



Town of Harbour Grace
Municipal Heritage Site Designation Regulations
PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by sections 200, 413 and 414 of the *Municipalities Act, 1999*, and other powers enabling the Town Council of the Town of Harbour Grace, the following Regulations were adopted, by resolution, on the 20th day of September, 2022.

1. Title

This document shall be known and cited as the *Town of Harbour Grace Municipal Heritage Site Designation Regulations, 2022*.

2. Interpretation

In these Regulations, unless the context otherwise requires:

- (a) “Act” means the *Municipalities Act, 1999*, Government of Newfoundland and Labrador.
- (b) “Council” means the Town Council of the Town of Harbour Grace, incorporated under the Act.
- (c) “Town” means the Town of Harbour Grace.
- (d) “Municipality” means the Town of Harbour Grace.
- (e) “Municipal Heritage Site” means a structure, building, group of buildings, district, landscape, parcel of land, or archaeological site of significant historic value within the municipality, whether it is privately owned or owned by the Town of Harbour Grace.
- (f) “Permit” means a permit issued by Council that is valid only for the length of time and location stated on the permit.
- (g) “District” means the Town of Harbour Grace Registered Heritage District, designated by the Heritage Foundation of Newfoundland and Labrador (now Heritage NL) in 1992, and included in the *Town of Harbour Grace Municipal Plan and Development Regulations, 2010*.
- (h) “Development Regulations” means the *Town of Harbour Grace Municipal Plan and Development Regulations, 2010*.

3. Policy Statement

The purpose of this policy is to outline the Regulations for the designation of Municipal Heritage Sites in the Town of Harbour Grace.

4. Regulation

- 4.1. Any building, structure, or land designated by Council as a heritage building, structure, or land shall not be demolished or built upon, nor the exterior of the building or structure altered, except under a written permit from Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit.
- 4.2. A permit issued to preserve, rehabilitate, or restore a Municipal Heritage Site shall be guided by the standards and guidelines developed by Parks Canada for the conservation of Historic Places in Canada.

5. Designation of Municipal Heritage Sites

- 5.1. Council may act in accordance with the *Municipalities Act, 1999*, and designate as a Municipal Heritage Site any site within the borders of the municipality that, in the opinion of Council, represents an important development of the locality, its natural history, its people, and their culture and land adjacent to a Municipal Heritage Site, although not containing heritage resources.
- 5.2. Council may, on its own initiative, consider, advise, and make recommendations respecting the designation of buildings, structures, and lands as Municipal Heritage Sites; the issuance of permits; and the demolition, preservation, alteration, or renovation of those buildings, structures, and lands.
- 5.3. Council may consider requests from property owners to have their property designated as a Municipal Heritage Site.
- 5.4. Council may require owners to sign a Designation Approval Owner's Agreement prior to designating a property as a Municipal Heritage Site.

6. Procedure

- 1) A site is nominated for designation;
- 2) A site is reviewed by Council;
- 3) A Statement of Significance is drafted;
- 4) A site is accepted and designated, by a resolution of Council, as a Municipal Heritage Site; and
- 5) The Municipal Heritage Site is listed on the Provincial Register of Historic Sites, hosted by Heritage NL.

7. Written Notice

Written notice of Council's designation shall be given to the owner or owners of such property by mail or electronic correspondence.

8. Protection of Proposed and Designated Municipal Sites

- 8.1. No person shall remove, pull down, or demolish any building or structure designated as a municipal heritage building or structure, nor shall the exterior of any municipal heritage building or structure be altered or repaired without permit by Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit.
- 8.2. No person shall build upon any land that has been designated as a Municipal Heritage Site or cause the land to be altered by any means without a permit by Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit.
- 8.3. No person shall carry out any work, activity, development, or project upon or within a site that is subject to designation or has been designated a Municipal Heritage Site, unless and until Council has issued a permit authorizing the work, activity, development, or project and unless the work, activity, development, or project is carried out in accordance with such terms and conditions as Council may impose and as may be set out in or attached to the permit.
- 8.4. Except for minor repairs and interior work which do not alter the original appearance or materials of the building or structure, all development applications, including fences and outbuildings for designated Municipal Heritage Sites, shall be referred to a regular meeting of Council before granting approval.
- 8.5. Any application for a permit required under this section shall be in such form and shall contain such information as Council may prescribe.
- 8.6. After considering the application, Council may approve the work, activity, development, or project in the form in which it is proposed; may approve with such variations as Council deems necessary for the protection of the site; or may deny the application.

9. Harbour Grace Registered Heritage District

The Town of Harbour Grace is home to Newfoundland and Labrador's first provincially-designated Registered Heritage District. The District stretches from Point of Beach to the former Immaculate Conception Cathedral along Water Street and surrounding areas within the Town of Harbour Grace. The District is primarily residential, with commercial properties interspersed. It includes all land, buildings, structures, and rock walls confined to the District boundaries set by the municipality, which speak to the importance of Harbour Grace as a major early commercial centre in Newfoundland.

The District contains several Municipal Heritage Sites (designated by the Town of Harbour Grace), provincially-designated structures (designated by Heritage NL), and federally-designated sites (designated by the Historic Sites and Monuments Board of Canada, a division of Parks Canada). These include three designations from the Historic Sites and Monuments Board of Canada (Laurence Coughlan, National Historic Person; Transatlantic Flights, National Historic Event; and the Harbour Grace Courthouse, National Historic Site); seven provincially-designated Registered Heritage Structures (Ridley Hall Ruins, Ridley Office, Rothesay House, St. Paul's Church, Immaculate Conception Cathedral, Garrison House/Hampshire Cottage, and the Harbour Grace Courthouse), and two Municipal Heritage Sites (Customs House/Conception Bay Museum and The Maples).

For regulations regarding new construction and alterations to existing structures in the District, please refer to the *Town of Harbour Grace Municipal Plan and Development Regulations, 2010*.

10. Penalty

10.1. If any order made under Municipal Heritage Designation Regulations are not complied with within the time set out in the order, then upon the expiration of the appeal period, the owner or owners of the property is guilty of an offence and liable to summary conviction to the penalties set forth in a court of law.

11. Register of Municipal Heritage Sites

A Register of designated Municipal Heritage Sites shall be maintained by the Town. This list may from time to time be updated without amendment to the Development Regulations.

12. Date Effective

These Regulations were adopted by Resolution of Council at a meeting held on the 20th day of September, 2022, and will come into effect on the 21st day of September, 2022, and shall be cited as the *Town of Harbour Grace Municipal Heritage Site Designation Regulations, 2022*. All Municipal Heritage Sites designated by Council prior to this date are reconfirmed as Municipal Heritage Sites under these regulations.

Adopted by Council on September 20, 2022, *Motion No. 22-227*.



Town of Harbour Grace
Municipal Heritage Site Register
PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by sections 200, 413 and 414 of the *Municipalities Act, 1999*, and other powers enabling the Town Council of the Town of Harbour Grace, the following are confirmed and, in some cases, reconfirmed as Town of Harbour Grace Municipal Heritage Sites under these Regulations:

Customs House/Conception Bay Museum has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its historic, aesthetic, and cultural value. The designation encompasses the entire property surrounded by the fence, including the stairway leading to Colston's Cove. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-228*.

Gordon G. Pike Railway Heritage Museum & Park has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its historic, aesthetic, and cultural value. The designation is confined to the footprint of the building. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, January 10, 2006, *Motion No. 06-003*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.

Harbour Grace Airstrip has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its aesthetic and historic value. The designation encompasses the current perimeters of the airstrip, Claude Stevenson's former hangar, and nearby landmark for aviators, Crow Hill. Please refer to the Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-228*.

Harbour Grace Fire Bell has been designated a Municipal Heritage Site by the Town of Harbour Grace because of its historic, cultural, and aesthetic value. The designation is confined to the footprint of the bell tower. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, January 10, 2006, *Motion No. 06-003*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.

The Maples has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its historic, aesthetic, and cultural value. The designation encompasses the entire property surrounded by the fence. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, January 10, 2006, *Motion No. 06-003*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.

Masonic Lodge Harbour Grace No. 476 A.F. & A.M., S.C has been designated a Municipal Heritage Site by the Town of Harbour Grace because of its historic, cultural, and aesthetic value. The designation is confined to the footprint of the building. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, January 10, 2006, *Motion No. 06-003*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.

Otterbury Schoolhouse has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its historic, aesthetic, and cultural value. The designation is confined to the footprint of the building. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, January 10, 2006, *Motion No. 06-003*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.

Parsons/Collis Building has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its aesthetic, historic, and cultural value. The designation is confined to the footprint of the building. Please refer to the Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-228*.

Roman Catholic Parish Cemetery (Bennett's Lane) has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its historic, aesthetic, and cultural value. The designation is confined to the boundaries of the cemetery delineated by the fence. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, January 10, 2006, *Motion No. 06-003*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.

St. Andrew's Presbyterian Cemetery (Military Road) has been designated a Municipal Heritage Site by the Town of Harbour Grace due to its historic, aesthetic, and cultural value. The designation encompasses the entire property delineated by the fence abutting Military Road. Please refer to Statement of Significance for further information. Source: Town of Harbour Grace Regular Public Council Meeting, August 23, 2021, *Motion No. 21-182*; Town of Harbour Grace Regular Public Council Meeting, September 20, 2022, *Motion No. 22-227*.