

Existing and the Proposed Heritage Conservation District Provisions		
	Existing Provisions:	Proposed Provisions:
Subjective verses Objective base Provisions:		
1	Currently provisions have a mixture of subjective and objective provisions (“shall” and “may”).	Proposed provisions are more objective in nature (“shall” with a “may” under certain conditions).
Designated Heritage Properties:		
2	Designated Municipal Heritage Properties in the District require both a Heritage Permit and a Certificate of Appropriateness.	Designated Municipal Heritage Properties in the District only requires a Certificate of Appropriateness (Provisions under the Heritage Property Act still apply).
Developments which require a Public Hearing:		
3	<p>4.8 Types of development requiring public hearing.</p> <p>In accordance with policies 4.6.2 and 4.8 of the conservation plan, applications for a Certificate of Appropriateness for the following types of development shall be referred by the Heritage Officer to the Council for consideration at a public hearing:</p> <ul style="list-style-type: none"> . 1 demolition or removal of any pre-1940 building or any post-1940 building subject to demolition control identified on Schedule A1 Heritage Conservation District Map. . 2 new residential buildings containing three or more dwelling units; .3 new commercial, industrial, institutional or public buildings; 	<p>4.3 Types of Development Requiring Public Hearing</p> <p>Applications for a Certificate of Appropriateness for the following types of development shall be referred by the Heritage Officer to Council for consideration at a Public Hearing:</p> <ul style="list-style-type: none"> (1) The demolition or removal (more than 25% of the existing footprint) of any main building. (2) The demolition or removal (more than 25% of the existing footprint) of the Anderson Barn (45 Montague Street); the former Benjamin Knock Cobbler Shop (56 Prince St); the Maurice Lohnes Barn (160 Tannery Road); and, the James Edwin Schwartz Barn (120 Tannery Road). (3) Any new building containing more than two (2) dwelling units. (4) Any addition to a building greater than 25% of the existing building’s footprint (either as an addition to the sides of the building or on top such as an additional storey) except for those buildings located in the Waterfront Buildings Area as identified on Schedule “B”, Waterfront Buildings Area Map. (5) Any new commercial buildings; any new waterfront buildings; or, any new institutional buildings.
Demolition:		
4	Demolitions of any main building as well as the Anderson Barn and the former Benjamin Knock Cobbler Shop requires a Public Hearing.	Demolitions of any main building (more than 25% of the existing footprint) as well as the Anderson Barn (45 Montague Street); the former Benjamin Knock Cobbler Shop (56 Prince St); the Maurice Lohnes Barn (160 Tannery Road); and, the James Edwin Schwartz Barn (120 Tannery Road) requires a Public Hearing subject to the submission of a Heritage Impact Assessment Report (HIAR).

Heritage Impact Assessment Reports:		
5	Public Hearing applications do not require the submission of a Heritage Impact Assessment Report (HIAR).	Public Hearing applications requires the submission of a Heritage Impact Assessment Report (HIAR).
Pre-1940's Buildings and Post-1940's Buildings:		
6	Pre-1940's buildings and Post-1940's buildings are treated in different ways.	All buildings will be treated in a similar fashion. Notwithstanding anything contained in this By-law, post 1940's buildings may be issued a Certificate of Appropriateness for additions and alterations provided they are compatible and reasonably consistent with their architectural style provided all other provisions of this By-law are satisfied. Notwithstanding the foregoing, they may be brought more into compliance with one of Lunenburg's Historic Architectural Styles.
Accessory Buildings (outbuildings):		
7	Accessory buildings less than 80 sq. ft. are not regulated by the By-law.	All accessory buildings will be regulated by the By-law.
District Boundaries:		
8	Allows the expansions and reduction of the District's Boundaries by amendment to the Plan and By-law.	Allows the expansions and reduction of the District's Boundaries by amendment to the Plan and By-law with an additional provisions prohibiting the reduction of the boundaries smaller than the boundaries of the UNESCO World Heritage Site.
Skylights:		
9	Unclear as to whether skylights are permitted.	New provisions enabling skylights.
Metal Roofs:		
10	Conflicting provisions.	New provisions enabling metal roofs.
Doors:		
11	Unclear as to when full glazing doors are permitted.	New provisions clearly define that full glazing doors are permitted on side and rear facades.
Garage Doors:		
12	No specific provisions.	Garage door provisions included – shall be designed in the carriage garage door style (appearance only) – not necessarily operational as a carriage garage door. Residential application may have glazing along top panel. Non-residential applications may have full glazing.
Attached Solariums, Pergolas and Trellises:		
13	Unclear as to whether attached solariums, pergolas or trellises were permitted.	New provisions clearly enable attached solariums, pergolas or trellises subject to conditions.
Stair Railings and Deck Railings:		
14	Traditional railing design only.	New provisions enable the use of clear transparent glass or plexiglass on top of or behind the traditional railing design.
15	Stair railings and deck railings and posts are not required to be painted.	Stair railings and deck railings and posts shall be painted or stained in a solid colour.
16	Aprons screens are encouraged where possible. Screened aprons under decks and stairs are not required to be painted.	Exterior stairs, decks and ramps shall be constructed of wood and the undersides (aprons) shall be screened with wooden lattice or wooden panels recessed behind the supporting members painted or stained a solid colour or otherwise left to weather in their natural finished state. Notwithstanding the foregoing, apron screens may be constructed of

		composite materials provided they have the appearance of traditional wooden materials. Notwithstanding the foregoing, where necessary under the Building Code for reasons of fire safety, exterior stairs, decks and ramps and their apron screen may be constructed of metal provide the design is based on a traditional model and does not negatively impact the visual appearance of the streetscape. Where metal stairs are required, the stair carriage shall be constructed with closed risers rather than open risers which are either opaque or semi-opaque in appearance, so as to impart a solid and substantial appearance.
Exhaust and/or Intake Vents:		
17	Prohibited on front façade.	Enables them on the front façade provided they are painted the same colour as the cladding.
Gutters and Downspouts:		
18	No guidance on gutters and downspouts materials.	Enables the flexibility for the use of wood, metal, plastic or fiberglass gutters and downspouts.
Fascia Boards and Soffits:		
19	No guidance on fascia boards and soffits materials.	Enables the flexibility for the use of wood, metal, plastic or fiberglass fascia boards or soffits.
Waterfront Buildings:		
20	Steel (metal) cladding materials on Waterfront Buildings is permitted.	Steel (metal) cladding materials on Waterfront Buildings is no longer permitted.
21	Waterfront Buildings not clearly defined.	Waterfront Buildings are clearly defined as those located in the Waterfront Buildings Area Map.
22	Waterfront Building's stairs are permitted to be utilitarian design.	Waterfront Building's stairs shall be built in the traditional design.
Fences:		
23	Fences are not required to be painted or stained a solid colour.	Fences directly facing a public street shall be painted or stained with a solid colour on the street side of the fence. Side yard fences or rear yard fences abutting or otherwise facing a neighbouring property are encouraged to be painted or stained with a solid colour however, this is not required.
24	No regulation as to how fences go down a slope.	Fences shall be stepped with their board members being horizontal and vertical.
View Planes:		
25	Identifies ten (10) Public View Planes but does not provide regulations through the By-law. Council only has the ability to review developments that require a public hearing in regards to its impacts on the Public View Planes. As the Land Use By-law has the ability to regulate heights of buildings and structures, the District's Plan has policy support for the adoption of Public View Plane regulations through the Municipal Planning Strategy and Land Use By-law.	Identifies ten (10) Public View Planes but does not provide regulations through the By-law. Council only has the ability to review developments that require a public hearing in regards to its impacts on the Public View Planes. <i>(No change)</i> As the Land Use By-law has the ability to regulate heights of buildings and structures, the District's Plan has policy support for the adoption of Public View Plane regulations through the Municipal Planning Strategy and Land Use By-law. <i>(No change)</i> <i>Note: The Heritage Property Act does not enable Heritage Conservation District provisions to protect views outside the district's boundaries.</i>