

## SAINT JOHN HERITAGE CONSERVATION AREAS

# By-law

### SAINT JOHN HERITAGE CONSERVATION AREAS

In 1982, the area bordered by King Street, Water Street, Harding Street and Charlotte Street, as well as the area in and around King's Square and Queen's Square, was designated as the Trinity Royal Heritage Conservation Area. Since then several other areas and buildings, including Orange Street, the Quinton Farmhouse on Manawagonish Road, King Street East, portions of Douglas Avenue have become Heritage Conservation Areas. These, as well as, the Red Rose Tea building, a block of Princess Street and a block of King Street West, 2 buildings in Torryburn, the former Ordinance Building on Sydney Street and a cluster of buildings on Lancaster Avenue have been designated under the Saint John Heritage Conservation Areas By-Law as provided for in the Municipal Heritage Preservation Act.

Any proposed changes or work done to the exterior of these properties is regulated by the Saint John Heritage Conservation Areas By-Law. This By-Law is in place to guide the development of these Heritage Conservation Areas so that both the exterior conservation of existing buildings and the construction of new (infill) buildings is carried out in a manner that is in keeping with the character of the architecture in these areas.

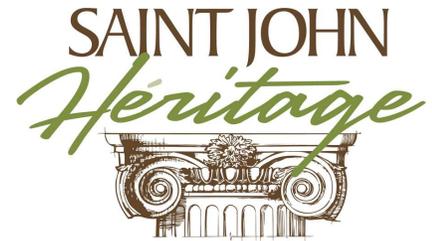
### ADMINISTRATION OF BY-LAW

The Saint John Heritage Conservation Areas By-Law is administered by the Heritage Development Board, with help from Heritage Staff. Before making changes to the exterior of a building in a Heritage Conservation Area, property owners must receive a Heritage Permit, or Certificate of Appropriateness. Once a request has been made, it is reviewed by Heritage Staff to determine if the proposed work is compatible with the architecture of the building and its surrounding area.

Heritage Staff will explain how to apply to have work done, provide an application form and relevant conservation guidelines, discuss your preliminary ideas and provide technical advice. Many property owners hire a design professional to help them decide what to do with their building & prepare a Conservation Plan.

### FEES

There is a \$25.00 fee to apply for a Certificate of Appropriateness. Some work may also require a Building Permit. If so the normal Building Permit fees are charged, as well.



SAINT JOHN





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### **APPEALS OF DECISIONS**

If the Heritage Development Board decides that the proposed work is not in keeping with the architecture of the building, a Certificate of Appropriateness will not be issued. The property owner then has 15 days to appeal the decision to the provincial Assessment and Planning Appeal Board. Also, if a concerned citizen thinks that the Board has approved changes which they think are inappropriate, that citizen has 15 days from the date of the decision to appeal.

### **BY-LAW ENFORCEMENT**

If a Certificate of Appropriateness has not been issued and work proceeds, the Building Inspector will ask you to stop work and may ask that the property be returned to the way it was before the work was started.

### **FINES**

Anyone who violates this By-Law may be charged under the Provincial Offences Procedures Act.

### **HERITAGE DEVELOPMENT BOARD (HDB)**

HDB meetings are open to the public. The Board meets in the boardroom on the 10th floor of City Hall. Residents and property owners are encouraged to attend and will be given an opportunity to express their opinion. Dates of meetings are posted on the City of Saint John website.

### **BY-LAW SUMMARY**

#### **CONSERVATION OF EXISTING BUILDINGS**

[Section 8]

The exterior of any buildings in a Heritage Conservation Area cannot be changed unless a Heritage Permit, or Certificate of Appropriateness, has been obtained. The

proposed changes must be in keeping with the architectural style of the building and use traditional detailing and materials.

Do not remove, replace or substantially alter a building's intact or repairable character-defining elements. All work on the exterior of a building, including what many building owners and contractors consider "general maintenance", requires a Heritage Permit, including: painting, repointing masonry, repairs to or replacement of doors, windows, storefronts, landscaping, siding, and woodwork, installation of signs and landscaping. Property owners should discuss the proposed work with Heritage Staff before purchasing materials or hiring contractors.

#### *Standards for all Projects:*

1. Conserve the heritage value of a historic place. Keep all intact or repairable character-defining elements.
2. Conserve changes that are compatible with the original building and have value.
3. Make as few changes as possible.
4. Keep the building authentic.
5. Find an appropriate use for the building.
6. Protect and/or stabilize the historic place until work can proceed.
7. Evaluate the existing condition to determine the best and most gentle approach.
8. Maintain and repair. If too deteriorated, replace to match the original
9. Make changes compatible but identifiably distinct.



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### *Additional Standards for Rehabilitation:*

10. Repair instead of replace character defining elements.
11. Make any new work compatible with and respectful of the existing building.
12. Make it possible to remove the new work in the future without harming the original building.

### *Additional Standards for Restoration:*

13. Repair rather than replace authentic elements.
14. Replace missing features with new having materials and details

### **A NOTE ON MASONRY CLEANING**

Cleaning brick and stone masonry must be done in a way that does not damage the surface. Sandblasting or painting destroys the masonry. A Heritage Permit must be obtained before cleaning any masonry building.



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### NEW (INFILL) DEVELOPMENT

[Section 9]

New buildings or new additions in a Heritage Conservation Area also require a Certificate of Appropriateness and must adhere to the following standards:

#### Setback

Where the front facades of all existing buildings are setback consistently to the same line, any new buildings must have a similar setback. If the adjacent existing buildings are located different distances back from the street then the setback of the new building must be the same as the building on one side or the other.

On Douglas Avenue, the setback for any new building is to be the same place as the previous building on that site. Other options will be considered if they fit better with the streetscape.

#### Sideyards

The sideyard on each side of a new building/development must be the same as the sideyards of the existing buildings on the rest of the street.

#### Height

The height of a new building/development cannot be less than 80% and not more than 120% of the average height of adjacent buildings. An increase to 140% can be considered provided this extra height is not visible when viewed from the sidewalk across the street.

#### Proportions

The ratio of the height to the width of the facade of a building must be within 10% of the ratio of the height to the width of the facades of nearby buildings.

#### Wide Lots

On wide lots, the facade needs to be subdivided in such a way as to look like separate buildings having the building proportions (height-to-width ratio) of the nearby buildings.

#### Window Proportions

The relative amount of window area at the front of a new building and the size and proportion of windows must be consistent with that of the nearby buildings (within 10%).

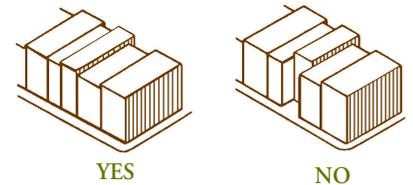
#### Roofs

The direction, pitch and arrangement of a new building's roof must be the same as those of nearby buildings.

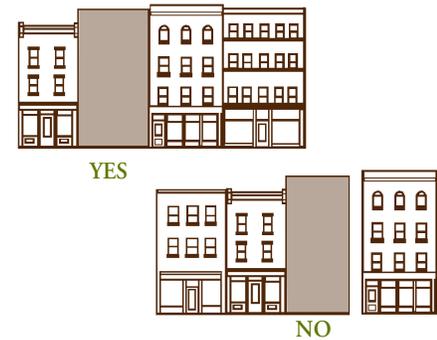
#### Materials & Detailing

When constructing new (infill) buildings, it is important to use traditional detailing and materials, similar to those of nearby similar buildings. New replacement materials may be used if they appear the same as traditional materials and detailing.

New materials such as aluminum or vinyl siding, modern metal doors, aluminum or vinyl windows, plastic signs and bright colours are not permitted. Use of these components would detract from the architecture and original character of a building.



Setback



Sideyard



Height



Proportions



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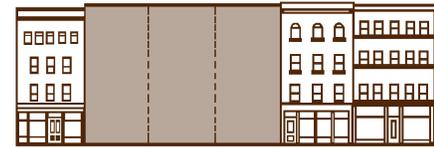
### DEMOLITION

No building or structure can be torn down or moved and no Certificate of Appropriateness for demolition can be approved until:

- The Heritage Development Board has declared the building to be incompatible with the Heritage Conservation Area.
- The owner has publicly advertised the intention to sell the building and listed the building for sale with a Multiple Listing Service within the city for a period of at least six months.

Before publishing a notice to sell the property, the offer must first be filed with the Secretary of the Heritage Development Board. Once this is done, the notice of sale may be made public.

If, by the end of the six months, the property has not been sold, the owner must inform the Board. A Certificate of Appropriateness will then be issued for demolition. The Certificate may be subject to terms and conditions such that any valuable historic or architectural features are salvaged for reuse. At their discretion, the Heritage Development Board may require that the notice of sale be posted for a year instead of six months.



Wide Lots



Roofs



Material & Detailing

### FOR MORE INFORMATION

The Practical Conservation Guidelines, application forms for Grants and Certificates of Appropriateness and other useful information for fixing up your older building is available from:

Heritage Staff | Planning & Development  
10th Floor, City Hall  
P.O. Box 1971  
Saint John, New Brunswick | E2L 4L1  
Phone: (506) 658 2835  
Fax: (506) 658 2837

Email: [Jeff.gauley@saintjohn.ca](mailto:Jeff.gauley@saintjohn.ca)  
Email: [Jim.bezanson@saintjohn.ca](mailto:Jim.bezanson@saintjohn.ca)  
Online: [www.saintjohn.ca/heritage](http://www.saintjohn.ca/heritage)

**Property Owners!** Contact Heritage Staff before you begin to make any plan purchase supplies or hire contractors. Advice on ways to save you time, money and energy will be offered free of charge.