



TOWN OF SAINT ANDREWS

NOTICE OF MEETING

There will be a 241001 Public Hearing of Objections Meeting of the Town of Saint Andrews for By-Law No. 24-04 Heritage Conservation By-Law on Tuesday, October 1, 2024, at 6:30 P.M. The meeting will take place at the W.C. O'Neill Arena Complex Council Chambers at 24 Reed Avenue. The meeting will be streamed through Zoom and Facebook. Public participants are encouraged to be in person or can join using the link:

Live Stream: Town of Saint Andrews Facebook

<https://www.facebook.com/town.saintandrews/>

Zoom Webinar by registering on the Town of Saint Andrews website www.townofsaintandrews.ca or using the link:

https://us02web.zoom.us/webinar/register/WN_u6-KO71SO6Ur1fFn4vbGA

email pnopper@townofstandrews.ca for information on how to register.

Any questions to Council can be dropped off at Town Hall at 212 Water Street, Saint Andrews, or emailed to pnopper@townofstandrews.ca, please provide your first and last name and Saint Andrews address.

If you wish to speak directly to Council during the Question Period, please be in attendance at the meeting, sign up through the Zoom link, or email pnopper@townofstandrews.ca



Paul Nopper,
Clerk – Senior Administrator



**TOWN OF SAINT ANDREWS
PUBLIC HEARING OF OBJECTIONS MEETING
AGENDA**

Tuesday, October 1, 2024, 6:30 p.m.
W.C. O'Neill Arena Complex Council Chambers

Pages

- A. RECORD OF ATTENDANCE
- B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION
Welcome and we recognize we are on the unceded traditional territory of the Passamaquoddy (Peskotomuhkati) (Besko-toe-moo-gati), people.
- C. APPROVAL OF AGENDA
Recommended Motion:
That the Agenda for the 241001 Public Hearing of Objections to By-Law No. 24-04 Heritage Conservation By-Law be approved as presented.
- D. DISCLOSURE OF CONFLICT OF INTEREST
- E. PRESENTATION
- F. HEARING OF OBJECTIONS
 - 1. By-Law No. 24-04, Heritage Conservation By-Law Call for Public Hearing of Objections, EBC240902
- G. QUESTION PERIOD
- H. ADJOURNMENT
Recommended Motion:
At _____ p.m. that the meeting be adjourned.

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TOWN OF SAINT ANDREWS

Economic Development, Business, & Culture Committee

Chair: Councillor Hirtle

September 3, 2024 Regular Council Meeting

Reference Number	Date	Submitted By	Subject
EBC240902	August 21, 2024	Councillor Hirtle	By-Law No. 24-04, Heritage Conservation By-Law Call for Public Hearing of Objections
Background	<p>The Heritage Board of the Town of Saint Andrews was established in the summer of 2023 to develop a Heritage Conservation By-Law. The Board has developed a draft By-Law for consideration by Council. Please see the attached document for more details. Recently, the Board hosted two open house sessions, one with heritage homeowners, and one for the public. Provided are some comments submitted. If Council is supportive of the current draft By-Law, it is recommended that Council call for a Public Hearing of Objections. The By-Law process is as follows:</p> <ul style="list-style-type: none">• Public Hearing of Objections –• First Reading –• Second Reading –• Third and Final Reading -		
Action	<p>Motion:</p> <p><i>That the Council of the Town of Saint Andrews sets the date of Tuesday, October 1, 2024, at 6:30 p.m. at the W.C. O'Neill Arena Council Chambers for a Public Hearing of Objections to draft By-Law No. 24-04, Heritage Conservation By-Law for the Town of Saint Andrews</i></p> <p>Moved by: _____</p> <p>Seconded by: _____ Motion Carried: _____</p> <p>Motion Defeated: _____</p>		

BY-LAW NO. 24-04
HERITAGE CONSERVATION BY-LAW FOR
THE TOWN OF SAINT ANDREWS

BE IT ENACTED by the Council of the Town of Saint Andrews under the authority vested in it by the *Heritage Conservation Act*, Chapter H-4.05, Statutes of New Brunswick 2010, and the *Local Governance Act*, S.N.B. 2017, C.18 enacts the following:

1. PURPOSE

- 1.1. The purpose of this By-Law is to:
- 1.1.1. Promote the economic, educational, cultural and general development of the Town of Saint Andrews through the Conservation and protection of the distinctive characteristics of buildings and places in Conservation areas, through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith.
 - 1.1.2. Support the significance of the Saint Andrews Town Plat as one of Canada’s Historical District National Historic Sites.
 - 1.1.3. Maintain the visual character of the Town’s heritage buildings, streetscapes, and landscapes while supporting its growth as a progressive community.

2. DEFINITIONS

“Act”	means the <i>Heritage Conservation Act</i> , S.N.B. 2010, Chapter H-4.05
“Administration”	means the management and operations of the local government, comprising various departments, divisions, and employees.
“Alter”	means altering, repairing, replacing, or changing, a character-defining element of a building and includes maintenance works outlined in Section 6.
“Appeal Board”	means the Assessment and Planning Appeal Board established under the <i>Community Planning Act</i> .
“Appurtenances”	means the visible, functional, or ornamental objects accessory to any part of a building and includes but is not limited to walls, light fixtures and standards, steps, paving and signs.
“Board”	means the Heritage Board of the Town of Saint Andrews as defined by the Act.
“Building”	means any roofed structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment and is listed on the New Brunswick Register of Historic Places.
“Permit”	means a Municipal Heritage Permit as defined by the Act.
“Character-Defining Elements”	means the features, materials, and location of a structure or property that exemplify its historical architectural or visual form, time, and/or heritage value, as defined on the

New Brunswick Register of Historic Places
<https://www.rhp-rlp.gnb.ca/PublicSearch.aspx?bInLanguageEnglish=True>.

“Heritage Officer”	means the delegate as appointed by the Council of the Town of Saint Andrews or their designate, as established by Section 54 of the Act.
“Compatible”	means a building or structure that blends with, conforms to or is harmonious with the surrounding physical environment.
“Council”	means the Municipal Council of the Town of Saint Andrews.
“Design”	means general appearance including size, shape, exterior surface textures, qualities and types of exterior materials, relationship of building or structure to its site and context, and other matters relating to the nature of the exterior design.
“Development”	means development as defined in the <i>Community Planning Act</i> , 2017, C-19.
“Demolish”	means demolish as defined in the <i>Building Code Administration Act</i> , 2020, C-8.
“Guidelines”	means the current edition Heritage Handbook on Building Conservation
“Heritage Value”	means the visual, historical, natural, cultural, or social importance or significance for past, present, and future generations. In the Town of Saint Andrews, this is most often represented by the physical character-defining elements and their contributions to the Town’s historical character.
“Preservation”	means the act of protecting, maintaining, and/or stabilizing the existing materials, form and integrity of a building.
“Conservation Area”	means a conservation area established under this By-Law.
“Standards”	means the standards of development set out in this By-Law.

3. CONSERVATION AREA

- 3.1. The Conservation Area of this By-Law shall apply to any building that meets the following three (3) criteria:
 - 3.1.1. Building was constructed prior to 1924; and,
 - 3.1.2. Building is registered as a Local Historic Place on the New Brunswick Register of Historic Places on the day this By-Law comes into effect or is added to the Register after this By-Law comes into effect; and,
 - 3.1.3. Building is located within the Town Plat or Historic Business District as shown on Schedule “A” and Schedule “B” attached to this By-Law and part hereof.

4. ADMINISTRATION

- 4.1 The Conservation Review Board shall administer this By-Law.
- 4.2 The Secretary of the Board shall keep the minutes of the meetings and a record of all resolutions, proceedings and transactions of the Board.
- 4.3 The records of the Board are the property of the Town and shall be held in the custody of the Board and be open to public inspection during normal business hours observed by the Municipality upon reasonable notice in writing being given to the Secretary.
- 4.4 The Board shall prepare and submit to Council at the appropriate time each year a budget of its estimated expenditures for the next ensuing calendar year. The Council shall include in its budget for the said calendar year the amount shown in the budget of the Board or part hereof as the Council deems sufficient to defray the Board's expenses.
- 4.5 The Board shall prepare an Annual Report on its activities to be submitted to the Council within sixty (60) days of the end of the Town's fiscal year. Without limiting the generality of the foregoing, the report:
 - 4.5.1 Shall indicate the number of applications reviewed, approved, rejected and approved on amendments;
 - 4.5.2 Shall report on the number and disposition of appeals;
 - 4.5.3 Shall provide an appraisal of the effectiveness of the By-Laws;
 - 4.5.4 Shall set out the expenses of the Board in the previous year; and
 - 4.5.5 Shall recommend changes, if applicable.

5. HERITAGE PERMIT

- 5.1. No person shall carry out or cause to be carried out any alterations to character-defining elements, or demolitions of buildings identified within the Conservation Area, whether a building or demolition permit, or development approval, has been issued or not, until a Permit has been issued by the Board pursuant to section 5.2.
- 5.2. Subject to section 5.1, an alteration or demolition approved in accordance with a Permit shall not be carried out until every right of appeal under the Act has been exercised in the particular case or until the time prescribed by the Act for the exercise of that right of appeal has expired.
- 5.3. An application for a Permit shall be filed with the Secretary who shall not accept any application that is incomplete or appears to be incomplete.
- 5.4. An application shall be made by the owner(s) of the property for which the alteration or demolition is proposed in the form prescribed by the Board and shall include:
 - 5.4.1. In the case of an existing building or structure, development plans and specifications which describe in detail any proposed demolition or alterations to such building or structure of appurtenances related thereto, including additions, deletions and design changes; or

- 5.4.2. In the case of new construction, development plans and specifications of the proposed building or structure and appurtenances related thereto.
- 5.5. The Board will make every reasonable effort to notify the applicant of its decision within fourteen (14) business days of the filing of an application and in no case shall it exceed thirty (30) business days from the date of filing an application.
- 5.6. Evidence of the Board's approval shall be a Permit which shall be numbered and signed by the Chairperson, Vice Chairperson or Board Secretary, and Heritage Officer stating that the proposed development for which application has been made is approved by the Board, or the Appeal Board on appeal, bearing the date of approval, and any terms or conditions on which approval is granted.
- 5.7. The Board may issue a Permit subject to such terms and conditions as it considers necessary for the standards to be met.
- 5.8. The Board may refuse to issue a Permit where, in its opinion, the development plan submitted with the application is incomplete or shows that the proposed development is incompatible with the standards of development prescribed in Sections 6 and 7.
- 5.9. Prior to deciding on an application for a Certificate, the Board shall take such action as may be reasonably required to inform the applicant and all such other persons as the Board may deem appropriate that the application is pending. The Board shall, pursuant to section 5.2, give such people an opportunity to be heard. Failure of any person to receive notice as provided herein shall not invalidate any action by the Board.
- 5.10. At the request of an applicant or any other person receiving notice under subsection 5.9, or where the Board deems it necessary, a public hearing on an application may be conducted by the Board.
- 5.11. If the Board determines that the proposed alteration or demolition is appropriate it shall issue a Certificate.
- 5.12. If the Board determines that a Permits should not be issued, it shall place upon its record the reasons for such determination and shall forthwith notify the applicant of such determination. The Board shall also furnish them the reasons therefore, and any terms and conditions required by the Board to make the application acceptable.
- 5.13. An appeal from a decision of the Board as to any matter, for which an appeal lies under the Act, may be made in accordance with the provisions of the Act.

6. STANDARDS

6.1. Alteration of Character Defining Elements:

- 6.1.1. Alteration of Character Defining Elements shall not be permitted without a Certificate. No Permit shall be issued for such developments unless they will maintain, enhance or be compatible with the historical or architectural character of the Conservation area as determined by the Guidelines.

6.2. Cleaning and Upkeep of Heritage Defining Masonry Elements

- 6.2.1. No person shall clean or cause to be cleaned any surface of the façade of a building within the Conservation area by sandblasting.

6.2.2. Any person who proposes to clean or cause to be cleaned any surface of the facade of a building within the Conservation area by such means as chemical cleaning, high-pressure water or other related technique shall apply to the Board for a Certificate. The Board must have issued a Permit before work commences. For the purposes of this By-Law, the cleaning of a building or structure by such means is deemed to constitute development and is not considered maintenance.

6.3. For structures located within the Conservation Area, as listed in Schedule “A” of this By-Law, no Permits required for ordinary maintenance, minor repairs, or the replacement of damaged or deteriorated materials where these use visually compatible or like-for-like materials and maintain the same appearance as the original. This does not include an alteration, replacement, or other actions that involve a change in design or outward appearance. Compliance with this section is to be determined by the Board or Heritage Officer of the Town of Saint Andrews.

7. DEMOLITION, REMOVAL, OR RELOCATION

7.1. No permit for the demolition of a building in the Conservation Area shall be issued unless:

7.1.1. The Board has determined that the demolition is partial and does not impact the character-defining elements of the heritage value of the remainder of the building; and

7.1.2. The owners of the property or their authorized representatives have met with the Board, if requested to do so by the Board, have made arrangements to provide at the expense of the owners, any photographs, plans, or historical documents related to the building that are in the owner's possession, or copies thereof; and

7.1.3. The structure has been offered for sale, at or below a fair market value, for a minimum of six consecutive months and no sale contract has been made. The terms and conditions for the offer and advertising of such a sale shall be determined by the Board; and

7.1.4. Failing such sale, a plan is filed and approved by the Board that provides for the salvage of architectural details from the structure prior to the demolition; and

7.1.5. The owners or designate have advised the Board whether or not the intent is to salvage any items that the Board has decided are of historical or architectural interest or significance on the exterior of the building; and

7.1.6. A plan for site redevelopment is filed and approved by the Board that commits to future uses and structures that will continue to support the property's heritage value.

8. DANGEROUS AND UNSIGHTLY PREMISES

8.1. Nothing in this By-Law shall be construed to affect an order made by Council, under the By-Law No. 23-02 Respecting Dangerous and Unsightly Premises in the Town of Saint Andrews.

9. ENFORCEMENT

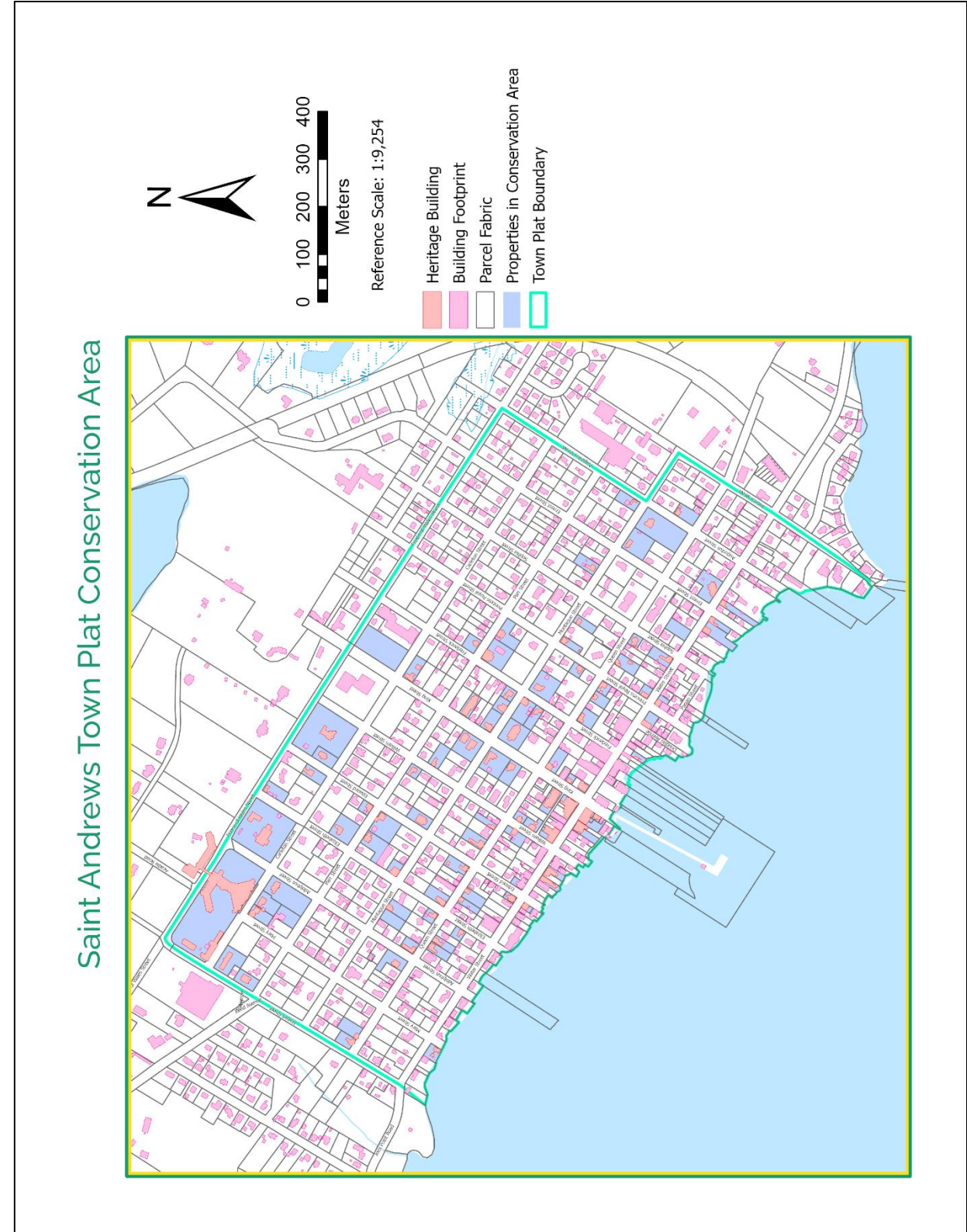
9.1. Contraventions of this By-Law shall be dealt with as provided in the Act.

Public Hearing of Objections this	day of	, 2024
Read the First Time this	day of	, 2024
Read for the Second Time this	day of	, 2024
Read for the Third and Final Time this	day of	, 2024

Brad Henderson, Mayor

Paul Nopper, Clerk – Senior Administrator

SCHEDULE “A”



SCHEDULE “B”

PID	Official Name	Date of Construction	Address	Register of Historic Places Entry
01318385	Dunn McQuoid House	circa 1784-1790	126 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=10&VER=1&dp=1
01320050	Pagan-O'Neill House	circa 1785	235 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=19&VER=2&dp=1
01324268	Algonquin Dormitories	1917	Carleton Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2006&VER=1&dp=1
01324284	Algonquin Dormitories	1917	Carleton Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2006&VER=1&dp=1
15060569	Harrington Residence	circa 1862	281 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2010&VER=1&dp=1
15078314	Breen-Cummings Residence	circa 1848	94 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2003&VER=1&dp=1
15095060	Roman Catholic Rectory	1825	44 Parr Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1809&VER=1&dp=1
15104250	Street Building	circa 1840	225 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1386&VER=1&dp=1
15105489	James W. Street Residence	circa 1840 - 1850	102 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2004&VER=1&dp=1

15106230	Cluneleigh	1911	60 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1575&VER=1&dp=1
15176647	Mallory House and Stable	1810	267 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1507&VER=1&dp=1
15177967	John Watson Residence	1873	132 Edward Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1875&VER=1&dp=1
15195043	John Dunn Estate House	circa 1815	319 Water Street	https://www.rhp-rlp.gnb.ca/Page5.aspx?bInLanguageEnglish=True&RID=1788&VER=1&dp=1
15201841	Milton Hall	circa 1855-1865	93 Frederick Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1476&VER=1&dp=1
15204019	Odell-Connors Building	circa 1850 - 1900	235 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2012&VER=1&dp=1
15207194	Elizabeth Hawkins Residence	circa 1840	128 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2065&VER=1&dp=1
15209919	B. R. Stevenson's Office Building	circa 1860 - 1877	255 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1656&VER=1&dp=1
15212327	Seaside Inn	1902	340 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1592&VER=1&dp=1
01318013	Snodgrass House	circa 1820	127 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1350&VER=1&dp=1
01318138	Red Cliff	circa 1810 - 1830	31 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1752&VER=1&dp=1
01318278	Thomas Watt Residence	circa 1830 - 1840	75 Queen Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=2008&VER=1&dp=1
01318286	Frank Gilman House	circa 1910	81 Queen Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1654&VER=1&dp=1
01318310	Samuel Boone Residence	circa 1848	50 Elizabeth Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2063&VER=1&dp=1
01318427	Gladstone Smith House	1785	107 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=18&VER=1&dp=1
01318435	Glew Residence	circa 1830	113 Queen Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1874&VER=1&dp=1
01318559	John Dunn House	1790	68 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1353&VER=1&dp=1
01318617	Boone Residence	circa 1770 - 1850	75 Montague Street	https://www.rhp-rlp.gnb.ca/Page5.aspx?bInLanguageEnglish=True&RID=1816&VER=1&dp=1
01318625	Thomas Hipwell Residence	circa 1850	83 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1813&VER=1&dp=1
01318641	Caddy Norris House	circa 1850	100 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1561&VER=1&dp=1
01318880	Old Intermediate School	circa 1820	107 Parr Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=2064&VER=1&dp=1
01318898	Christopher Scott House	circa 1821	126 Edward Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1599&VER=1&dp=1
01318914	Pansy Patch	1912-1913	59 Carleton Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1384&VER=1&dp=1
01318922	Cory Cottage	circa 1830	45 Carleton Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1385&VER=1&dp=1
01318930	Presbyterian Manse	1900	106 Parr Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1510&VER=1&dp=1
01318997	Adam Smith Residence	circa 1839 - 1844	124 Carleton Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1783&VER=1&dp=1
01319011	Augherton Residence	circa 1821	99 Prince of Wales Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1478&VER=1&dp=1
01319037	Villa St. Croix	circa 1917	4 Parr Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2001&VER=1&dp=1
01319144	Oriole Cottage	circa 1870 - 1900	6 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1787&VER=1&dp=1
01319151	Capt. John Wren Residence	circa 1839	10 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1923&VER=1&dp=1
01319425	John S. Magee Residence	circa 1867	143 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1751&VER=1&dp=1
01319441	Grimmer Building	circa 1850	153 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1387&VER=1&dp=1
01319748	Bradford Hotel	1784-1800	173 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1343&VER=1&dp=1
01319755	Healy's Store	circa 1863	179-183 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2009&VER=1&dp=1
01319771	Finigan's Shoe Store	circa 1865	185 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1508&VER=1&dp=1
01319789	Doon Residence	circa 1750 - 1850	24 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1750&VER=1&dp=1
01319797	St. Andrews Hardware	circa 1775 - 1790	183 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1749&VER=1&dp=1
01319870	Windsor House	1797	132 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1352&VER=1&dp=1
01319995	George Gardiner Residence	circa 1898	56 William Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1815&VER=1&dp=1
01320076	Elmer Rigby Residence	circa 1903	253 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1922&VER=1&dp=1

01320100	Clarke House	1868	62 Princess Royal Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1369&VER=1&dp=1
01320134	Rogers Residence	circa 1871	154 Queen Street	https://www.rhp-rlp.gnb.ca/Page5.aspx?bInLanguageEnglish=True&RID=1812&VER=1&dp=1
01320209	Berry Building	1859	162 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1784&VER=1&dp=1
01320217	Ingram Building	circa 1850	168 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1511&VER=1&dp=1
01320225	Stickney's Wedgwood Store	circa 1855	172 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1512&VER=1&dp=1
01320241	Algar Residence	circa 1820 - 1850	47 William Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1814&VER=1&dp=1
01320308	Cockburn's Drugstore	1847	192 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1395&VER=1&dp=1
01320316	McCurdy Residence	circa 1750 - 1850	57 William Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1811&VER=1&dp=1
01320381	Andraeleo Hall	1903-1904	48 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1356&VER=1&dp=1
01320449	Hatheway House	circa 1830	78 King Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1409&VER=1&dp=1
01320506	All Saints Anglican Church	1867	89 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1412&VER=2&dp=1
01320522	All Saints Anglican Rectory	circa 1826	94 Frederick Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1442&VER=1&dp=1
01320514	George Swift Residence	circa 1826	84 Frederick Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1474&VER=1&dp=1
01320126	Harris Hatch Inn	circa 1847	142 Queen Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1460&VER=1&dp=1
01320563	Britt Residence	circa 1860	76 Princess Royal Street	https://www.rhp-rlp.gnb.ca/Page5.aspx?bInLanguageEnglish=True&RID=1817&VER=1&dp=1
01320613	Greenock Presbyterian Church	1821 - 1824	Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1920&VER=1&dp=1
01320670	Charles Horsnell House	1903	124 William Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1576&VER=1&dp=1
01320704	Chestnut Hall	1824	188 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1351&VER=1&dp=1
01320712	Stevenson Residence	circa 1854	115 William Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1509&VER=1&dp=1
01320761	Donald Morrison House	circa 1827	204 Montague Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1408&VER=1&dp=1
01320779	Stickney Residence	circa 1859	220 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1871&VER=1&dp=1
01320787	Chase Residence	circa 1874	228 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1785&VER=1&dp=1
01320837	St. Andrews United Baptist Church	1865	115 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1396&VER=1&dp=1
01320886	Charlotte County Court House	1839-1840	123 Frederick Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=6&VER=1&dp=1
01320886	Charlotte County Gaol	1832	123 Frederick Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=7&VER=1&dp=1
01320902	Marine Hospital	1873	126 Princess Royal Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2067&VER=1&dp=1
01321108	William Boyd Residence	circa 1820	155 King Street	https://www.rhp-rlp.gnb.ca/Page5.aspx?bInLanguageEnglish=True&RID=1808&VER=1&dp=1
01321132	Storr Residence	circa 1750 - 1850	238 Parr Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1872&VER=1&dp=1
01321231	Bank of Nova Scotia	circa 1913	204 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2066&VER=1&dp=1
01321256	Charlotte County Registry Office	1835	45 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=5&VER=1&dp=1
01321322	Sheriff Andrews House	circa 1820	63 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=53&VER=1&dp=1
01321348	Maplehurst	1823	134 Carleton Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1559&VER=1&dp=1
01321355	Linden Grange	1829	144 Carleton Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1513&VER=1&dp=1
01321389	Church of England Cemetery	1794	77 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1786&VER=2&dp=1
01321686	Wren Residence	circa 1822	327 Water Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1662&VER=1&dp=1
01321728	Bell Residence	circa 1808	335 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1479&VER=1&dp=1
01321850	St. Andrews Land Company Building	1889	270 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1810&VER=1&dp=1
01321918	Treadwell House	circa 1840	294 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1595&VER=1&dp=1

01321934	Brownrigg House	circa 1850	275 Queen Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1600&VER=1&dp=1
01321959	Carson Sisters' Residence	circa 1850 - 1875	62 Sophia Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1870&VER=1&dp=1
01321983	O'Neill Complex	circa 1826	308 Water Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1593&VER=1&dp=1
01322155	Aymar Residence	circa 1830	267 Montague Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1873&VER=1&dp=1
01322213	Dr. McStay House	circa 1825	335 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1577&VER=1&dp=1
01322239	Augustus Hall	circa 1907	88 Augustus Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1655&VER=1&dp=1
01322346	Thomas Armstrong Residence	circa 1859	358 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1877&VER=1&dp=1
01322775	Richard Keay Residence	circa 1868	312 Montague Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1876&VER=1&dp=1
01322981	Coakley Residence	circa 1876	364 Queen Street	https://www.rhp-rlp.gnb.ca/Page7.aspx?bInLanguageEnglish=True&RID=1753&VER=1&dp=1
01324235	Greenleaf Houlton Residence	circa 1800 - 1850	35 Carleton Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1924&VER=1&dp=1
01324250	Algonquin Casino	1913	173 Adolphus Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2002&VER=1&dp=1
01324268	Algonquin Hotel	1914 - 1915	184 Adolphus Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1921&VER=1&dp=1
01324375	Windrose	1825	94 King Street	https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=1383&VER=1&dp=1

Jim Crighton

312 Montague St.
St Andrews NB.
E5B 1J6
506 898 0098
jwcrighton@yahoo.com
19th August 2024

Received
Aug 19, 2024
CX 240829

Mayor Brad Henderson

St Andrews NB

Dear Brad

At the recent meeting with the Heritage Committee regarding the proposed Heritage By-Law you invited those with concerns and observations to write to you. Here are my concerns.

The proposed by-law appears to be quite benign in terms of its impositions and restrictions. However there is no guarantee it will remain that way. Indeed there was no opposition when someone said it was a "foot in the door". If that is the case then clearly the intention is for further restrictions and amendment no doubt behind closed doors and without public scrutiny.

It was stated at the meeting that a major purpose of the by-law is to prevent a person from buying a property with the intention of bulldozing and rebuilding. If that is the case why not a law solely for that purpose? Why a law that puts restrictions on those of us with heritage properties, the vast majority of whom have enhanced and maintained their properties without the coercion of council? I understand the desire to find a solution but as Thomas Sowell has said there are no solutions, only trade-offs. And in my case the trade off is a restriction on my liberty.

In St. Andrews there are several egregious examples of construction where the local residents have expressed disapproval and/or dislike. If the people who built these properties have been allowed to indulge their fancies and desires no matter how bizarre, why is it that those of us who have been responsible with our heritage properties have to suffer the indignity of being told what we can and cannot do? And if any member of the Heritage Committee is responsible for one of these egregious examples it is somewhat hypocritical for he or she to use the coercion of law to prevent a neighbour from doing the same. In fact it surprises me that there are people in St. Andrews who are so arrogant as to put constraints on people to do their bidding while they themselves are free to do as they please.

One thing I learned at the meeting is that I can remove the heritage designation from my property. I am presently exploring this option. If I follow

through with it the irony is that I will be free to sell with the possibility of demolition and rebuilding. Not that I plan to do anything like that.

Finally may I remind you of the quotation that used to be on the editorial page of the Globe and Mail. It is by a person named Junius, a sharp tongued champion of liberty against the government of King George the Third. "The subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures." The Heritage By-Law is in my view an arbitrary measure, something desired by a vocal minority.

On a personal note may I say that I am grateful for your leadership and service in the community. We clergy gather for prayer most mornings and amongst other things ask for God's goodness and grace to be upon you and Council.

Yours Truly

A handwritten signature in black ink that reads "Jim Crighton". The signature is written in a cursive, slightly slanted style.

Jim Crighton

P.S. I am happy to let you share this letter with anyone

Feedback on Heritage Presentation 13 August

Mark Blagrove <mark.blagrove@gmail.com>

Wed 8/14/2024 10:39 AM

To: Paul Nopper <pnopper@townofstandrews.ca>

RECEIVED
COR240824
AUG 14 2024

**Town of
Saint Andrews**

You don't often get email from mark.blagrove@gmail.com. [Learn why this is important](#)

Dear Mr Nopper,

I'd be grateful if you would share the following with the Heritage Committee.

Thanks!

Mark Blagrove

Dear Heritage Committee Members,

Thanks for a good presentation last evening to the owners of listed heritage buildings in the town plat. No doubt the committee considered long and hard the implications of a by-law that affects only a portion of property holders and I am sure the committee is sympathetic to the concerns of those who are evidently made nervous by the idea of "being on a list" that seems to identify them as different under the law from their neighbours. I suppose that the advice offered last evening that people could opt off the list prior to enactment of the proposed by-law may reassure such people, but it does seem to undercut the program significantly by acknowledging that the preservation of CDEs is after all in the end optional and voluntary. If I remove my house from the list (something I would not consider, by the way), I can then presumably do whatever I want to it.

I appreciate that the current form of the proposed by-law is shaped by political realities and concerns, and that the hope is that by making it quite anodyne [though apparently not toothless enough for some in attendance last night] there is a better chance of getting at least something on the books. And I applaud the committee for the work and the lively discussions that have led there.

I am sure that, in having a third kick at the can, the committee reviewed carefully reasons why efforts to introduce a heritage by-law have (unfortunately) failed in the past and considered an array of possible quite different approaches. In what follows, I sketch in one different approach, with apologies if this is all old news to the committee.

The proposed by-law and other proposals before it have focussed on individual houses and architectural features of those houses, and the current proposal particularly aims to prevent buy-and-bulldoze ventures with regard to those buildings only. This has led to some individuals feeling singled out inequitably. I wonder whether it may also be too narrowly focussed to achieve the desired results in that arguably what we are trying to preserve for tourism is an overall "streetscape" and feel of the town.

Saint Andrews's streetscape is, in some blocks, heritage-packed, and in others mixed (Jane Jacobs would be pleased) and in some blocks pretty much without houses with heritage CDEs but nonetheless typical of (and an index to the development of) a small maritime town. Is it possible to envision a by-law to "Preserve the Streetscapes of the Town Plat" that would apply to all property owners in the town plat? Section 1.1.3 of the proposed by-law does mention streetscapes and landscapes, but it's not easy to see where they are being vigorously protected in the later sections. It's as though the hope is that preserving the (often) scattered heritage buildings will do the work for the whole. Broadening the by-law to protect "Streetscape" more generally throughout the town plat would also achieve the articulated goal that Saint Andrews look pretty much the same as it does now thirty years hence.

As I see it, the broadening, while being a radical change, would not require too much revision of the current draft of the proposed by-law.

Section 3 would be reduced to the current 3.1.3.

Section 4 would remain as drafted.

Section 5 might be retitled Heritage Preservation Certificate.

Section 5.1 might be amended to read in part "...alterations to character defining elements of buildings listed as a Local Historic Place on the NB Register of Historic Places, or demolition of such buildings or any building within the Preservation Area...."

Sections 5.2, 5.3, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13 could all remain as drafted.

Section 5.4 could also remain as is, with 5.4.2 now applying to all new construction on vacant or vacated sites, and not just new construction on sites of existing heritage buildings (in spirit of fairness, and the interest of preserving the overall look of the town).

Section 6 would require a new section (maybe needed anyway to speak to 5.4.2 and to speak to 7.1.6) to cover standards for new buildings on sites of demolished buildings (of any sort).

Sections 7.1.4 and 7.1.5 would need tweaking to mention buildings listed as a Local Historic Place.

Section 8 would stay as drafted.

Thanks for your attention to this ramble. As I say, you may already have considered this slightly different approach and have, after discussion, rejected it as unlikely to succeed. Again, thanks for all the work you have put into this on all our behalves.

Best wishes,

Mark Blagrove
"Oriole Cottage"
6 Queen Street

--

Mark Blagrove
6 Queen Street
St. Andrews NB
E5B 1C2
506-977-4207

RECEIVED

COR 240907

SEP 03 2024

September 1, 2024

**Town of
Saint Andrews**

To: Saint Andrews Heritage Board
Fr: Lee Sochasky
Re: Another potential change to the Conservation Area properties, and a request

I think you may have already submitted a proposed by-law text to the Council for first reading, so I won't send you further suggestions on the definitions or other sections of the by-law but will wait to comment formally to the Council in the public process.

I'd like to let you know, though, about a prospective change to the list of buildings in the by-law schedule to reflect the demolition of O'Brien House.

This one is more complex than Cottage Craft, which had its individual designation as a Local Historic Place. Removing Cottage Craft's designation takes a motion by the Council and then Town notice to both the New Brunswick and Canadian Registers of Historic Places to formally remove it from their records. (All of our Local Historic Places are in both).

O'Brien House is in a shared designation with Matthews House, titled Algonquin Dormitories. You can find it online in both the New Brunswick and Canadian Registers:

<https://www.rhp-rlp.gnb.ca/Page1.aspx?bInLanguageEnglish=True&RID=2006&VER=1&dp=1>

<http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=18393&pid=0>

There are options:

For now, you could leave the Algonquin Dormitories entry in the by-law schedule and, when anyone asks, say that the removal of O'Brien House will be addressed soon.

Eventually, however, the Board should propose a resolution of the O'Brien House anomaly to Council that might either (a) remove the Algonquin Dormitories designation and replace it with one solely for Matthews House or (b) remove the entry altogether, eliminating Matthews House from designation and by-law coverage too.

FYI, I'm sending a separate page with a record of the Council motions that named the town's Local Historic Places for entry into the Registers. The motions were part of the designation process.

As a request, would the Board set up a process for acknowledging the correspondence that it receives?

At your recent presentations, you asked for public input on the proposed by-law through the Town Hall (via Paul Nopper) or through your new website.

I don't know how many people have contacted you through these but I've tried both -- no acknowledgement or response from either -- except Paul's always-prompt confirmation that he is forwarding written correspondence to you.

I think the Board will need good rapport with the owners of designated properties and residents in general if it wants future by-law delivery to be a smooth and pleasant experience for everyone, including you! You might set the tone for this by quickly acknowledging, and hopefully responding, to the correspondence you receive.

Thanks.

Lee Sochasky

05/11/19

11. 10/11/19

12. 10/11/19

Local Historic Places designations by Saint Andrews Town Council, 2007-2010

July 3, 2007

It was moved by Councillor Myers, seconded by Councillor Castell and carried to move to submit the names of the following properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

Niger Reef Teahouse	Clark House	Kingsbrae Arms Relais & Chateau
Andraeleo Hall	Treadwell Inn	John Dunn Residence
Windsor House	Snodgrass House	Pendlebury Lighthouse
Bradford Hotel	Chestnut Hall	Street Building
Grimmer Building	Cory Cottage	United Baptist Church
Windrose	Pansy Patch	Cockburn's Drugstore

Aug. 7, 2007

It was moved by Councillor Myers, seconded by Councillor Castell and carried to move to submit the names of the following properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

Donald Morrison House – 204 Montague Street
St. Andrews Anglican Church – 89 King Street
Hatheway House – 78 King Street
Cottage Craft – Market Square
Dayspring – Champlain Avenue

Sept. 4, 2007

It was moved by Councillor Castell, seconded by Councillor Myers and carried to submit the names of the following properties as historically significant to the Town of St. Andrews and request that they be included in the New Brunswick and Canadian Registries of Historic Places:

Harris Hatch Inn – 128 Queen Street Macklem House – 46 Reed Street
Anglican Rectory – 94 Frederick Street Tillietudlem – 434 Bar Road
Meadow Lodge and Carriage House – 194 Harriet Street

Dec 3, 2007

It was moved by Councillor Myers, seconded by Councillor Castell and carried to submit the names of the following properties as historically significant to the Town of St. Andrews and request that they be included in the New Brunswick and Canadian Registries of Historic Places:

Ingram Building – 168 Water St.
Mallory House & Stable – 267 Water St.
Finigan's Shoe Store – 185 Water St.
Stevenson Residence – 115 William St.
Presbyterian Manse – 106 Parr St.
Stickney's Wedgewood Store – 172 Water St.
Linden Grange – 144 Carleton St.
Derry Bay – 165 Joe's Point Road
Augherton Residence – 99 Prince of Wales St.
Bell Residence – 335 Water St.
Milton Hall – 93 Frederick St.

George Swift Residence – 84 Frederick St.

July 7, 2008

It was moved by Councillor Myers, seconded by Councillor Castell and carried to submit the names of the following properties as historically significant to the Town of St. Andrews and request that they be included in the New Brunswick and Canadian Registries of Historic Places:

Milton Hall – 93 Frederick Street
Augherton Residence – 99 Prince of Wales Street
Linden Grange – 144 Carleton Street
Derry Bay – 165 Joe's Point Road
Bell Residence – 335 Water Street

April 6, 2009

It was moved by Councillor Myers, seconded by Councillor Bishop and carried to submit the names of the following 9 properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

Maplehurst	134 Carleton Street	Brownrigg House	275 Queen Street
Cluneleigh	60 Queen Street	Christopher Scott House	126 Edward Street
Caddie Norris House	100 Queen Street	Dr. McStay House	335 Montague Street
Charles Horsnell House	124 William Street	Carson House	364 Water Street
Rosemount	148 Prince of Wales Street		

May 4, 2009

It was moved by Councillor Myers, seconded by Deputy Mayor Castell and carried to submit the names of the following 12 properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

1. 364 Queen Street—Coakley Residence—David Welch
2. 24 King Street—Doon Residence—Ted Michener
3. 31 Water Street -- Ted Michener
4. 143 Water Street—John S. Magee Res.—Ted Michener
5. 189 Water Street- St. Andrews Hardware-- St. Andrews Hardware Ltd.
6. 81 Queen Street—Frank Gilman House—Chris Houghton
7. 88 Augustus Street—Augustus Hall—Rod MacDonald
8. 255 Water Street—Stevenson's Office—St. Mark's Lodge
9. 294 Water Street—Treadwell House—David Langley
10. 308-312 Water Street- O'Neill Complex- David Langley
11. 327 Water Street-Wren Residence- Rachel Shaw
12. 340 Water Street- Seaside Inn-James Steel

June 1, 2009

It was moved by Deputy Mayor Castell, seconded by Councillor Myers and carried to submit the names of the following 6 properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

124 Carleton Street – Adam Smith Residence
162 Water Street – Berry Building
228 Montague Street – Chase Residence
77 King Street – Loyalist Burial Ground
6 Queen Street – Oriole Cottage
319 Water Street – Whitlock Residence

July 6, 2009

It was moved by Councillor Myers, seconded by Deputy Mayor Castell to submit the names of the following 6 properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

124 Carleton Street – Adam Smith Residence
270 Water Street – St. Andrews Land Company Building
83 Montague Street – Thomas Hipwell Residence
155 King Street – William Boyd Residence
154 Queen Street – Rogers Residence
44 Parr Street – Roman Catholic Rectory

Sept. 8, 2009

It was moved by Deputy Mayor Castell, seconded by Councillor Myers and carried to submit the names of the following 6 properties as historically significant to the Town of St. Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

47 William Street – Algar Residence
56 William Street – George Gardiner Residence
57 William Street – Leonard Tilley Stinson Residence
75 Montague Street – Boone Residence
76 Princess Royal Street – Britt Residence
79 Adolphus Street – Glenn Thompson Residence

Nov. 2, 2009

It was moved by Deputy Mayor Castell, seconded by Councillor Myers and carried to submit the names of the following 10 properties as historically significant to the Town of Saint Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

220 Montague Street—Stickney Residence
267 Montague Street—Aymar Residence
312 Montague Street—Richard Keay Residence
358 Montague Street—Thomas Armstrong Residence
24 Reed Avenue—W.C. O'Neill Arena Complex
113 Queen Street—Edward Stentiford Residence
132 Edward Street—John Watson Residence
49 Mary Street—Croix Crest
62 Sophia Street—Carson Sister's Residence

238 Parr Street—Storr Residence
Feb. 1, 2010

It was moved by Deputy Mayor McNabb, seconded by Councillor Bishop and carried to submit the names of the following 16 properties as historically significant to the Town of Saint Andrews and request they be included in the New Brunswick and Canadian Registries of Historic Places:

10 Queen Street-Capt. John Rigby Residence
35 Carleton Street- Greenleaf Houlton Residence
184 Adolphus Street- Fairmont Algonquin Hotel
253 Queen Street-Elmer Rigby Residence
276 Montague Street- Edwin Odell Residence
Montague Street- Greenock Presbyterian Church
4 Parr Street- Villa St. Croix
94 Queen Street- Breen-Cummings Residence
102 Montague Street- James W. Street Residence
Augustus Street- Algonquin Casino
Carleton Street -Algonquin Dormitories-
75 Queen Street-Thomas Watt Residence
179-183 Water Street-Healy's Store
281 Montague Street- Harrington Residence
Algonquin Golf Course
233 Water Street - Odell-Connors Building

RECEIVED

COR240844
AUG 27 2024

August 25, 2024

To: Saint Andrews Heritage Board
Fr: Lee Sochasky
Re: Suggestions on the July 22 Draft Heritage Conservation By-Law

**Town of
Saint Andrews**

This is in follow-up to my July 4 memo on the June 17 heritage by-law draft. I recognize that you are trying to move ahead quickly on this but hope you will take the time to consider new comments

I won't repeat the first two pages of my earlier memo but hope you'll review them to note my background, planner's perspective, and wish to see the Town have a workable by-law that begins to protect our unique built heritage and identity.

Congratulations on your recent public information sessions! These gave a good overview of what the by-law would and wouldn't do. Hopefully they showed Council members that homeowners who would be involved in the by-law are largely supportive and those who aren't (by the low turnout) don't have much interest. This should give Council members a better feeling about moving ahead.

I'll offer suggestions on each section of the June 22 draft by-law on the following pages, these replacing all of my July 4 suggestions. They involve a lot of technical and legal nit-picking but that's what is needed at this point to have a legally-defensible and easily-applied by-law that will not cause problems for the Town or the Board down the road.

But first I'd like to offer a few suggestions on other things the Board might want to consider. The first two involve legal process, the third suggests a special opportunity.

First, I really encourage you to consistently identify yourselves as the Saint Andrews Heritage Board, not the Heritage Committee. These are *not* the same thing. The Council established a Heritage Board for specific legal reasons and I suggest it would be proper for you to follow its decision.

I also encourage you to rethink the HERITAGE HANDBOOK you are now distributing, which gives the distinct impression that it's an official Town document, without noting authorship. It combines a number of separate documents by different authors and responsible parties without recognition to these. I encourage you split this back into its separate parts: a by-law background document (authored by the Heritage Board), a full, dated copy of the draft heritage by-law (a municipal document) and a complete version of the St. Andrews Civic Trust heritage handbook *with the authorship and copyright pages restored* (a SACT publication). You can post all of these on your website and refer to them collectively in your narrative, if you want, but if someone has a question about any of them, they know to query the responsible party.

These two things may seem like legal fine points but I suggest they reflect on your professionalism and credibility as a formal Town body. I encourage you to take the high road on both.

There is an exciting opportunity, before the Council passes the by-law, to significantly increase its impact and I think create a groundswell of support. I hope the Board and Council will consider this.

I think (in fact know) there are some heritage home owners who are not currently in the by-law who would like to have their properties designated as Local Historic Places. Working together, the Heritage Board and Council could invite these owners have their properties designated now, *as a legacy*, to ensure future owners maintain the property's heritage character because it is a Local Historic Place, covered by the by-law.

The Council would have to take a few simple steps to make new Local Historic Places designations, and I'd be happy to offer information on these. It will need a policy for which properties it will consider, an application form and a timeline. Much of the heavy lifting has already been done: entries suitable for the

New Brunswick and Canadian Register of Historic Places have already been written for over 300 properties (see the Saint Andrews Heritage Property Inventory).

The draft by-law already suggests that the Town will offer future opportunities to opt into the Local Heritage Places program, so why not start now?

Lastly, while the Board and Council haven't given a public timetable for passing a heritage by-law, I sense that both want to see this happen quickly. Please take the time to get the legal details right and delivery materials ready to make sure this all goes smoothly. The Council could, potentially, do first and second readings together of a well-crafted heritage by-law as late as December and the third reading in January, well before the end of its term.

I truly appreciate all the volunteer time and energy that each of you are putting into seeing that the Town finally gets a heritage by-law!

Thank you for the chance to offer some suggestions.

Lee Sochasky

Suggestions on July 22 draft Heritage Conservation By-law, by section

Background in italics, specific suggestions in bold.

SECTION 1: PURPOSE

Municipal by-laws aren't required to have a Purpose section and most don't. If you feel it's important to have one to explain this by-law, please make it as short and clear as possible and adhere to the requirements of the Heritage Conservation Act.

Purpose 1.1.1. Delete. *This would be a lofty purpose for a Municipal Plan but is beyond the scope or legal authority of the Heritage Act or a simple heritage bylaw. I strongly suggest you delete it to avoid raising expectations and obligations the by-law can't meet.*

Purpose 1.1.2. Retain as a new Purpose 1.1.1, with one word added. *I suggest "Support the significance of the Saint Andrews Town Plat as one of Canada's few Historical District National Historic Sites". This is one of your stated goals of the bylaw, so put it up front.*

Purpose 1.1.3. Retain as a new Purpose 1.1.2, with changes. *The by-law makes no mention or provisions for streetscapes and landscapes, so these are not part of its purpose. This purpose could properly read: "Maintain the visual character of the Town's heritage buildings while supporting its growth as a progressive community".*

SECTION 2: DEFINITIONS

A Definitions section should (a) only include terms actually used in the by-law and (b) ensure they are sufficiently clear to be understood by most users and able to stand up to legal challenge.

I don't have time now to check all the definitions against these criteria but perhaps a Board member could? I will send a separate note shortly with some initial suggestions. There are more important sections that need your attention first.

SECTION 3: CONSERVATION AREA

*Could this be titled **HERITAGE CONSERVATION AREA**? That's the term used in the Act.*

If you would like to retain the current format for this section:

Section 3.1. *I suggest the first sentence state that the Conservation Area shall apply to any **property** that meets the criteria. This because some Local Historic Places designations include property values in addition to the building. For the same reason, I suggest replacing the word "building" with "property" in this section.*

Section 3.1.1. *You don't really need this section: all Local Historic Places in the Town Plat are at least 100 years old!*

Section 3.1.2. *There is a wrinkle here at present. The Province is considering changes to its Register system and is not currently making any new entries. In the interim, it is stockpiling the new Local Historic Places designations made by municipalities toward a future time when it updates and resumes Register operation. By linking this criterion to the NB Register, you're locking into a currently stalled system. You could avoid this by saying instead "The building (property) is designated by the Town of Saint Andrews as a Local Historic Place, eligible for registration in the New Brunswick Register of Historic Places on the day...." Keep in mind that the Register is just that, a record of municipally and provincially designated sites that meet certain criteria; it doesn't make any designations.*

Section 3.1.3. *I believe all of the Historic Business District falls within the Town Plat and the map doesn't show the District. You might simplify this section by saying "The building (property) is located within the Town Plat as shown in Schedule A...." Or you can add the Historic Business District to the map.*

You have a loose end in this section. You include a list of applicable properties in Schedule A but make no reference to this in the by-law. You need a phrase to cover this. I suggest putting this list on a Schedule B to

the bylaw and wording the text to read "The building (property) is located within the Town Plat as shown in Schedule A, and as listed in Schedule B, of this By-law" .

SECTION 4 – ADMINISTRATION

Section 4.1. *This should read "The Heritage Board shall...."*

Section 4.5.5. *This might better read "Shall recommend changes to the By-law, if applicable"*

SECTION 5 – HERITAGE PERMIT

You may want to consider whether property owners should need a permit for work that affects CDEs on all sides of the building or just on the sides visible to the public. The 2017-2018 draft by-law took the latter approach, which gave owners more flexibility to update parts of their homes while still keeping the visual character, a stated by-law Purpose.

By linking permit requirements solely to changes made to the CDEs and to demolition, you put a strong onus on having a clear list of each heritage building's CDEs to ensure its visual character is maintained.

You don't have these now. The list of CDEs originally designated by the Town and included in the NB Register is clearly stated as a partial list. This puts you in a difficult position in deciding when a permit is needed – especially in light of your Section 6.1.1

An example from my own house (124 William Street). My list of CDEs is more complete than some but it doesn't include the clapboard siding that is characteristic of St. Andrews heritage homes. I could replace this with vertical metal siding – totally changing the heritage appearance of the building – without a heritage permit.

For the by-law to be effective, you should begin a review and updating of the CDE list for each property. As soon as possible. You should keep these updated lists as a formal record, available to property owners for reference. Since these lists are more complete than the partial lists in the original designation and Registers, you don't need to go through the formal process of updating those documents unless some CDEs have been removed.

Sections 5.1 and 5.2. *You should look to reconcile Sections 5.1 and 5.2 – which only refer to CDEs and demolition – with Section 6.1 which suggests broader conditions for permits. While you're working on that, in the interim I suggest that you re-word sections 5.1 and 5.2*

Section 5.1. *" No person shall carry out or cause to be carried out a development under this by-law, whether a building or development permit or development approval has been issued or not, until a Permit has been issued by the Board pursuant to Section 5.2"*

Section 5.2. *"Subject to Section 5.1, a development approved in accordance with a Permit shall not be carried out until...(same text)."*

Section 5.6. *I recommend deleting the words "...or the Appeal Board on appeal..." This is outside your authority.*

Sections 5.9 and 5.11. *The word "Certificate" should be replaced with "Permit"*

SECTION 6 -- STANDARDS

The word Certificate should be replaced by "Permit" throughout.

Section 6.1.1. You might consider how your requirements in this section might be more apparent in the Permit section. I suggested some of this for 5.1 and 5.2

Section 6.3 is fine with a few minor changes: remove the words before "No Permit is required..." (inherent in the by-law) and the words after "...Heritage Officer" (ditto).

Section 6.2. I suggest taking a generic approach in the by-law itself, stating the Council or Board may set Standards (this similar to the approach suggested for Guidelines) and putting the details in a schedule where they are easier to refine and expand later without a full by-law revision process. I suggest:

6.2.2 “Council may establish or adopt standards for building conservation, signs and other provisions provided for under the Act. Initial standards are stated in Schedule C.” *Put the masonry maintenance standards here; there may be others later. The Board should know that there is a widely-used intergovernmental manual on this – Standards and Guidelines for the Conservation of Historic Places in Canada.*

SECTION 7 – DEMOLITION, REMOVAL OR RELOCATION

I haven’t looked at this section, other than to see that the first sentence should be re-written to read “No Permit for demolition shall be issued unless:” (The other words are superfluous).

SECTION 8 – DANGEROUS AND UNSIGHTLY PREMISES

Okay as written.

SECTION 9 – ENFORCEMENT

Okay as written

SCHEDULE A – MAP

The word ‘Preservation’ should be replaced with ‘Conservation’ in the title

I strongly suggest that the map be stripped of every extraneous detail and legend reference except the boundary of the Town Plat area you want to set for the by-law, which should be very clearly delineated. The map should have a detailed stand-alone heading that explains what the map is and the boundary set.

The boundaries you give currently vary from the 1786 Town Plat and the National Historic District along the eastern edge. You might think about whether there is an advantage to keeping the original boundaries for the sake of heritage continuity (I don’t think there are any additional buildings involved in keeping the original).

SCHEDULE B (Suggested) Heritage properties within the Town Plat Heritage Conservation Area

This would be the list that is currently with the Map in Schedule A.

It would really be helpful for users if the properties were listed by street address (which everyone knows) rather than PID. It will make it much easier to get an idea of where these buildings are and how they fit together in the town plat.

I see six properties on the list that don’t meet the by-law requirements and should come off. There may be more; I didn’t do a complete check.

The ones that should be removed from the list are Cottage Craft (demolished), Pendlebury Lighthouse (not in Plat), Fort Tipperary (not in Plat), Kingsbrae Arms (not in Plat), Charlotte County Courthouse (not a Local Historic Place) and Charlotte County Gaol (not a Local Historic Place).

SCHEDULE C – (Suggested) Saint Andrews Heritage Conservation By-Law Standards

If you want to have the Masonry maintenance standards attached to the by-law rather than left for the Board or Council to adopt as a separate policy (which is easier,) I would put these in a Schedule C rather than in the by-law itself. The Schedule is just as legally-binding but easier to amend or add to later than the By-law proper.

RECEIVED

AUG 27 2024

**Town of
Saint Andrews**

August 26, 2024

To: Saint Andrews Heritage Board
Fr: Lee Sochasky
Re: Revised suggestions on Section 6.3 of the July 22 draft heritage by-law

I recently offered some suggestions on the July 22 draft of the proposed town heritage by-law. These missed some comments I wanted to make on Section 6.3 and I'm offering them here.

The current text for Section 6.3 text is this:

"For structures located within the Conservation Area, as listed in Schedule "A" of this By-Law, no Permit is required for ordinary maintenance, minor repairs, or the replacement of damaged or deteriorated materials where these use visually compatible or like-for-like materials and maintain the same appearance as the original. This does not include an alteration, replacement, or other actions that involve a change in design or outward appearance. Compliance with this section is to be determined by the Board or Heritage Officer of the Town of Saint Andrews."

I've already suggested that the properties within the Conservation Area be listed in a new Schedule B and hope you will consider this. If not, you might still like to reconcile your use of the word "*structures*" in this section with your use of "*buildings*" everywhere else in the by-law.

Section 6.3 and 6.1.1 on Standards appear to confuse and conflict with Section 5 requirements on Heritage Permits.

Section 6 says that any building in the by-law needs a heritage permit for any CDE changes if they don't clearly "*maintain, enhance or be compatible with the historical or architectural character of the Conservation Area...*".

Section 5 doesn't include any of these niceties: it only says that any changes not on the building's public CDE list or a demolition don't seem to need a heritage permit.

The Board needs to decide its course of action here and make it clear in both Section 5 and 6 of the next by-law draft.

The last line in 6.3 gives equal authority to the Heritage Board and Heritage Officer to sign off on compliance. This also doesn't cleanly mesh with Section 5, so needs your attention.

The 2017-2018 proposed town heritage by-law allowed the Heritage Officer to sign off on certain simple approvals to save the Board from calling constant 'one-off' meetings and let its members save their time for major requests. You might want to look at that clause.

Thanks again.

Lee Sochasky

