

Planning Advisory Committee Meeting AGENDA

Thursday, March 25, 2021 – 7:00 p.m.

1. CALL TO ORDER
2. REVIEW OF PROCEDURE FOR PUBLIC TO ADDRESS THE COMMITTEE – CHAIRPERSON (below)
3. APPROVAL OF AGENDA (any other items to be added)
4. APPROVAL OF MINUTES OF THURSDAY, FEBRUARY 25, 2021
5. BUSINESS ARISING FROM MINUTES
6. PLANNING ADVISORY COMMITTEE MATTERS
7. HERITAGE ADVISORY COMMITTEE MATTERS
- 7.1. Heritage Property By-Law and Policy Review 1-20
8. ADDED ITEMS
9. IN CAMERA
10. NEXT MEETING DATE: THURSDAY, APRIL 15, 2021
11. ADJOURNMENT

PROCEDURE FOR ADDRESSING THE COMMITTEE

An opportunity will be provided to all citizens to address the Committee on each agenda item shown on this Agenda or added to the Agenda by the Committee. Individuals who wish to address the Committee are asked to note the following:

- On each matter on the Committee’s Agenda, the Chair will seek public comment upon the completion of staff’s presentation.
- Each person shall state their name.
- All statements and questions shall be directed to the Chairperson.
- Presentations shall be limited to 10 minutes. Persons wishing to address the Committee a second time will be given opportunity to do so once all others in attendance have had the opportunity to address the Committee. Persons addressing the Committee for a second time shall limit their presentations to 5 minutes.

Anyone wishing to address the Committee on a matter not included on this Agenda can have the matter added to the next meeting’s Agenda by contacting Jeff Merrill, Director of Planning and Development Services, at 902-541-1340 or by email at planning@modl.ca



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Planning Advisory Committee
SUBMITTED BY: Byung Jun Kang, Planner
DATE: March 25, 2021
RE: Adoption of Heritage Property By-law (2021)

RECOMMENDATIONS

That the Planning Advisory Committee recommends Municipal Council to repeal By-law 004, the Heritage Property By-law (1996), and replace it with By-law 043, the Heritage Property By-law (2021), as proposed in Appendix A of the staff report dated March 25, 2021, and conduct First Reading of the same.

That the Planning Advisory Committee recommend Municipal Council to amend Policy 027, the Alteration Review Procedure to Municipal Heritage Property Policy, as proposed in Appendix B of the staff report dated March 25, 2021.

That the Planning Advisory Committee recommend Municipal Council to appoint the Planner as the Heritage Officer of Municipality.

LEGISLATIVE AUTHORITY

Heritage Property Act, Section 12 and **Municipal Government Act**, Sections 48 and 166.

DISCUSSION

Chapter 39 of the Acts of 2015, amendments to the **Heritage Property Act**, received its Royal Assent on December 18, 2015. The new **Heritage Property Act**, along with the **Heritage Property Regulations**, will be proclaimed in the near future as the Nova Scotia Communities, Cultures, and Heritage is making final changes to the **Regulations**. Some of the major changes to the **Heritage Property Act** include:

- A municipality may now deregister a municipal heritage property if continued registration will cause significant financial difficulty for the owner;

- A heritage advisory committee has the authority to recommend its council to deregister a heritage property;
- The process to amend a heritage by-law was clarified that the Minister of Municipal Affairs and Housing must approve or refuse the by-law within 60 days of its submission;
- New regulations will be adopted.

Staff identified that, while the **Heritage Property Act** was amended in 1991, 1998, 2010, and 2015, our Heritage Property By-law was last amended in 1996. Staff determined that the By-law and its Policy require a complete overview. The following principles were considered when the By-law and the Policy, as shown in Appendices A and B respectively, were drafted:

- to modernize the By-law and the Policy to be consistent with the **Heritage Property Act**;
- to prepare the By-law and the Policy to conform to the upcoming **Heritage Property Act**;
- to sustain the Council’s direction on heritage properties until the completion of the MODL2040 project, if the policy direction on heritage changes.
 - The Council’s direction on heritage properties has been “no heritage designation without the property owner’s consent”.

Nova Scotia Municipal Affairs and Nova Scotia Communities, Cultures & Heritage started conducting a preliminary review of the draft By-law and Policy on October 22, 2020. The provincial departments issued a pre-approval on December 4, 2020, subject to the final approval after Municipal Council conducts Second Reading. Municipal Solicitor is also conducting a legal review.

WORK PLAN

The procedure to adopt or amend a heritage property by-law and policy is stated in Table 1.

Table 1

Schedule for repealing By-law 004, adopting By-law 043, and amending Policy 027

Legislative Authority	Requirements	Expected Date
Heritage Property Act (2010), Section 12	Heritage Property By-law must contain all provisions stated in the provincial Act and Regulations.	December 4, 2020
Municipal Government Act, subsection 200(4)	Planning Advisory Committee makes recommendations to council regarding the by-law and policy.	March 25, 2021

Municipal Government Act , subsection 168(1)	A by-law shall be read for the first time.	April 13, 2021
Municipal Government Act , subsection 48(1)	Before a policy is amended, the council shall give at least seven days notice to all council members.	April 13, 2021
Municipal Government Act , subsections 168(2)-(3)	At least fourteen days before a by-law is read for a second time, notice of the council's intent to consider the by-law shall be published in a newspaper circulating in the municipality.	April 21, 2021
Municipal Government Act , subsection 47(1)	Policy 027 is amended.	April 27, 2021
Municipal Government Act , subsection 168(1)	A by-law shall be read for the second time. No public hearing is required.	May 11, 2021
Municipal Government Act , clause 169(2)(b) Heritage Property Act (2010) , subsection 12(6)*	A heritage by-law must be submitted to the Minister of Municipal Affairs and Housing for approval. Upon the Minister's approval, the heritage by-law has the force of law.	June 30, 2021 (TBD)

*A publication requirement stated in Section 169 of the **Municipal Government Act** is not applied to a heritage by-law to have the force of law, as the requirement is superseded by subsection 12(6) of the **Heritage Property Act**.

APPENDICES

- Appendix A: proposed MODL By-law 043 (Heritage Property By-law, 2021)
- Appendix B: proposed MODL Policy 029 (Heritage Property Policy, 2021)
- Appendix C: MODL By-law 004 (Heritage Property By-law, 1996)
- Appendix D: MODL Policy 029 (Procedure for the Review of Alterations to Heritage Properties)

Department: Planning & Development Services
 Report Prepared By: Byung Jun Kang, Planner
 Report Approved By: Jeff Merrill, Director

Date: 2020-12-07
 Date: 2021-01-21

**Municipality of the District of Lunenburg
BY-LAW**

Title: Heritage Property By-law	
By-Law No. 043	Legislative Authority: Heritage Property Act, Section 12
Effective Date: N/A	Amended Date: N/A

A text in blue is not part of the by-law and is for interpretation purposes only.

BE IT ENACTED by the Council of the Municipality of the District of Lunenburg, under the authority of Section 12 of the **Heritage Property Act**, as follows:

Short title

1 This By-law may be cited as the **Heritage Property By-law**.

Definitions

2 In this By-law, “Act” means the **Heritage Property Act**.

Registry of Heritage Property

- 3 (1) The Municipality must maintain a municipal registry of heritage property at its administration office.
- (2) The Registry of Heritage Property must
- (a) be properly indexed;
 - (b) contain data with respect to recommendations, registrations, notices, and any other documents required by the Act to be deposited with the registry of deeds;
 - (c) contain information about municipal heritage properties for their identification purpose; and
 - (d) be accessible to the public at no charge during the regular business hours of the administration office.

Heritage officer

- 4** The Council must designate a person employed by the Municipality as the heritage officer to administer this By-law.

Heritage advisory committee

- 5** (1) The Municipality must establish a heritage advisory committee to advise the Council on the matters listed in **Section 13 of the Act**.
- (2) The Planning Advisory Committee of the Municipality is also the heritage advisory committee in subsection (1).
- (3) Terms of office for members of the heritage advisory committee are consistent with **subsection 5(1) of the Planning Advisory Committee Policy**.
- (4) The membership requirement in **subsection 4(1) of the Planning Advisory Committee Policy** must be consistent with the requirements in **subsection 12(3) of the Act**.

Heritage Property Act (2015)

Municipal registry of heritage property and heritage advisory committee

- 12** (3) The heritage advisory committee must consist of
- (a) at least two members of the council;
 - (b) at least two members of the general public; and
 - (c) such other persons appointed by the council as the heritage by-law provides.

[This subsection is not proclaimed yet.]

Heritage Property Act (2010)

Municipal registry of heritage property and heritage advisory committee

- 12** (3) The heritage advisory committee shall consist of at least two members of the council and such persons or such number of persons as the council may determine by by-law.

Powers of heritage advisory committee

- 13** The heritage advisory committee may advise the municipality respecting
- (a) the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes and areas in the municipal registry of heritage property;
 - (aa) **an application to deregister a municipal heritage property; [not proclaimed]**
 - (b) an application for permission to substantially alter or demolish a municipal heritage property;

- (ba) the preparation, amendment, revision or repeal of a conservation plan and conservation by-law;
- (bb) the administration of heritage conservation districts pursuant to the provisions of this Act;
- (bc) an application for a certificate that is required by this Act or the conservation plan and conservation by-law to go to a public hearing;
- (c) building or other regulations that affect the attainment of the intent and purpose of this Act;
- (d) any other matters conducive to the effective carrying out of the intent and purpose of this Act.

MODL Policy 090 (Planning Advisory Committee Policy)

Membership

- 4 (1)** Membership of the Committee must consist of 4 Councillors and 4 public members appointed at-large.

Appointment and reappointment

- 5 (1)** Terms of Committee members are non-coincidental 2-year terms so that no more than 4 Committee member positions expire in the same calendar year.

Recommendation

- 6** The heritage advisory committee may recommend to the Municipality that a building, public-building interior, streetscape, cultural landscape, or area be registered as a municipal heritage property in the Registry of Heritage Property by following the procedure in **Section 14 of the Act**.

Heritage Property Act

Recommendation as municipal heritage property

- 14 (1)** A heritage advisory committee may recommend to the municipality that a building, public-building interior, streetscape, cultural landscape or area be registered as a municipal heritage property in the municipal registry of heritage property.
- (2)** The municipality shall cause notice of the recommendation to be served upon each registered owner of the building, public-building interior, streetscape, cultural landscape or area that is the subject of the recommendation at least thirty days prior to registration of the building, public-building interior, streetscape, cultural landscape or area in the municipal registry of heritage property.

- (3) The notice shall contain
- (a) a statement that the building, public-building interior, streetscape, cultural landscape or area described in the notice has been recommended for registration in the municipal registry of heritage property;
 - (b) a brief statement of the reasons for the recommendation;
 - (c) a summary of the consequences of registration;
 - (d) a statement that no person shall substantially alter the exterior appearance of or demolish the building, public-building interior, streetscape, cultural landscape or area for one hundred and twenty days after the notice is served unless the municipality sooner refuses to register the property; and
 - (e) notification of the right of the owner to be heard and of the time and place for the hearing.
- (4) No person shall substantially alter the exterior appearance of or demolish a building, public-building interior, streetscape, cultural landscape or area for one hundred and twenty days after a notice respecting the building, public-building interior, streetscape, cultural landscape or area has been served pursuant to subsection (2) except in those cases where, prior to the expiration of one hundred and twenty days, the municipality refuses to register the property.
- (5) A copy of the notice served pursuant to subsection (2) shall be deposited in the registry of deeds for the registration district in which the building, public-building interior, streetscape, cultural landscape or area is situate.

Evaluation guidelines

- 7 (1) The Council may, by policy, adopt and amend guidelines for the registration of a municipal heritage property that the heritage advisory committee must use to evaluate the heritage value of a recommended building, public-building interior, streetscape, cultural landscape, or area in Section 6.
- (2) The Council adopts the Standards & Guidelines for the Conservation of Historic Places in Canada, published by Parks Canada, as the guiding document for heritage conservation practice in the Municipality.

Registration

- 8 (1) Subject to subsection (2), the Municipality may register a municipal heritage property by following the procedure in **Section 15 of the Act**.
- (2) In addition to **subsection 15(2) of the Act**, no registration in subsection (1) takes place if an owner of the property is against the registration, expressed in writing before a public hearing in **clause 14(3)(e) of the Act** takes place.

Heritage Property Act

Recommendation as municipal heritage property

- 14 (3) The notice shall contain
- (e) notification of the right of the owner to be heard and of the time and place for the hearing.

Registration as municipal heritage property

- 15 (1) At any time not less than thirty days nor more than one hundred and twenty days after service of the notice pursuant to Section 14 and on the advice of the heritage advisory committee, the municipality may register the building, public-building interior, streetscape, cultural landscape or area as a municipal heritage property in the municipal registry of heritage property.
- (2) No registration pursuant to subsection (1) shall take place until the council has given the owner of the property an opportunity to be heard and such opportunity shall be given not earlier than three weeks after service of the notice pursuant to subsection (2) of Section 14.
- (3) Notice of the registration shall be sent to each registered owner of the building, public-building interior, streetscape, cultural landscape or area and a copy thereof shall be deposited in the registry of deeds for the registration district in which the building, streetscape or area is situate.

Deregistration

- 9 Municipality may deregister a municipal heritage property by following the procedure in **Section 16 of the Act**, including the procedure for conducting public hearings.

Heritage Property Act

Deregistration of municipal heritage property

- 16 (1) On the application of an owner of a municipal heritage property or on its own motion, **the heritage advisory committee may recommend to the council the deregistration of the property and [not proclaimed]** the council may deregister a municipal heritage property where
- (a) the property has been destroyed or damaged by any cause; or
 - (b) the continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value, as identified in the property's heritage file or notice of recommendation, unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner,
 - (c) **the council determines that continued registration will cause undue hardship that is sufficient to justify deregistration, [not proclaimed]**
- after holding a public hearing to consider the proposed deregistration.

- (2) Such a public hearing shall be held not less than thirty days after a notice of the hearing is served on the registered owner of the municipal heritage property and published in a newspaper circulating in the area.
- (3) Where a municipal heritage property is deregistered, the council shall cause notice of the deregistration to be sent to the registered owner of the property and a copy thereof to be deposited in the registry of deeds for the registration district in which the property is situate.

Alteration and demolition

- 10 (1) The owner of a municipal heritage property must apply to the Municipality for permission in writing to alter, renovate, or demolish the exterior or public-building interior appearance of or demolish the municipal heritage property.
- (2) If the application in subsection (1) is not deemed as non-substantial by the Municipality under the Heritage Property Policy, the Municipality must grant, either with or without conditions, or refuse the application by following the procedure in **Section 17 of the Act**.

Heritage Property Act

Approval to alter or demolish municipal heritage property

- 17 (1) Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.
- (2) An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.
- (3) Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.
- (4) Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.
- (5) The municipality may grant the application either with or without conditions or may refuse it.
- (6) The municipality shall advise the applicant of its determination.

Repeal

- 11 By-law 004, the Heritage Property By-law, is repealed.

**Municipality of the District of Lunenburg
POLICY**

Title: Heritage Property Policy	
Policy No. 027	Legislative Authority: Heritage Property By-law, Sections 6 and 9
Effective Date: May 11, 2004	Amended Date: February 23, 2021

Short title

1 This Policy may be cited as the Heritage Property Policy.

Definitions

2 In this Policy, the heritage advisory committee is as defined in **subsection 5(2) of the Heritage Property By-law.**

Heritage Property By-law (2021)

Heritage advisory committee

5 (2) The Planning Advisory Committee of the Municipality is also the heritage advisory committee in subsection (1).

Minimum threshold

3 (1) The heritage advisory committee may recommend to the Municipality that a building be registered as a municipal heritage property in the Registry of Heritage Property, if the heritage value of the recommended building is scored at least 75 out of 100 points.

(2) The heritage advisory committee may recommend to the Municipality that a public-building interior, streetscape, cultural landscape, or area be registered as a municipal heritage property in the Registry of Heritage Property, if the heritage advisory committee deems the heritage value of the recommended public-building interior, streetscape, cultural landscape, or area as significant.

Evaluation guidelines

4 (1) The score in subsection 3(1) is calculated by combining all the points of the criteria stated in the evaluation guidelines in Schedule A.

(2) The criteria in Section 3 must not be inconsistent with the Standards & Guidelines for the Conservation of Historic Places in Canada.

Substantial alterations

5 Substantial alterations to a municipal heritage property may include

- (a) demolition;
- (b) addition;
- (c) changing the colour scheme of the structure;
- (d) alterations that change the massing of the building;
- (e) alterations that change the building's original style, such as
 - (i) building form with respect to orientation, proportion, and height,
 - (ii) roof shape with respect to style, pitch, and the addition of roof elements such as towers and dormers,
 - (iii) visual balance with respect to the arrangement of parts or elements of the building including, but not limited to, windows, doors, bays, porches, and dormers,
 - (iv) windows with respect to size, style, placement, orientation, and materials,
 - (v) doors with respect to size, style, placement, materials and the addition of sidelights and transoms,
 - (vi) cladding with respect to style, placement, orientation, and materials,
 - (vii) moulding or trim with the respect to style, placement, materials and the removal or addition of,
 - (viii) stairs, porches, decks, balconies, verandahs, and porticos with respect to style, materials, and the removal or addition of all or part of the structure,
 - (ix) skylights with respect to the addition, removal, or replacement of, and
 - (x) dormers with respect to size, style, and placement.

Non-substantial alterations

6 Municipality deems the following alterations as non-substantial:

- (a) painting using the same colour scheme;
- (b) repairs to or the replacement of existing materials where no change in size, style, placement, orientation, or materials is to occur, such as wood clapboard with wood clapboard of the same exposure to the weather, and asphalt shingles with asphalt shingles.

Alteration approval process

7 After receiving an application in **Section 10 of the Heritage Property By-law**, the heritage officer must issue a letter to the owner of the municipal heritage property, stating that

- (a) under the criteria in Section 6, the application is a non-substantial alteration; or
- (b) the approval from the Council is required for the proposed alteration.

Heritage Property By-law (2021)

Alteration and demolition

- 10** (1) The owner of a municipal heritage property must apply to the Municipality for permission in writing to alter, renovate, or demolish the exterior or public-building interior appearance of or demolish the municipal heritage property.
- (2) If the application in subsection (1) is not deemed as non-substantial by the Municipality under the Heritage Property Policy, the Municipality must grant, either with or without conditions, or refuse the application by following the procedure in Section 17 of the Act.

Municipality of the District of Lunenburg

POLICY

Title: Heritage Property By-Law	
Effective Date: June 5, 1996	Amended Date:

1.0 Definitions

In this By-Law:

- a) “Act” means the Heritage Property Act, R.S.N.S, 1989, Chapter 199;
- b) “Clerk” means the Municipal Clerk for the Municipality of the District of Lunenburg;
- c) “Committee” means the Heritage Advisory Committee;
- d) “Council” means the Municipal Council of the Municipality of the District of Lunenburg.

2.0 Heritage Advisory Committee

- 1) The Planning Advisory Committee of the Municipality shall be the Heritage Advisory Committee of the Municipality.
- 2) The Heritage Advisory Committee may advise the Municipality respecting:
 - a. The inclusion of buildings, streetscapes and areas in the municipal registry of heritage property;
 - b. An application for permission to substantially alter or demolish a municipal heritage property;
 - c. Building or other regulations that affect the attainment of the intent and purpose of this By-Law;
 - d. Any other matters conducive to the effective carrying out of the intent and purpose of this By-Law.
- 3) The Heritage Advisory Committee may recommend to the Municipality that a building, streetscape or area be registered as a municipal heritage property in the municipal registry of heritage property.

- 4) The Municipality shall cause notice of the recommendation to be served upon each registered owner of the building, streetscape or area that is the subject of the recommendation at least thirty days prior to registration of the building, streetscape or area in the municipal registry of heritage property, which Notice shall be as in form “A” attached hereto.
- 5) No building, streetscape or area shall be registered as a municipal heritage property unless all the registered owners of such building, streetscape or areas have given their prior consent in writing.

3.0 The Registry of Heritage Property

- 1) The Municipality shall establish and maintain a Registry of Heritage Property at its business office, where all documents relating to the registration of heritage property pursuant to the Heritage Property Act or this By-Law shall be filed.
- 2) The Heritage Property Registry shall:
 - a. Be properly indexed;
 - b. Contain data with respect to recommendation, registration, if applicable, recording particulars of documents required to be lodged at the Registry of Deeds for Lunenburg County and true copies of all notices required by the Act;
 - c. Contain particulars of heritage property under recommendation or registered so as to adequately identify the property;
 - d. Be accessible to the public at no charge during regular business hours at the Municipal Office.

4.0

Council may register a building, streetscape or area as a Municipal Heritage Property in accordance with the provisions of the Act and the registration shall be in the form specified in Form “B”, attached hereto.

5.0

Council may from time to time establish and amend guidelines for the registration of property as heritage property, and the Heritage Advisory Committee shall make recommendations in accordance therewith.

6.0

The Council may de-register a municipal heritage property in accordance with the Act.

7.0

A municipal heritage property shall not be substantially altered in the exterior appearance or demolished without the approval of the Municipality and in accordance with the provisions of the Act.

**NOTICE OF PROPOSED RECOMMENDATION FOR REGISTRATION IN THE
MUNICIPAL HERITAGE REGISTRY
FORM "A"**

1. _____, you are hereby notified that: the land and building located

(Legal description of property. Also civic address and/or assessment number where applicable.)

has been recommended to be registered in the Municipal Heritage Registry for the Municipality of the District of Lunenburg.

2. The reasons for this proposed designation are:

- a) approximate date of erection,
- b) type of architecture, typical of an era,
- c) part of streetscape (description of streetscape location),
- d) local significance, national significance.

3. No person shall substantially alter the existing appearance of or demolish the building, streetscape or an area for one hundred twenty days after the notice is served unless the Municipal Council refuses to register the property.

4. The effect of recommendation and registration in the Municipal Heritage Registry described in paragraph one is that no demolition or substantial alteration in the exterior may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Municipality and the application is granted with or without conditions. (Where an application is not approved the owner may make the alterations in his application or carry out the proposed demolition at any time after one year but not more than two years from the date of the application).

5. You are hereby notified that the Council will hear submissions regarding the recommendation of the property described in this notice on the _____ day of _____, 20___. In the Council Chambers of the Municipality of the District of Lunenburg at the hour of _____ in the _____ noon.

DATED this _____ day of _____, 20__.

MUNICIPAL CLERK

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

FORM "B"

TO: (Owner's of Heritage Property)

You are hereby notified that:

- 1) The building, streetscape or area:

(address, local, legal description or other identification of property)

has been registered in the Municipal Registry of Heritage Property by resolution adopted at a meeting of the Council the day of 20__.

- 2) The effect of registration in the Municipal Registry of Heritage Property is that no demolition or substantial alteration in the exterior appearance may be undertaken from the date of the registration unless an application, in writing, for permission is submitted to the Municipality and the application is granted with or without conditions. Where an application is not approved, the owner may make the alteration described in this application or carry out the proposed demolition at any time after one year but not more than two years from the date of the application.

DATED this day of , 20__.

MUNICIPAL CLERK

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members
off Intent to Consider (7 days minimum)

Date of Passage of Current Policy:

I certify that this "*Heritage Property By-Law*" was adopted by Council as indicated
above.

Municipal Clerk

Date

POLICY MDL-27

Policy Establishing a Procedure for the review of alterations to Municipal Heritage Properties registered by the Municipality of the District of Lunenburg

1. Application

The policy applies to all heritage properties registered by the Municipality of the District of Lunenburg for which an application has been made to carry out exterior alterations.

2. Authority

Heritage Property Act

3. Purpose

To implement an approval process which differentiates between substantial and non-substantial exterior alterations to municipally registered heritage properties.

4. Key Definitions

4.1. Substantial Alterations

The following shall be considered substantial exterior alterations:

- a. Changing the colour scheme of the structure;
- b. Alterations which change the building's original style including:
 - i. building form with respect to orientation, proportion and height;
 - ii. roof shape with respect to style, pitch and the addition of roof elements (such as towers and dormers);
 - iii. Visual balance with respect to the arrangement of parts or elements of the building including, but not limited to, windows, doors, bays, porches and dormers;
 - iv. Windows with respect to size, style, placement, orientation and materials;
 - v. Doors with respect to size, style, placement, materials and the addition of sidelights and transoms;
 - vi. Cladding with respect to style, placement, orientation and materials;
 - vii. Moulding or trim with the respect to style, placement, materials and the removal or addition of;
 - viii. Stairs, porches, decks, balconies, verandahs and porticos with respect to style, materials, and the removal or addition of all or part of the structure;
 - ix. Skylights with respect to the addition, removal or replacement of; and
 - x. Dormers with respect to size, style and placement.
- c. Alterations that change the massing of the building;
- d. Additions;
- e. Demolition.

4.2. Non-substantial Alterations

The following shall be considered non-substantial exterior alterations:

- a. painting using the same colour scheme;
- b. Repairs to or the replacement of existing materials where no change in size, style, placement, orientation or materials is to occur (i.e. wood clapboard with wood clapboard of the same exposure to the weather; asphalt shingles with asphalt shingles, etc).

4.3. Qualified Person - the Planner or such other person recognized by the Heritage Advisory Committee to provide expertise in the architectural design and historical character of municipal heritage properties.

5. Approval Process for Alterations

5.1. For All Alternations / Renovations:

Pursuant to Section 17 of the Heritage Property Act, a written request must be submitted to the Municipality stating the nature of the alternation(s).

5.2. For Substantial Alterations:

- a. If the alterations are deemed substantial, by a qualified person, the application will be forwarded to the Heritage Advisory Committee for review and recommendation to Municipal Council.
- b. If approved by Municipal Council, the Municipal Clerk will forward a letter to the applicant advising that the substantial alterations and any provisos thereto must be completed within 12 months of the date of approval.

5.3. For Non-substantial Alterations:

- a. If the alterations are deemed to be non-substantial, by a qualified person, the qualified person will forward a letter to the applicant confirming the alterations to be non-substantial and therefore not requiring approval from Municipal Council.

<u>Clerks Annotation for Official Policy Book</u>	
Date of Notice to Council:	May 4, 2004
Date of Passage:	May 11, 2004
I certify that this Policy was adopted by Council as indicated above	
_____	_____
Chief Administrative Officer	Date