration is too cumbersome for the following reasons:

- 1) People are accustomed to undertaking general maintenance and painting of their properties without a permit. No development permit or building permit is required to paint. One would not assume that they would require a Certificate of Appropriateness in order to undertake the painting of their structures; and
- 2) The Town of Lunenburg does not have the staff resources to implement, educate or enforce such provisions. The ability to photo copy or produce and re-produce colour charts is very expensive and would be costly on an on-going basis. We currently issue roughly 100 Certificates/Development Permits per year and one can only assume this number would significantly rise if a Certificate is required for painting. Other Heritage Conservation Districts in Nova Scotia are much smaller than Lunenburg's and they do not regulate colour type. With over 500 structures within its District's boundaries this provision would be overwhelming for staff to administer.

#### **Boundaries of the District:**

The rationale for the District Boundaries was approved by means of a Background Study approved by Council in March 2018, attached in **Attachment C**. Basically the mandate was to incorporate the Architectural Control Areas of the Municipal Planning Strategy and Land Use By-law as part of the Heritage Conservation District. The committee reviewed several requests with regards to the possibility of extending the boundaries during their meeting of November 18<sup>th</sup>, 2019. However, in the end, the Committee decided to proceed with the proposed boundaries as envisioned as any significant alterations would delay the approval beyond the municipal elections in the Fall of 2020. After the elections, the HAC was open to the possibility of reviewing the boundaries once the revised Plan and By-law becomes effective.

## **B. Proposal**

It is recommended that the Committee maintains the current provisions of the revised Heritage Conservation District By-law. That is:

### **Painting of Railings and Posts and Fences:**

"The railings and posts of stairs and decks shall be painted or stained with a solid colour or otherwise left to weather in their natural finished state."

### **Colour:**

Not regulate the type of colour as per Policy 3.5.1 outlined below:

#### **"3.5 Building Colour**

Part of the visual appeal of the Town comes from the diverse and often unique colour combinations chosen by property owners. The Town is particularly well-known for its brightly coloured waterfront buildings, painted in primary reds and blues. Many houses are also painted in vibrant blues, greens and yellows. While some colours may not be "historically correct" there can be no doubt that they contribute to the rich variety for which the Town is widely known.

Although Council has the authority to regulate building colour under the Heritage Property Act, it has chosen not to do so, in order to preserve individual freedom of expression.

**3.5.1** It shall be the intention of Council to regard building colour as a minor development for which no Certificate of Appropriateness shall be required. Notwithstanding the foregoing, it shall be the intention of Council to include in the Heritage Conservation District By-law provisions regulating metal installations so that they have a dark or medium tone matte finish as well as provisions regulating the consistency of colour with regards to design elements such as, but not limited to, fascia boards, soffits, gutters and downspouts."

### **Boundaries of the District:**

Not alter the District Boundaries from those envisioned in the approved Background Study unless Council alters the Architectural Control Areas boundaries of Map 2 Future Land Use Map of the Municipal Planning Strategy prior to Council's motion to approve the Revised Heritage Conservation District Plan and By-law.

## **2. ISSUES AND OPTIONS**

This report is for discussion proposes only. The Committee has the option of directing staff to maintain the status quo as envisioned in the current draft of the Heritage Conservation District Plan and By-law; or alternatively, direct staff to make alterations to the above noted provisions.

## **3. FINANCIAL IMPACT**

There are no financial costs directly attributed with maintaining the status quo. However, as stated above, there would be a significant on-going costs associated with administering and regulating colour in the Heritage Conservation District. In addition to the concerns noted above, the Town may have to hire a consultant to create a colour chart appropriate for the Town of Lunenburg in addition to the costs associated with creating the paper material and web-based materials associated with the colour chart.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:  
Strategic Plan Goal #5 – To develop and update Town By-laws;

**5. RECOMMENDATION AND DRAFT MOTION**

For discussion purposes only.

**ATTACHMENTS:**

- A.** Newfoundland's Historic Colours Booklet
- B.** Old Town Lunenburg – Statement of Significance
- C.** Background Study – March 2018.
- D.** Submission Received – Susan Pratt

Acknowledged by:

Bea Renton  
Town Manager/Clerk

ATTACHMENT A



# *Historic*

COLOURS OF NEWFOUNDLAND





# Traditional Palette

Clay Pigeon	DB224-32
White Gold	P210-00
American Red	242

Heart's Content	H701-32
Brushed Cotton	C117-10
Oak Brown	209

Little Heart's Ease	H803-21
Misky Rain	H803-40
Medium Grey	137

Ferryland Downs	H204-12
Logy Beige	H201-10
Persian Red	2015

Mollyfodge	H806-22
Egyptian Cotton	C128-10
Indian Red	277

Bakeapple Jam	H705-52
Sheilagh's Brush	H203-30
Sable	2017

Heaven's Gate	C202-32
Crushed Linen	C117-31
Bright Red	1309

Blasty Bough	H204-32
Bubbly Squall	H204-40
Red Ochre	

Moldow	C206-12
Hard Tack	H702-50
Bark	280

Duntara	H705-12
Snow Dwhigh	H101-10
Signal Red	702

Duckish	C128-41
Foggy Dew	P224-00
Cherry Pink	1525

Mussels in the Corner	H104-42
Beachy Cove	P113-20
Acorn Brown	104



please note: chart colours may vary slightly from paint colours due to the limitations of the printing process



Red Cliffe	H204-22
Whiteway	H803-50
Dory Buff	
	1302

Bonne Bay	H401-42
Mauzy	H805-20
Buff	
	203

Loyal	A222-24
Iceberg Alley	P208-10
Sea Spray Green	
	1316

Carnelian	DB224-12
Moon Pond	DB117-10
Aqua	
	216

Red Island	H703-22
Chalker Grey	H705-20
Black	

Christmas Syrup	DA223-33
Charmer	DB118-10
Old Ivory	
	805

May Bush Blue	C108-41
Glitter Storm	P222-00
Robin Egg Blue	
	45

Burnt Islands	B233-12
Like the Swallow	C118-31
Emerald Green	
	263

Harbour Deep	H104-52
Doughboy	H802-20
Colonial Ivory	
	212

Bristol's Hope	H206-42
Nanny-Goat	C126-20
Maize	
	2011

Belgian Chocolate	C228-22
Haystack	H103-30
Turquoise	
	116

Cupids	H802-32
Tea Bun	H502-50
Bright Green	
	244



Plumboy	H805-42
Bobby-Rooter	H203-22
Chrome Green 231	

Dark Tickle	H805-52
Genuine White	B206-00
Tahitian Blue 2014	

Emerald Green	63
Signal Red	706
Colonial Ivory 212	

Chrome Green	31
American Red	42
White	

Scrunchions	H802-10
Lassie Buns	H805-11
Royal Blue 208	

Point Amour	H806-32
Sugar Cube	P223-00
Grey 141	

Rising Sun	B223-12
Sleepwalker	C202-22
Silver Grey 221	

Memories of Brazil Street	B222-42
Milky Tea	C118-42
Charcoal 2012	

# Jelly Bean Palette

yellow	717
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orange	720
--------	-----

orchid	
--------	--

aqua	723
------	-----

vernon	1656
--------	------

red	702
-----	-----

# Paint History

Visitors to Newfoundland and Labrador often remark on the brilliantly painted houses and outbuildings. Traditionally, however, the colour palette in use in the province was very limited. In outport communities, most houses were white, with trimwork picked out in one of a very few colours. Stages, stores and netlofts were painted with homemade ochre paint, with trim usually painted white. By the early twentieth century, commercially-made paints became available, particularly with the establishment of the Standard Manufacturing Limited's paint division in 1907.

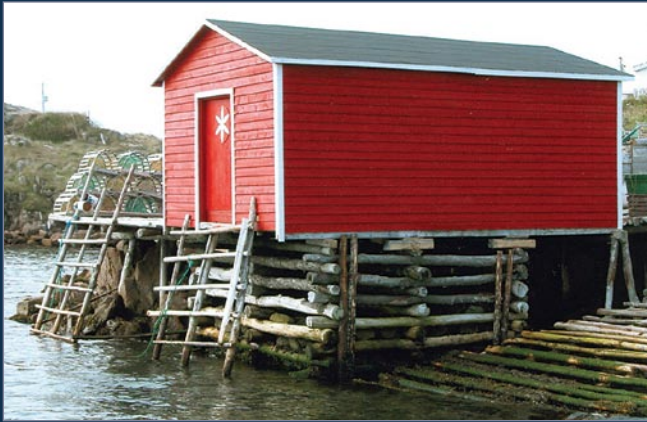
Standard Manufacturing Ltd. of St. John's was established by Marmaduke Winter in 1902. Originally started as a soap factory, Standard stopped making soap in 1938. In 1949, Newfoundland's entry into Confederation brought a drop in local sales, due to the dropping of import restrictions, but the company also expanded into mainland markets. In 1957 Standard established a distribution base in Dartmouth, Nova Scotia.

Colour choices, however, remained limited, and paint schemes remained fairly simple. In St. John's, downtown row houses were often painted one solid colour, with little attention paid to trimwork. Beyond St. John's, the paint colour of choice for private residences remained white.

Changes to paint technology in the 1950s and 1960s, and the introduction of tintable paint, saw great changes to the paint colours available to homeowners. Urban revitalization in St. John's in the 1970s and 1980s saw the introduction of more vibrant colours from the mainland, and the more widespread use of two-colour and three-colour paint schemes. The "jelly bean row" image of Newfoundland and Labrador is a fairly recent phenomenon, given the long history of painted structures in the province.



# Red Ochre



ochre is a substance composed of powdered hematite, or iron ore. The word "ochre" comes from the Greek meaning "pale yellow," and it can range in colour from orange to yellow, and from brown to red. Deposits of ochre are found throughout Newfoundland, notably near Fortune Harbour and at Ochre Pit Cove. While earliest settlers may have used locally collected ochre, people were later able to purchase pre-ground ochre through local merchants. Much of this ochre was probably imported from outside of Newfoundland and Labrador.

The dry ochre was mixed with fish oil, seal oil, or sometimes linseed oil to make paint; the smell of ochre paint being prepared is remembered by many. Variations in local recipes, shades of ore, and type of oil resulted in regional colour differences.



HERITAGE FOUNDATION OF NEWFOUNDLAND AND LABRADOR  
The Newman Building / P O Box 5171, 1 Springdale Street  
St. John's, Newfoundland Canada A1C 5V5  
709 739-1892 709 739-5413 fax 1 888 739-1892 tollfree  
[www.heritagefoundation.ca](http://www.heritagefoundation.ca) [www.fisheriesheritage.ca](http://www.fisheriesheritage.ca) [www.historicplaces.ca](http://www.historicplaces.ca)



paint chart created with assistance from R A Templeton Ltd. and Société Laurentide

for more paint information: 1-800-567-9481 • [www.paintcafe.com](http://www.paintcafe.com)



# Attachment B

## Old Town Lunenburg Historic District National Historic Site of Canada

Bluenose Drive, Lunenburg Harbour, Lunenburg, Nova Scotia, Canada

Formally Recognized: 1991/06/10



General view



Panorama



General view

### OTHER NAME(S)

Old Town Lunenburg Historic District National Historic Site of Canada

Old Town Lunenburg Historic District

Arrondissement historique du Vieux Lunenburg

### LINKS AND DOCUMENTS

[Website for the Old Town Lunenburg Historic District](#)

[Section on the Parks Canada website specifically for this National Historic Site](#)

[Link to Old Town Lunenburg site on the UNESCO World Heritage Web Site](#)

### **CONSTRUCTION DATE(S)**

1753/01/01 to 1991/01/01

**LISTED ON THE CANADIAN REGISTER: 2007/10/03**

### **STATEMENT OF SIGNIFICANCE**

### **DESCRIPTION OF HISTORIC PLACE**

The Old Town Lunenburg Historic District covers the core area of the town of Lunenburg, a well-preserved example of 18th-century colonization and settlement patterns with numerous outstanding examples of vernacular architecture spanning more than 240 years. It occupies the side of a hill and a narrow area along a natural harbour and includes the town's original parade square, as well as a waterfront area that is associated with the fishing and shipbuilding industries. The formal recognition consists of contributing buildings and lands contained within the boundaries of the original town plan of 1753. Old Town Lunenburg has also been designated a World Heritage Site.

### **HERITAGE VALUE**

The Old Town Lunenburg Historic District was designated a national historic site in 1991 by virtue of its gridiron layout, one of the earliest and most intact British model plans in Canada, its strong historical associations especially with the Atlantic fisheries, and the richness and homogeneity of its architecture.

The heritage value of the Old Town Lunenburg Historic District resides in the original plan, the built forms and open spaces within the plan, the physical and cultural manifestations of the off-shore fishing and shipbuilding industries and the harmonious integration of the town and the seascape. Laid out by Charles Morris at the time of his landing on June 8, 1753, Lunenburg's Old Town Plan was the second British model plan created in present-day Canada, a gridiron plan type which had a direct and important relationship to British imperial settlement policy.

Sources: Historic Sites and Monuments Board of Canada, Minutes, 1991; World Heritage List Nomination (Appendix 3: Character Statement).

### **CHARACTER-DEFINING ELEMENTS**

The character-defining elements that relate to the townsite as a whole are:

- its gridiron, "model town" plan, as evidenced in its geometrically regular streets and blocks, its allocation of public spaces, and its distinction between urban and non-urban areas;

- its small lots;
- the densely built nature of the townsite;
- its comprehensive collection of 18th to 20th-century buildings and works, including residences, churches, institutional buildings, shops and wharves;
- the continuing tradition of painting buildings in bright colours;
- the unity and cohesiveness created by the predominance of wood construction and exterior finishes among all building types and styles;
- the general orientation of the town and its major institutional buildings towards the harbour;
- the larger-scaled waterfront buildings, including wooden warehouses, lofts, boatshops, and industrial buildings, many with their gable end turned to the harbour, most of a large scale, and all painted in bright colours;
- its skyline punctuated by the spires of its churches;
- the heritage characters of St. John Anglican Church and the Knaut-Rhuland House National Historic Site of Canada.

The character-defining elements that relate to 18th-century construction are:

- a number of houses of "coulisse" construction, now clad in clapboard or shingles;
- single-storey Cape Cod dwellings;
- two-storey houses constructed in the British classical tradition;
- the former Court House;
- pre-fire surviving elements of St. John's Anglican Church.

The character-defining elements that relate to 19th-century construction are:

- the larger and more elaborate buildings that continued earlier building traditions;
- traditional Cape Cod and British classical residences;
- modifications to 18th and early 19th-century houses;
- Second Empire-style residences of families associated with the fishing and shipbuilding industries;
- the frequent use of the Lunenburg "bump" dormer in all its variations;
- pre-fire surviving elements of St. John's Anglican Church;
- St. Andrew's Presbyterian Church and the Lunenburg Lutheran Church, buildings associated with the oldest continuing worshipping Presbyterian and Lutheran congregations in Canada.

The character-defining elements that relate to 20th-century construction are:

- its 20th-century housing stock, including simple post-World War II bungalows, "Four-Square" houses, and Dutch Colonial Revival-style houses, that continue earlier wood construction traditions on a modest scale;
- sympathetically scaled commercial buildings located along Lincoln Street that help create a cohesive streetscape.

The character-defining elements associated with the history of the shipbuilding and fishing industries in Canada are:

- waterfront shipyards, including those still used for shipbuilding and retrofitting;
- buildings and facilities associated with the work and community life of people who worked in the fishing industry, including the Adams & Knickle waterfront complex and the Smith and Rhuland shipyard.

## RECOGNITION

### **JURISDICTION**

Federal

### **RECOGNITION AUTHORITY**

Government of Canada

### **RECOGNITION STATUTE**

Historic Sites and Monuments Act

### **RECOGNITION TYPE**

National Historic Site of Canada

### **RECOGNITION DATE**

1991/06/10

## HISTORICAL INFORMATION

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

1753/01/01 to 1753/01/01

1753/06/08 to 1753/06/08

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

Expressing Intellectual and Cultural Life

Architecture and Design

Peopling the Land

Settlement

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

**CURRENT**

**HISTORIC**

### **ARCHITECT / DESIGNER**

n/a

### **BUILDER**

n/a

## ADDITIONAL INFORMATION

**LOCATION OF SUPPORTING DOCUMENTATION**

National Historic Sites Directorate, Documentation Centre, 5th Floor, Room 89, 25 Eddy Street, Gatineau,  
Quebec

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

307

**STATUS**

Published

## Attachment C

# TOWN OF LUNENBURG



## BACKGROUND STUDY

### Towards a Revised Heritage Conservation District

March 5<sup>th</sup>, 2018

Prepared by: Arthur MacDonald MCIP, LPP  
Prepared for: Town of Lunenburg  
Heritage Advisory Committee and Town Council

# TOWN OF LUNENBURG

## BACKGROUND STUDY TOWARDS A REVISED HERITAGE CONSERVATION DISTRICT

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## **1.0 INTRODUCTION**

### **1.1 Purpose of the Report**

The purpose of this report is to develop a rationale for the development of a revised Heritage Conservation District Plan and By-law for the Town of Lunenburg in keeping with the Nova Scotia Heritage Property Act and its corresponding Heritage Conservation Districts Regulations.

Pursuant to the Heritage Conservation Districts Regulations, Section 7 requires Council to undertake a background study which addresses:

- (a) the rationale or justification for heritage conservation measures in the district;
- (b) the rationale for the boundaries of the district;
- (c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
- (d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

The establishment of a Heritage Conservation District is accomplished by the adoption, by Town Council, of a Heritage Conservation District Plan and By-law. The Heritage Conservation District Plan is a policy document which addresses issues, opportunities, expenditures and initiatives concerning heritage conservation in the District. A Heritage Conservation District By-law is the administrative document which implements the Plan.

The Act requires that a Heritage Conservation District Plan and By-law must be supported by a background study sufficient to describe the rationale for heritage conservation measures. In this particular case, the Town of Lunenburg has an existing Heritage Conservation District Plan and By-law which was supported by a background study entitled “Towards the establishment of a Heritage Conservation District in the Town of Lunenburg” authored by Bill Plaskett in September of 1994. This document led towards the adoption of the Old Town Heritage Conservation District Plan and By-law by Council on May 11, 2000 as approved by the Minister of Municipal Affairs on September 4, 2000.

The revised Heritage Conservation District intends to encompass the area of the Old Town Conservation District as well as the two (2) Architectural Control Areas as identified in the Town’s Municipal Planning Strategy. It is intended that these Architectural Control Areas will become part-in-parcel of the Heritage Conservation District and be regulated according to the design guidelines of the Heritage Conservation District By-law rather than pursuant to the architectural control provisions of the Town’s Land Use By-law. The main purpose of the Background Study is to reinforce the rationale for incorporating the Architectural Control Areas as part of the Town’s Heritage Conservation District.

The Heritage Property Act requires the adoption of a Public Participation Program to ensure public participation in the creation of a Heritage Conservation District Plan and By-law. The Plan and By-law must also be consistent with the Town's other planning policies and regulations.

The current Heritage Conservation District covers the UNESCO Old Town Lunenburg World Heritage Site, proclaimed in 1995, as well as a buffer area surrounding the site.

## **1.2 Architectural Significance of Lunenburg**

The Town of Lunenburg has a rich and diverse built heritage as documented in the following:

- *Understanding Lunenburg's Architecture*, Lunenburg County District Planning Commission and Lunenburg Heritage Society, 1979. (Analysis of architectural design features).
- *Lunenburg: An Inventory of Historic Buildings*, Lunenburg County District Planning Commission and Town of Lunenburg, 1984. (Detailed histories of all old buildings in the town)
- *A Series of Maps Illustrating Lunenburg Buildings by Age, Architectural Character and Historical Association* Lunenburg County District Planning Commission, 1985.
- *"Old Town" Lunenburg*, Historic Sites and Monuments Board of Canada, Agenda Paper, 1991. (Historic significance in Canada)
- *World Heritage List Nomination: Old Town Lunenburg*, Department of Canadian Heritage, September, 1994. (Historic significance on the international context).
- *Towards the establishment of a heritage conservation district in the Town of Lunenburg*, Bill Plaskett for N.S. Department of Municipal Affairs and Town of Lunenburg, September, 1994. (Background study for establishing a heritage district under the Heritage Property Act)
- *Lunenburg World Heritage Community Strategy*, Roy Eugene Graham and Associates, October, 1998. (Heritage conservation and community economic development in the context of World Heritage Listing)
- *Town of Lunenburg Heritage Sustainability Strategy*, TCI Management Consultants, April 30, 2010.

For the purpose of this Background Study there is no need to recap these findings. The fact that Old Town has been designated as a National Historic District as well as an UNESCO World Heritage Site means that its built heritage is significant and worthy of being designated as a Municipal Heritage Conservation District. Instead, this study will focus upon the inclusion of the Architectural Control Areas into the Heritage Conservation District.

## **2.0 RATIONALIZATION FOR DISTRICT**

### **2.1 History of the Architectural Control Areas**

The Town of Lunenburg had a vision to implement architectural design standards to maintain and preserve the traditional “Lunenburg” architecture for future generations to enjoy. During the early 1990’s the Town recognized that it had a special built environment that was endearing for locals and visitors alike. However, modern design elements and the use of modern materials began to affect the traditional built environment, having a drastic impact on the traditional “Lunenburg” vernacular style and the Town’s streetscapes.

The Town embarked on a mission to protect its traditional architecture. Old Town was designated as a National Historic Site in 1991 under the Historic Sites and Monuments Act and became a UNESCO World Heritage Site in 1995. The Town then initiated the development of an Old Town Heritage Conservation District Plan and By-law which was adopted by Council on May 11, 2000 and approved by the Minister of Municipal Affairs on September 4, 2000.

The Municipal Planning Strategy adopted in 1996 recognized three (3) Architectural Control Districts; Old Town Lunenburg, Dufferin Street Area and the Tannery Road area. Old Town Lunenburg was removed from the Municipal Planning Strategy and Land Use By-law when the Old Town Heritage Conservation District was created in 2000. The following excerpt from the Heritage Conservation District Plan provides some background information:

“Although the Municipal Planning Strategy and Land Use Bylaw (MPS & LUB) have acknowledged the importance of heritage conservation since 1978, when policy amendments were introduced contemplating the future adoption of architectural controls, it was not until 1996 that such controls were actually adopted. The 1996 version of the MPS & LUB establishes three architectural control areas - one which coincides with the Old Town National Historic District and World Heritage Site, one which includes portions of the New Town along Falkland and Dufferin Streets, and one which encompasses the Tannery Road area. Within these areas, new buildings are required to be similar to any substantially intact pre-1920 building within 300 ft. on the same street. Additions and alterations to pre-1920 buildings must be architecturally similar to the main building, and are limited to a maximum of 25% of the existing building volume.”

### **2.2 Rationalization to Incorporate the Architectural Control Areas**

The Municipal Planning Strategy and its corresponding Land Use By-law are limited by the authority enabled through the Municipal Government Act with respect to design guidelines, demolition controls and financial incentives. The inclusion of the two (2) remaining Architectural Control Areas under the Heritage Conservation District Plan and By-law will enable the Town to properly address heritage policies and by-law provisions under one document. The inclusion of these areas within the Heritage Conservation District is in keeping with Policy 10.6 of the Town’s Municipal Planning Strategy.

The Old Town Heritage Conservation District Plan also recognized the expansion of the District to incorporate the two (2) Architectural Control Areas, as outlined in the excerpt below:

“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 ...”

### **2.3 Rationalization for Heritage Conservation Measures in the District**

The Architectural Control Areas design provisions are regulated under the Municipal Planning Strategy and Land Use By-law administered by the Town’s Planner/Development Officer. The incorporation of the Architectural Control Areas under the Heritage Conservation District Plan and By-law will streamline the application and review process through the issuance of a Certificate of Appropriateness administered by the Town’s Heritage Officer. In this fashion both areas, Old Town Lunenburg as well as the Architectural Control Areas will be administered through the Heritage Officer providing a certain level of consistency in the interpretation and administration that apply to these areas.

The need for heritage conservation measures is well documented in the previous background study entitled “Towards the establishment of a Heritage Conservation District in the Town of Lunenburg” as well as the existing Old Town Heritage Conservation District Plan and By-law. To recap, the identified issues are:

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

## **2.4 Rationalization for the District Boundaries**

The rationalization of the Old Town Heritage Conservation District boundaries is well documented as outlined in the excerpt from the Heritage Conservation District Plan below:

“It shall be the intention of Council that the Old Town heritage conservation district shall include the designated Old Town National Historic District and the World Heritage Site as well as adjacent areas, including Gallows Hill and the Lunenburg Academy site; selected properties abutting the north side of Creighton Street; Blockhouse Hill; the eastward extensions of Montague, Pelham, Lincoln, Cumberland and Townsend Streets; the westward extension of Montague, Pelham, Lincoln and Cumberland Streets to their point of intersection; and the old French Cemetery. These adjacent areas have an architectural, historical and contextual continuity with the Old Town and are, for all intents and purposes, a part of it, even though they were not part of the original 1753 town site and are not included in the National Historic District or the World Heritage Site. It is intended that these adjacent areas shall be included within the heritage conservation district as a “buffer” to ensure that both the Old Town and its surroundings are protected from unsympathetic development.”

It is intended that the Architectural Control Areas boundaries are to be wholly contained within the proposed Heritage Conservation District as they are defined in the Town’s Municipal Planning Strategy and Land Use By-law with two (2) exceptions. The District is intended to include the Old New Town School located at 17 Tannery Road (PID #60053261). This property is owned by the Town of Lunenburg and is an existing municipally registered Heritage Property. A copy of its Statement of Significance is attached in the appendix.

The second exception is the two (2) small islands (PID #60386000) off of Tannery Road located in Lunenburg’s harbour. These lands are zoned Marine Industrial (MI) and any development on the islands will have a visual impact not only on the area adjacent to Tannery Road but also from Old Town, and particularly, from the Town’s historic waterfront. These lands will be defined as part of the Waterfront Buildings Area and be regulated in the same fashion as waterfront buildings along Lunenburg’s historic waterfront.

The proposed new boundaries of the Heritage Conservation District as well as a map defining the Waterfront Buildings Area are attached in the schedules.

## **3.0 RELATIONSHIP WITH LAND USE PROVISIONS AND POLICIES**

### **3.1 Relationship with the MPS and LUB**

The Town’s Municipal Planning Strategy and Land Use By-law will be revised to ensure that there are not two (2) over-lapping by-laws governing the aesthetics of developments within the Heritage Conservation District. The removal of the Architectural Control Areas from the Town’s Municipal Planning Strategy and Land Use By-law will enable a clear distinction between “land use” provisions and “heritage conservation” provisions. Significant alterations to any building located in the Heritage Conservation District will require the issuance of a Certificate of Appropriateness in

keeping with the provisions of the Heritage Conservation District By-law. In cases where a development requires a development permit in accordance with the Town's Land Use By-law, both a Certificate of Appropriateness and a Development Permit may be required.

The Municipal Planning Strategy will still govern support for heritage conservation measures through the Heritage Conservation District Plan and By-law as well as through the Town's Heritage By-law. For example, the existing Municipal Planning Strategy provides the following objective:

“Encourage preservation of the architectural and cultural heritage of the Town and minimize any negative impact that may result from new development or redevelopment.” (*Objective #3 of MPS*)

Though both the Land Use By-law and the Heritage Conservation District By-law provisions will have to work in unison to ensure compatible developments occur, the Land Use By-law will focus on provisions related to lot size, lot frontages and building height, whereas the Heritage Conservation District By-law will focus primarily on design guidelines. Where there is a conflict the higher or more stringent regulation shall prevail.

### **3.2 Relationship with Provincial Land Use Policy**

Other than the Statements of Provincial Interest, the province has granted the authority to regulate land use to municipal units. The Statements of Provincial Interest do not directly address built heritage or cultural landscapes and as such have minimal effect on the Town's proposed Heritage Conservation District.

It is however important to note that the Waterfront Development Corporation, a crown agency of the Province, does manage a significant portion of Lunenburg's waterfront. Under their guiding development principles they strive to plan and coordinate developments that:

“preserve and interpret historical uses, activities and forms of the waterfront, and conserve lands with marine industrial use potential;”

Therefore the Waterfront Development Corporation has an interest in preserving Lunenburg's historic waterfront built environment. Council has and will continue to work cooperatively with the Waterfront Development Corporation to ensure a balance between the needs of a working waterfront and the need to conserve the traditional aesthetic values of Lunenburg's waterfront.

The Town of Lunenburg has adopted the Nova Scotia Building Act which essentially adopts the National Building Code of Canada. Under the Act the Province has adopted the Nova Scotia Building Code Regulations which enables existing buildings to use alternate compliance measures pursuant to Schedule “D” - Alternate Compliance Methods for Existing Buildings. The Town intends to use the Alternate Compliance Methods for Existing Buildings as a means of preserving the historic fabric of its built heritage when appropriate and practical.

### 3.3 Relationship with Heritage By-law

The inclusion of the Architectural Control Area as part of the proposed Heritage Conservation District will incorporate the following municipal designated Heritage Properties:

<b>Civic Address:</b>	<b>Name:</b>	<b>PID #:</b>
<b>64 Dufferin Street</b>	<b>James Brown House</b>	<b>60056074</b>
<b>56 Dufferin Street</b>	<b>Griffith House</b>	<b>60056058</b>
<b>48 Dufferin Street</b>	<b>McKittrick House</b>	<b>60056025</b>
<b>36 Dufferin Street</b>	<b>Captain W.M. Boehner House</b>	<b>60055985</b>
<b>26 Dufferin Street</b>	<b>The Lunenburg Inn</b>	<b>60501210</b>
<b>56 Broad Street</b>	<b>Captain Samuel Herman House</b>	<b>60055134</b>
<b>75 Dufferin Street</b>	<b>Mizpah Cottage</b>	<b>60055472</b>
<b>10 Falkland Street</b>	<b>Bluenose Lodge</b>	<b>60055688</b>
<b>18 Falkland Street</b>	<b>James D. Elsenhauer House</b>	<b>60055696</b>
<b>21 Falkland Street</b>	<b>John B. Young House</b>	<b>60055902</b>
<b>42 Falkland Street</b>	<b>Ashlea House</b>	<b>60589751</b>
<b>17 Tannery Road</b>	<b>Old New Town School</b>	<b>60053261</b>
<b>37 Tannery Road</b>	<b>Captain Angus Walters House</b>	<b>60053246</b>
<b>66 Tannery Road</b>	<b>Conrad House</b>	<b>60052800</b>

In keeping with the Heritage Property Act and the Heritage Conservation District Regulations, no further properties in the Heritage Conservation District will be enabled to be registered as Municipal Heritage Properties. All properties located in the Heritage Conservation District will be regulated with respect to the provisions of the Heritage Conservation District Plan and By-law.

The addition of the Architectural Control Area into the Town's Heritage Conservation District will not impact provincially registered Heritage Properties as there are none in the proposed inclusion area. Therefore, the Minister responsible for the Heritage Property Act will not have to determine how said properties will be regulated.

### 4.0 SOCIAL AND ECONOMIC IMPLICATIONS

Section 7 of the Heritage Conservation District Regulations requires an analysis of the social and economic implications of the establishment of the District. The economic implications of owning a building in the Heritage Conservation District relates mostly to the costs associated with complying with the design guidelines. The Architectural Control Area is already regulated pursuant to the design provisions of the Land Use By-law as outlined in the appendix. Therefore, the social and economic implications are anticipated to be minor. There is however a financial benefit which could help offset any potential increased costs of construction/renovations through the form of heritage financial incentives available through both the municipality and the provincial governments. The Town of Lunenburg has recently approved a Heritage Financial Incentives Program to help low income families conserve and maintain their properties in keeping with the applicable heritage conservation design guidelines.

## **5.0 PUBLIC PARTICIPATION PROGRAM**

Section 6 of the Heritage Conservation District Regulations requires Council to adopt, by resolution, a public participation program. As part of the adoption of this Background Study, Council will adopt the Public Participation Program attached as Appendix “A”.

## **6.0 CONCLUSION**

After acceptance by Council of this Background Study complete with its associated Public Participation Program, Council shall provide public access to the Study and provide two copies to the Minister. The Minister shall advise Council when no additional studies are required.

## **APPENDIX “A”**

### **TOWN OF LUNENBURG PROCEDURAL POLICY**

#### **HERITAGE CONSERVATION DISTRICT PUBLIC PARTICIPATION PROGRAM**

Council hereby adopts the following Heritage Conservation District Public Participation Program pursuant to Section 6 of the Heritage Conservation Districts Regulations made under Section 26 of the Heritage Property Act (RSNS 1989, Chapter 199) to identify opportunities and establish ways and means of seeking the opinions of the public concerning the review, adoption and amendment of a Heritage Conservation District Plan and By-law:

1. Before holding any public hearing under the authority of subsection (3) of Section 19A of the Heritage Property Act, Council shall ensure that the Heritage Advisory Committee conduct at least one public participation meetings which are advertised in a local newspaper at least four days in advance, and by a notice posted at the Town Hall.
2. The Heritage Advisory Committee may conduct opinion surveys, request written briefs or submissions, or use any other appropriate means of seeking the views and opinions of residents and ratepayers.
3. The Heritage Advisory Committee shall make every reasonable effort to seek the opinions of the public on all matters relevant, and shall reserve time for commentary, questions or presentations by the public.
4. The Heritage Advisory Committee shall provide public access to all reports, studies, maps, air photographs and other materials that are relevant, and where it is feasible, provide copies of such material for distribution, purchase or loan.
5. The Heritage Advisory Committee shall consider the views, expressions and opinions obtained from the Public Participation Meeting prior to making a recommendation to Council.

**APPENDIX "B"**  
**OLD TOWN LUNENBURG NATIONAL HISTORIC SITE**  
**STATEMENT OF SIGNIFICANCE**

**Old Town Lunenburg Historic District National Historic Site of Canada**

Bluenose Drive, Lunenburg Harbour, Lunenburg, Nova Scotia, Canada

**Formally Recognized: 1991/06/10**



General view



Panorama



General view

**OTHER NAME(S)**

Old Town Lunenburg Historic District National Historic Site of Canada

Old Town Lunenburg Historic District

Arrondissement historique du Vieux Lunenburg

## LINKS AND DOCUMENTS

[Website for the Old Town Lunenburg Historic District](#)

[Section on the Parks Canada website specifically for this National Historic Site](#)

[Link to Old Town Lunenburg site on the UNESCO World Heritage Web Site](#)

## CONSTRUCTION DATE(S)

1753/01/01 to 1991/01/01

**LISTED ON THE CANADIAN REGISTER: 2007/10/03**

## STATEMENT OF SIGNIFICANCE

### DESCRIPTION OF HISTORIC PLACE

The Old Town Lunenburg Historic District covers the core area of the town of Lunenburg, a well-preserved example of 18th-century colonization and settlement patterns with numerous outstanding examples of vernacular architecture spanning more than 240 years. It occupies the side of a hill and a narrow area along a natural harbour and includes the town's original parade square, as well as a waterfront area that is associated with the fishing and shipbuilding industries. The formal recognition consists of contributing buildings and lands contained within the boundaries of the original town plan of 1753. Old Town Lunenburg has also been designated a World Heritage Site.

### HERITAGE VALUE

The Old Town Lunenburg Historic District was designated a national historic site in 1991 by virtue of its gridiron layout, one of the earliest and most intact British model plans in Canada, its strong historical associations especially with the Atlantic fisheries, and the richness and homogeneity of its architecture.

The heritage value of the Old Town Lunenburg Historic District resides in the original plan, the built forms and open spaces within the plan, the physical and cultural manifestations of the off-shore fishing and shipbuilding industries and the harmonious integration of the town and the seascape. Laid out by Charles Morris at the time of his landing on June 8, 1753, Lunenburg's Old Town Plan was the second British model plan created in present-day Canada, a gridiron plan type which had a direct and important relationship to British imperial settlement policy.

Sources: Historic Sites and Monuments Board of Canada, Minutes, 1991; World Heritage List Nomination (Appendix 3: Character Statement).

### CHARACTER-DEFINING ELEMENTS

The character-defining elements that relate to the townsite as a whole are:

- its gridiron, "model town" plan, as evidenced in its geometrically regular streets and blocks, its allocation of public spaces, and its distinction between urban and non-urban areas;
- its small lots;
- the densely built nature of the townsite;
- its comprehensive collection of 18th to 20th-century buildings and works, including residences, churches, institutional buildings, shops and wharves;
- the continuing tradition of painting buildings in bright colours;
- the unity and cohesiveness created by the predominance of wood construction and exterior finishes among all building types and styles;
- the general orientation of the town and its major institutional buildings towards the harbour;
- the larger-scaled waterfront buildings, including wooden warehouses, lofts, boatshops, and industrial buildings, many with their gable end turned to the harbour, most of a large scale, and all painted in bright colours;
- its skyline punctuated by the spires of its churches;
- the heritage characters of St. John Anglican Church and the Knaut-Rhuland House National Historic Site of Canada.

The character-defining elements that relate to 18th-century construction are:

- a number of houses of "coulisse" construction, now clad in clapboard or shingles;
- single-storey Cape Cod dwellings;
- two-storey houses constructed in the British classical tradition;
- the former Court House;
- pre-fire surviving elements of St. John's Anglican Church.

The character-defining elements that relate to 19th-century construction are:

- the larger and more elaborate buildings that continued earlier building traditions;
- traditional Cape Cod and British classical residences;
- modifications to 18th and early 19th-century houses;
- Second Empire-style residences of families associated with the fishing and shipbuilding industries;
- the frequent use of the Lunenburg "bump" dormer in all its variations;
- pre-fire surviving elements of St. John's Anglican Church;
- St. Andrew's Presbyterian Church and the Lunenburg Lutheran Church, buildings associated with the oldest continuing worshipping Presbyterian and Lutheran congregations in Canada.

The character-defining elements that relate to 20th-century construction are:

- its 20th-century housing stock, including simple post-World War II bungalows, "Four-Square" houses, and Dutch Colonial Revival-style houses, that continue earlier wood construction traditions on a modest scale;
- sympathetically scaled commercial buildings located along Lincoln Street that help create a cohesive streetscape.

The character-defining elements associated with the history of the shipbuilding and fishing industries in Canada are:

- waterfront shipyards, including those still used for shipbuilding and retrofitting;
- buildings and facilities associated with the work and community life of people who worked in the fishing industry, including the Adams & Knickle waterfront complex and the Smith and Rhuland shipyard.

## RECOGNITION

### **JURISDICTION**

Federal

### **RECOGNITION AUTHORITY**

Government of Canada

### **RECOGNITION STATUTE**

Historic Sites and Monuments Act

### **RECOGNITION TYPE**

National Historic Site of Canada

### **RECOGNITION DATE**

1991/06/10

## HISTORICAL INFORMATION

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

1753/01/01 to 1753/01/01

1753/06/08 to 1753/06/08

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

Expressing Intellectual and Cultural Life

Architecture and Design

Peopling the Land

Settlement

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

**CURRENT**

**HISTORIC**

### **ARCHITECT / DESIGNER**

n/a

### **BUILDER**

n/a

## ADDITIONAL INFORMATION

### **LOCATION OF SUPPORTING DOCUMENTATION**

**APPENDIX “C”**  
**OLD NEW TOWN SCHOOL – 17 TANNERY ROAD**  
**DESIGNATED MUNICIPAL HERITAGE PROPERTY**  
**STATEMENT OF SIGNIFICANCE**

**Old New Town School**

17 Tannery Road, Lunenburg, Nova Scotia, B0J, Canada

**Formally Recognized: 2000/07/13**



Front and North West Facades

**OTHER NAME(S)**

Old New Town School

School Annex

Arts and Crafts Building

**LINKS AND DOCUMENTS**

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

**CONSTRUCTION DATE(S)**

1883/01/01 to 1883/12/31

**LISTED ON THE CANADIAN REGISTER: 2004/03/22**

 STATEMENT OF SIGNIFICANCE

**DESCRIPTION OF HISTORIC PLACE**

The Old New Town School is a one-and-a-half storey wooden structure, simple in design and rectangular in form with a protruding enclosed porch. The building is located in the New Town area of Lunenburg, NS, with substantial green space surrounding the building. Designation covers both the building and the surrounding land.

**HERITAGE VALUE**

The Old New Town School is valued as a reminder of the era of one-room school houses in Nova Scotia. These schools were eventually supplanted by the Academy system, a new academic system implemented province-wide, and consequently the Lunenburg Academy replaced this building. The building was built in 1883 and remains in excellent condition. It retains many original features, including the windows and entrance. The school remains in use by the modern Lunenburg High School located across the road as extra classroom space, making it a rare example of continuous use of a one-room school building from the nineteenth century to the present day.

Source: Heritage Designation File 66400-40-53, Town of Lunenburg.

## **CHARACTER-DEFINING ELEMENTS**

Character-defining elements of the Old New Town School relate to its architecture and use as an educational facility, and include:

- original enclosed porch, with transom and sidelight windows, and original six-over-six windows;
- simple, symmetrical design, augmented by a steeply pitched gable roof, cornerboards, and simply detailed fascia and eaves;
- location at a central junction in New Town with green space surrounding the building on all sides;
- interior layout of the building into two classrooms reflecting its continued use as an education facility.

## **RECOGNITION**

### **JURISDICTION**

Nova Scotia

### **RECOGNITION AUTHORITY**

Local Governments (NS)

### **RECOGNITION STATUTE**

Heritage Property Act

### **RECOGNITION TYPE**

Municipally Registered Property

### **RECOGNITION DATE**

2000/07/13

## **HISTORICAL INFORMATION**

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

n/a

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

Building Social and Community Life

Education and Social Well-Being

**FUNCTION - CATEGORY AND TYPE**

**CURRENT**

Education

Special or Training School

**HISTORIC**

Education

One-Room School

**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, FILE 66400-40-53

**CROSS-REFERENCE TO COLLECTION**

**FED/PROV/TERR IDENTIFIER**

37MNS0053

**STATUS**

Published

**RELATED PLACES**

n/a

## **APPENDIX “D”**

### **MUNICIPAL PLANNING STRATEGY HERITAGE PROVISIONS**

#### **POLICIES**

It shall be the policy of Council to:

#### **Registered Heritage Properties**

**10.1** regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

#### **Architectural Control Area Designation**

**10.2** designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

#### **Architectural Control Area Provisions**

**10.3** incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:

- (a) new buildings; and
- (b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

#### **Heritage Conservation District**

**10.4** designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

#### **Heritage Conservation District Plan and Bylaw**

**10.5** regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

## **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.

## **General Policies**

**10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main street Program.

**10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.

**10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

## APPENDIX “E”

### LAND USE BY-LAW ARCHITECTURAL CONTROL AREA PROVISIONS

#### PART 26G ARCHITECTURAL CONTROL AREA

##### 26G.1 New Main Buildings

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

##### 26G.2 Additions and Alterations to Existing Buildings

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.





- 26G.3
- (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
  - (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
  - (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

##### 26G.4 Renovations and Replacements

Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations set out in Section 26G.1.

# Schedule "A" Heritage Conservation District Map

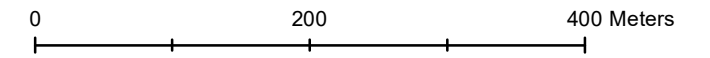
## Legend

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

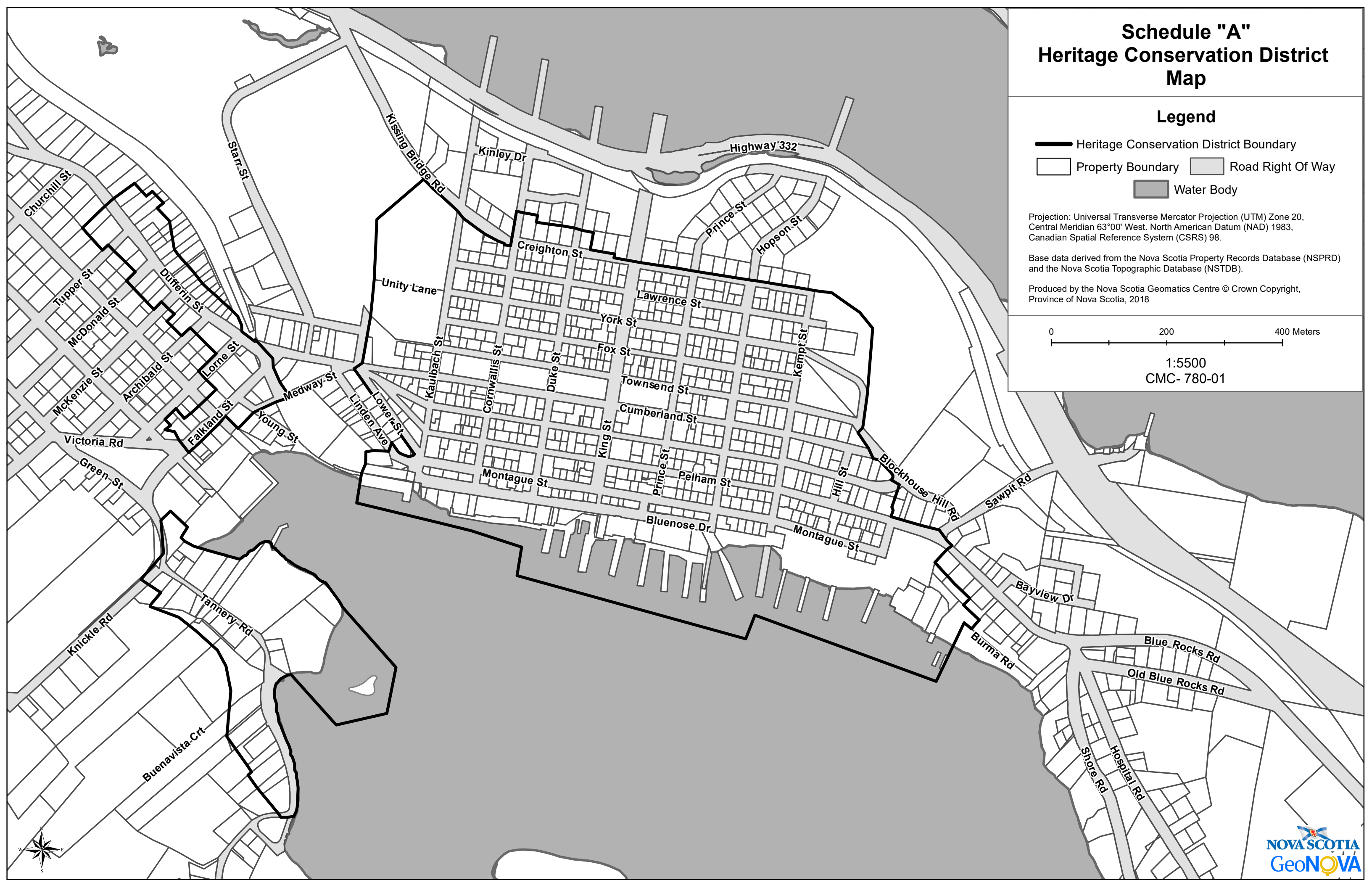
Projection: Universal Transverse Mercator Projection (UTM) Zone 20, Central Meridian 63°00' West, North American Datum (NAD) 1983, Canadian Spatial Reference System (CSRS) 98.

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







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CMC-780-01



# Schedule "B" Waterfront Buildings Area Map

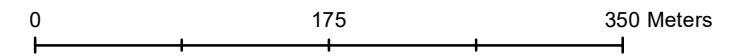
## Legend

-  Waterfront Buildings Area Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

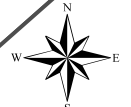
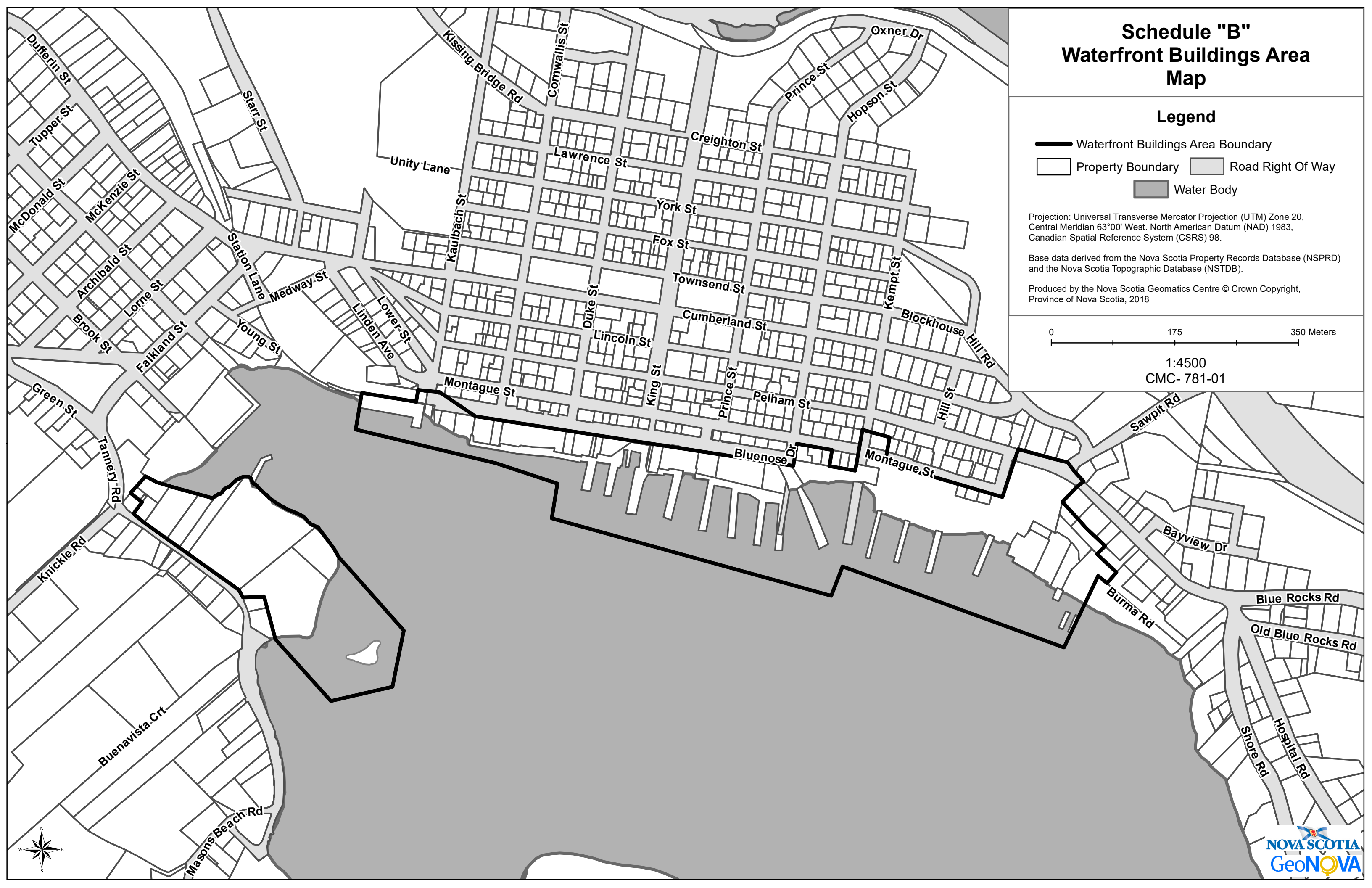
Projection: Universal Transverse Mercator Projection (UTM) Zone 20, Central Meridian 63°00' West, North American Datum (NAD) 1983, Canadian Spatial Reference System (CSRS) 98.

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

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1:4500  
CMC-781-01



# Attachment D

**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,



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.

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

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

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## MEMORANDUM

**TO: HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: JANUARY 7, 2019**

**RE: HERITAGE RECOGNITION AWARDS PROGRAM  
CALL FOR NOMINATIONS - ADVERTISEMENT**

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### 1. FACTS

#### A. Background

In keeping with the Town's Heritage Recognition Awards Program, the Town will advertise for nominations in the Progress Bulletin announcing nominations are now open for the Heritage Recognition Awards beginning on February 4<sup>th</sup>, 2020. A media release will also announce a call for nominations through the Town's website.

The nomination period will closed on March 6<sup>th</sup> and the results will be submitted to the Committee for their review.

Winners of the Heritage Recognition Awards will be invited to the Town's 267<sup>th</sup> Anniversary on Friday June 5<sup>th</sup>, 2020 (Sunday June 7<sup>th</sup>, 2020 is the actual historic date) to accept their Heritage Recognition Awards Certificates.

#### B. Proposal

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

The approved nomination recipients will be invited to the Town's 267<sup>th</sup> Anniversary Ceremony where they will be presented with their Heritage Recognition Certificates.

**2. ISSUES AND OPTIONS**

This memo is to notify the Committee as well as Council so that they are aware that the nomination period for the Heritage Recognition Awards will open on February 4<sup>th</sup>, 2020.

**3. FINANCIAL IMPACT**

There is a financial cost associated with the Heritage Recognition Awards Program. The proposed 2020-21 fiscal year budget has sufficient funds to cover the costs associated with advertising for nominations as well as the manufacturing of the certificates.

**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**

There is no recommendation at this time. Upon receiving and reviewing the nominations, the Heritage Advisory Committee will be making a recommendation to Council for their consideration.

**ATTACHMENTS:**

- A. Heritage Recognition Awards Program
- B. Copy of Advertisement
- C. Copy of Web-site Notice

Acknowledged by:

Bea Renton  
Town Manager/Clerk

# **ATTACHMENT “A”**

## **Town of Lunenburg Heritage Recognition Awards Program**

### **Purpose:**

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

### **Recognition Categories:**

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

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

### **Review:**

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

# ATTACHMENT “B”

## TOWN OF LUNENBURG HERITAGE RECOGNITION AWARDS

The Town of Lunenburg’s Council and Heritage Advisory Committee is pleased to recognize property owners and developers for a “job well done” in outstanding restoration and/or rehabilitation work as well as well-designed infill developments that contribute positively to the streetscape.

The Heritage Advisory Committee will accept nominations that meet one or more of the following categories:

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

The Program applies to all works throughout the Town of Lunenburg, whether it is a small or large development project.

The deadline for nominations is **March 6, 2020**. Further information on the Town’s Heritage Recognition Awards Program may be obtained at <https://www.explorelunenburg.ca/heritage-recognition-awards-2.html>

Nominations should include photos (before and after if available). For more information, please contact:

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

Progress Bulletin, insertions Tuesdays - February 4<sup>th</sup> and 11<sup>th</sup>, 2020.

# ATTACHMENT “C” - Town Website Information

## Town of Lunenburg’s Heritage Recognition Awards

### Nominations Open for the Town of Lunenburg’s Heritage Recognition Awards

*February 4, 2020* - The Town of Lunenburg is now accepting nominations for the annual Heritage Awards - Certificates of Recognition for outstanding restoration and/or rehabilitation work as well as well-designed infill developments that contribute positively to the streetscape.

The Heritage Recognition Awards Program applies to all works throughout the Town of Lunenburg whether it is a small or large development project.

“Our architectural built heritage is a contributing element of our UNESCO World Heritage designation and a featured attraction enjoyed by visitors and treasured by residents. We want to celebrate it and nurture the sense of pride it generates. We look forward to recognizing property owners for their work in rehabilitating, restoring and contributing to our rich built heritage,” said Mayor Bailey.

“We are pleased to announce that we are now accepting nominations for the 2020 awards”, added Councillor Peter Mosher, and Chair of the Heritage Advisory Committee, “we encourage all citizens to nominate properties you feel deserves this recognition, and we also encourage property owners to nominate their own property.”

“There are many examples of restorations and new buildings that blend well into our built heritage,” Mayor Bailey stated, “and that’s the kind of effort we wish to recognize.”

**The deadline for nominations is March 6<sup>th</sup>, 2019.**

Further information on the Town’s Heritage Recognition Awards Program may be obtained at <https://www.explorelunenburg.ca/heritage-recognition-awards-2.html>

**Nominations should include photos (before and after if available).** For more information, please contact:

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## MEMORANDUM

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

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: JANUARY 7, 2020**

**RE: HERITAGE DAY PROCLAMATION – FEBRUARY 17<sup>th</sup>, 2020**

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### 1. FACTS

#### A. Background

Every year the third week of February is celebrated as Heritage Week throughout Canada. Heritage Day is known as the third Monday in February and the National Trust for Canada encourages municipalities to celebrate by passing a Heritage Day proclamation. This year's theme is *Bringing the Past Into the Future*.

#### B. Proposal

**The following is from the National Trust for Canada's website:**

In 2020, Heritage Day is February 17, 2020, and Heritage Week runs from February 17 to 23, 2020 with the theme **2020 Vision: *Bringing the Past Into the Future***.

Why celebrate Heritage Day? Because Canada's collective story is told through our special places, whether they are historic lighthouses or schools, places of faith, industrial complexes, or cultural landscapes. Our shared heritage in all its forms has the power to bring people together and create a sense of belonging. Gathering places like town squares, and pow wow grounds, and cultural objects such as artifacts, regalia and family memorabilia are tangible touchstones with the past that can root us in place and nourish the spirit. Intangible heritage – languages, traditional rituals, music, dance, storytelling and more – is at the heart of family and community.

In celebration of our past and our future, we encourage all Canadians – young and old, deeply rooted or new to Canada – to visit museums, historic sites and heritage destinations, cultural landscapes and cultural centers, and connect with traditional knowledge keepers, educators, parents and grandparents to experience heritage on Heritage Day and beyond.

**2. ISSUES AND OPTIONS**

There are no issues pertaining to the Town's endorsement of the Heritage Day Proclamation. As a UNESCO World Heritage Site it is recommended that the Town join other municipalities throughout Canada by approving the Heritage Day Proclamation attached.

**3. FINANCIAL IMPACT**

There is no financial cost associated with the Heritage Day Proclamation.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:  
Strategic Plan Goal #1 – To enhance appreciation of Lunenburg's heritage;  
Strategic Plan Goal #2 – To promote our UNESCO designation;

**5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council approves the adoption of the Heritage Day Proclamation for February 17<sup>th</sup>, 2020.

**ATTACHMENTS:**

**A.** Heritage Day Proclamation

Acknowledged by:

Bea Renton  
Town Manager/Clerk

# Heritage Day Proclamation

## February 17<sup>th</sup>, 2020

### *Bringing the Past Into the Future*

WHEREAS, the third Monday in February is recognized provincially as Heritage Day; and

WHEREAS, Heritage Day is a time to reflect on the achievements of past generations and to accept responsibility for protecting our heritage; and

WHEREAS, our citizens should be encouraged to celebrate Nova Scotia's uniqueness and to rejoice in their heritage and environment; and

WHEREAS, in 2020 the residents of Nova Scotia and the Town of Lunenburg will celebrate their rich and diverse heritage.

THEREFORE, I, Mayor Rachel Bailey, on behalf of the Town of Lunenburg do hereby proclaim February 17<sup>th</sup>, 2020 as Heritage Day, and call upon all citizens to celebrate the richness of our past and the promise of our future.

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Mayor, Town of Lunenburg

