

August 13, 2009

Ms. A. Strachan  
Chair  
Lunenburg Heritage Society  
Box 1358  
Lunenburg, NS, B0J 2C0

Dear Ms. Strachan:

Re: Request to Demolish the Building at 164 Cumberland Street, Lunenburg

The Town of Lunenburg has received a request to demolish the building located at 164 Cumberland Street. The Heritage Conservation District Plan for Old Town Lunenburg, in Section 4.8, requires that Council seek the advice of the Lunenburg Heritage Society regarding any requested demolition, and consider that advice at a public hearing.

Accordingly, the Lunenburg Heritage Advisory Committee is inviting the members of the Lunenburg Heritage Society to a meeting at which the application to demolish and the memo regarding the demolition (copy enclosed) will be reviewed. The intention of the meeting is to ensure that all concerned have all of the relevant information. I anticipate that the new owners of the building will be at the meeting to respond to any questions that may arise. This meeting will begin at 5:00 Wednesday, September 9, 2009 on the site at 164 Cumberland Street and will continue immediately following the site visit in the 1<sup>st</sup> Floor Committee Room of the Town Hall.

It is anticipated that the Heritage Society and the Heritage Advisory Committee would then separately consider the application and provide advice prior to a public hearing. Once the date of the public hearing is set, it will be advertised in the local paper, the Progress Enterprise. A summary of the process is enclosed for your information.

If you require further information please give me a call.

Yours truly,

Madelyn LeMay  
Development and Heritage Officer

encls: HC DP 4.8  
memo  
demolition process summary  
c Peter Haughn, Deputy Town Manager/Clerk  
Bea Renton, Town Manager/Clerk

## **Taken from the Old Town Lunenburg Heritage Conservation Plan August 2009**

### **4.8 Demolition or removal of heritage buildings.**

#### **4.8.1 Public hearing required 1 criteria for review of application.**

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

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

#### **4.8.2 Conditions on certificate of appropriateness for demolition or removal.**

A Certificate of Appropriateness granted for the demolition or removal of any building in the heritage conservation district may include conditions respecting:

- .1 the filing with the heritage officer of photographic or other documentation of the building prior to its demolition or removal;
- .2 the salvaging of historic, exterior architectural materials such as mouldings, brackets, doors, windows, etc., prior to demolition;
- .3 the making good, landscaping or other restoration of the site following demolition or removal of the building;
- .4 the architectural character of any replacement building, in accordance with the design guidelines;
- .5 the time frame for construction of any replacement building;
- .6 any other matter pursuant to section 14 of the provincial Heritage Conservation Districts Regulations.

**SUMMARY: PROCESS FOR A REQUEST TO DEMOLISH  
WITHIN THE OLD TOWN HERITAGE CONSERVATION DISTRICT**

1. Application received; information complete.
2. Report circulated to applicant, Heritage Advisory Committee, Heritage Society and Council.
3. Heritage Advisory Committee reviews application and provides advice to Council regarding the proposed demolition.
4. Heritage Society reviews application and provides advice to Council regarding the proposed demolition.
5. Council determines the date of a public hearing.
6. Advertisement of hearing placed in paper, with the 1<sup>st</sup> ad at least 21 days before the date of the public hearing.
7. Council holds public hearing.
8. Council makes decision (usually at the same meeting as the public hearing).
9. Notice of approval or refusal published in the local paper.
10. 21 day appeal period during which the decision of Council can be appealed to the Nova Scotia Utility and Review Board begins the day the advertisement is placed.
11. Decision is final at the end of the appeal period.