

HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER H-200

**RESPECTING THE ESTABLISHMENT OF A HERITAGE ADVISORY
COMMITTEE AND A CIVIC REGISTRY OF HERITAGE PROPERTY**

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of the Heritage Property Act, R.S.N.S. 1989, Chapter 199 as follows:

Short Title

- 1** This By-law shall be known as By-law No. H-200 and may be cited as the “Heritage Property By-law”.

Interpretation

- 2** In this By-law,
- (a) “Act” means the *Heritage Property Act*, R.S.N.S. 1989, Chapter 199.
 - (b) “Committee” means the Heritage Advisory Committee of the Halifax Regional Municipality;
 - (c) “Council” means the Council of the Region;
 - (d) “Heritage Impact Statement” means a study to determine if any heritage resource will be impacted by a specific proposed development or site alteration, and which can also demonstrate how the heritage resource will be conserved in the context of redevelopment or site alteration, and in which mitigative or avoidance measures, or alternative development or site alteration approaches may be recommended.”
 - (e) “Municipal Heritage Property” means a building, public building interior, streetscape, cultural landscape or area registered in the Registry of Heritage Property for the Halifax Regional Municipality;
 - (f) “Region” means Halifax Regional Municipality; and
 - (g) “Registry” means the Heritage Property Registry of the Halifax Regional Municipality.

Heritage Advisory Committee

- 3** (1) There is hereby created the Heritage Advisory Committee.

Composition of Committee

- (2) The Committee shall consist of not more than twelve members, who shall be

appointed by Council, as follows:

- (a) two members of Council; and
- (b) ten residents of the Region, who have applied to the Council to act as members and have expressed an interest in heritage preservation.

Term of Office

- (3) The members of the Committee shall be appointed for such term as Council may direct and shall hold office at the pleasure of Council.

Eligibility for Re-appointment

- (4) A member of the Committee shall be eligible for re-appointment.

Deemed Resignation

- (5) A member who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned.

Filling of Vacancies

- (6) Should a vacancy occur on the Committee, for any reasons other than the expiration of the term of a member, the Council shall within 30 days of notification thereof, appoint a person to fill the vacancy, and the person so appointed shall hold office for the remainder of the term of the member to whose place he or she was appointed.

Powers of the Committee

- 4** The Committee shall, within the time limits prescribed by Council or the Act, advise the Region respecting:
 - (a) the inclusion of buildings, public building interiors, streetscapes, cultural landscapes or areas in the Registry;
 - (b) the identification of natural and archaeological features which could be considered for protection through the Special Places Protection Act;
 - (c) applications to substantially alter the external appearance of or demolish a municipal heritage property;
 - (d) the preparation, amendment, revision or repeal of a conservation plan and conservation by-law;
 - (e) the administration of heritage conservation districts;
 - (f) an application for a certificate that is required by the Act or a conservation plan and conservation by-law to go to a public hearing;

- (g) building or other regulations that affect the attainment of the intent and purpose of the Act;
- (h) applications for heritage agreement, development agreements or amendments to a Land Use Bylaw which may affect a registered heritage property or amendments to a Municipal Planning Strategy affecting heritage policies;
- (i) the use, administration, and management of registered heritage properties owned by the Region;
- (j) proposals for the erection on heritage properties of monuments, sculptures or plaques;
- (k) the promotion and interpretation of heritage properties;
- (l) the deregistration of heritage properties;
- (m) the acquisition of heritage properties;
- (n) financial incentives to heritage properties;
- (o) the amendment of evaluation criteria, guidelines and standards for municipal heritage properties;
- (p) recommendations for enforcement in the event of non-compliance; and
- (q) and other matters conducive to the effective carrying out of the intent and purpose of the Act.

Meetings

- 5** (1) The Committee shall meet at least once in each month. The Committee may meet as well at the call of the Chairman or at the request of one-third of the members of the Committee.

Quorum

- (2) A Quorum of the Committee for each meeting shall be one-half of the members plus one.

Procedure

- (3) The procedure of the Committee shall be governed, where not inconsistent with the Act or this By-law, by the Rules of Order Administrative Order of the Region.

Meetings Open To Public

- (4) All meetings of the Committee shall be open to the public.

Chairperson of Committee

- 6 (1) The Committee shall, at its first meeting and thereafter annually, elect from its members a Chairperson for the ensuing year.

Vice-Chairperson

- (2) The Committee shall, at its first meeting and thereafter annually, elect from its members a Vice-Chairperson, for the ensuing year who shall act in the absence of the Chairperson; and, if both the Chairperson and Vice-Chairperson are absent from any meeting, the Committee shall elect an Acting Chairperson to act at such meeting of the Committee.

Secretary

- (3) The Municipal Clerk or an Assistant Municipal Clerk designated by the Municipal Clerk shall act as the Recording Secretary of the Committee.

Establishment of Heritage Registry

- 7 (1) There is hereby created a Registry of Heritage Property for the Halifax Regional Municipality wherein all prescribed documents relating to the registration of heritage property pursuant to the provisions of the Act and this By-law shall be filed.

Registration of Buildings, etc.

- (2) Buildings, public building interiors, streetscapes, cultural landscapes or areas may be registered in the Registry as municipal heritage properties by Council, on the advice of the Heritage Advisory Committee, pursuant to the provisions of the Act and those buildings, public building interiors, streetscapes, cultural landscapes or areas so registered shall be subject to the provisions of the Act.

Previous Heritage Properties Deemed Registered

- (3) Buildings, streetscapes, or areas which were and continued to be registered municipal heritage properties in the Town of Bedford, City of Dartmouth, Halifax County Municipality and the City of Halifax immediately prior to April 1, 1996 shall be registered municipal heritage properties in the Registry.

Maintenance of Registry

- (4) The Clerk shall maintain the Registry, which Registry shall:
 - (a) be properly indexed;
 - (b) contain data, where applicable, with respect to recommendations, registration, recording particulars of documents required to be registered at the Registry of Deeds and true copies of all notices required by the Act or

by this By-law;

- (c) contain particulars of municipal heritage property under recommendation or registered so as to adequately identify the property; and
- (d) be accessible to the public at no charge during regular Regional business hours.

Notice of Recommendation

- 8** (1) Notice of a recommendation by the Committee that a building, public building interior, streetscape, cultural landscape or area be registered as a municipal heritage property shall be in Form A and shall be deposited in the Registry of Deeds.

Notice of Registration

- (2) The Notice of Registration of a Municipal Heritage Property to be sent to each registered owner of the Municipal Heritage Property and to be deposited in the Registry of Deeds shall be in Form B.

Notice of Decision Not To Register

- (3) In the event that Regional Council after considering the proposed registration does not register the property in the Registry, a notice in Form C shall be sent to the registered owner of the property.

Notice of Deregistration

- (4) Notice of Deregistration of a Municipal Heritage Property to be sent to each registered owner of the Municipal Heritage Property and to be deposited in the Registry of Deeds shall be in Form D.

Terms of Reference

- 9** Council may, from time to time, after public hearing, set out and amend such guidelines as it sees fit for the designation of property as Heritage Property and the Committee shall make recommendations in accordance therewith.

Annual Report

- 10** The Committee shall submit annually to Council a report of the activities of the Committee for the previous year.

Information To The Committee

- 11** (1) The Building Inspector shall inform the Heritage Advisory Committee of any application for exterior alteration or demolition of a registered property.
- (2) Whenever the Building Inspector of the Region makes any finding that a heritage property meets the definition of a dangerous or unsightly structure pursuant to Part XV of the *Halifax Regional Municipality Charter*, the Building

Inspector shall immediately advise the Heritage Advisory Committee of the condition of the heritage property.

- (3) Where an application is for a rooftop addition or other addition to a registered heritage property located in the Downtown Halifax Plan Area and where the addition has a gross floor area greater than 50% of the gross ground floor area of the existing building, the Building Inspector or other person designated by the Region to administer this By-law may require a Heritage Impact Statement.
- (4) The content of a Heritage Impact Statement shall be as described in Schedule 'A'."

Conservation Standards

12 Applications for alteration of a registered heritage property shall be evaluated in accordance with the Standards for the Conservation of Historic Places in Canada, 2nd Edition as set forth in Schedule 'B-1': The Guidelines for the Conservation of Historic Places in Canada, 2nd Edition shall be used to interpret and apply the Standards.

- 12A (i) Notwithstanding section 12, any complete application for alteration of a registered heritage property on file before the date of first publication of the notice of intention to adopt By-law H-202 shall be considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received.
- (ii) Where any complete application is withdrawn, significantly altered, or refused by Council after the date of first publication of the notice of intention to adopt By-law H-202, any new or significantly altered application shall be subject to the Standards for the Conservation of Historic Places in Canada, 2nd Edition.

Repeal of By-laws and Ordinances

13 By-law Number 27311 of the Town of Bedford, the By-law Respecting Heritage Property any amendments thereto, By-law Number H-100 of the City of Dartmouth, the Heritage Advisory Committee By-law and any amendments thereto, By-law Number 49 of Halifax County Municipality, the Heritage Property By-law and any amendments thereto, and Ordinance Number 174 of the City of Halifax, the Heritage Property Ordinance and any amendments thereto are hereby repealed.

Done and passed in Council this second day of July, 1996.

(Signed)

MAYOR

(Signed)

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on July 2, 1996.

(Signed)

Vi Carmichael
Municipal Clerk

Dr. Jim Smith, MLA (Signed) August 1, 1996

Minister of Housing & Municipal Affairs

FORM A
NOTICE OF RECOMMENDATION TO REGISTER
AS A MUNICIPAL HERITAGE PROPERTY

TO:

You are hereby notified that:

1 The land and building located at

(address, PID, location, legal description or other identification of property)
has been recommended to be registered in the Registry of Heritage Property for the Halifax Regional Municipality.

2 The reasons for this proposed designation are: (approximate date of erection; type of architecture, typical of an era; part of a streetscape with description of streetscape location; local historical significance; national historical significance, and any other associated heritage values.)

3 Section 14(4) of the Heritage Property Act prohibits demolition or any substantial alteration of the appearance of a property described herein for a period of one hundred twenty (120) days from the date and service of this notice, unless the Council sooner refuses to register the property.

4 The consequences of registration in the Registry of Heritage Property for the Halifax Regional Municipality described in paragraph 1 would be that:

(a) no demolition or substantial alteration in exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Municipality and the application is granted with or without conditions; or

(b) where such application is not approved the owner may make the alterations described in his or her application or carry out the proposed demolition at any time after three years but not more than four years from the date of application.

5 You are hereby notified that the Council will sit to hear any objections regarding the recommendation of the property described in this notice on the _____ day of _____, 20____ at (time), at (place). (This date must be 21 days after service). Information and particulars concerning the reasons for recommendation are available from the office of the Clerk for Halifax Regional Municipality weekdays from 9:00 a.m. to 4:30 p.m.

DATED this _____ day of _____, 20____.

CLERK

FORM B

(To be filed in the Registry of Deeds for the district in which the property is located and in the Registry of Heritage Property for the Halifax Regional Municipality)

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

TO:

You are hereby notified that:

1 The land and building located at:

(address, PID, location, legal description or other identification of property)

has been registered in the Registry of Heritage Property for the Halifax Regional Municipality by resolution adopted at a meeting of Council the day of , 20 .

2 The consequences of registration in the Registry of Heritage Property for the Halifax Regional Municipality are that:

(a) no demolition or substantial alteration in the exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Council and the application is granted with or without conditions; or

(b) where an application is not approved, the owner may make the alteration described in his or her application or carry out the proposed demolition at any time after ~~one~~ three years but not more than ~~two~~ four years from the date of application.

DATED this day of , 20 .

(Seal)

CLERK

FORM C

NOTICE OF REFUSAL TO REGISTER AS A MUNICIPAL HERITAGE PROPERTY

TO:

You are hereby notified that:

1 The land and building located at

(address, PID, location, legal description or other identification of property)

has been refused registration at this time in the Registry of Heritage Property for the Halifax Regional Municipality by the Halifax Regional Council, on , 20 .

DATED this day of , 20 .

CLERK

FORM D

NOTICE OF DEREGISTRATION OF A MUNICIPAL HERITAGE PROPERTY

TO:

You are hereby notified that:

1 The land and building located at
(address, PID, location, legal description or other identification of property)
has been deregistered as a municipal heritage property by the Council of the Halifax
Regional Municipality, on the _____ day of _____, 20____
at this time in the Registry of Heritage Property for the Halifax Regional Municipality by the
Halifax Regional Council, on _____, 20____.

2 The consequence of deregistration is that:

(a) the property is no longer listed in the Halifax Regional Municipality
Registry of Heritage Property; and

(b) the property may be altered without reference to Section 17 of the
Heritage Property Act. All other municipal regulations still apply.

DATED this _____ day of _____, 20____.

CLERK

Schedule “A”

Content of Heritage Impact Statements

A heritage impact statement is a study to determine if any heritage resource will be impacted by a specific proposed development or site alteration. It can also demonstrate how the heritage resource will be conserved in the context of redevelopment or site alteration. Mitigative or avoidance measures, or alternative development or site alteration approaches may be recommended. A heritage impact statement contains, but is not limited to the following information:

- (a) Identification of Heritage Value and Character Defining Elements based on information available in the HRM Registry of Heritage Properties or Inventory of Potential Heritage Properties, supplemented by additional research, site analysis, or evaluation as necessary.
- (b) Description of the Proposed Development or Site Alteration. This description details the rationale and purpose for the development or site alteration, the proposed works and graphical layout, and how the development or site alteration fits with the objectives of the municipality as expressed in planning documents.
- (c) Measurement of Development or Site Alteration Impact. Any impact (direct or indirect, physical or aesthetic) of the proposed development or site alteration must be identified. The effectiveness of any proposed conservation or mitigative or avoidance measures must be evaluated on the basis of established principles, standards and guidelines for heritage conservation.
- (d) Consideration of Alternatives, Mitigation and Conservation Methods. Where an impact on a heritage resource is identified, and the proposed conservation or mitigative measures including avoidance, are considered ineffective, other conservation or mitigative measures, or alternative development or site alteration approaches must be recommended.
- (e) Implementation and Monitoring. This is a schedule and reporting structure for implementing the recommended conservation or mitigative or avoidance measures, and monitoring the heritage resource as the development or site alteration progresses.
- (f) Summary Statement and Conservation Recommendations:
 - The heritage value and character defining elements of the heritage resource.
 - The identification of any impact that the proposed development will have on the heritage resource.
 - An explanation of what conservation or mitigative measures, or alternative development or site alteration approaches are recommended to minimize or avoid any impact on the heritage resource.
 - If applicable, clarification of why some conservation or mitigative measures, or alternative development or site alteration approaches are not appropriate.

Schedule “B-1”
CONSERVATION STANDARDS
The Standards for the Conservation of Historic Places in Canada

The following Conservation Standards are contained within Chapter 3 of the *Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition* as published by Parks Canada in 2010 and are structured around the following key concepts and definitions:

- ***Historic Place*** means a structure, building, group of buildings, district, landscape, archaeological site or other place that has been formally recognized for its *heritage value*.
- ***Heritage Value*** means aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present and future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- ***Character-defining Elements*** means the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained to preserve its heritage value.
- ***Conservation*** means all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life. This may involve *Preservation, Rehabilitation, Restoration*, or a combination of these actions or processes.
- ***Preservation*** is defined as the action or process of protecting, maintaining and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.
- ***Rehabilitation*** is defined as the action or process of making possible a continuing or compatible use of a historic place or an individual component through repair, alterations, and/or additions, while protecting its heritage value.
- ***Restoration*** is defined as the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

3

THE STANDARDS FOR THE CONSERVATION OF HISTORIC PLACES IN CANADA

The Standards for the Conservation of Historic Places in Canada promote responsible *conservation* practices to help protect Canada's historic places. They provide a philosophical approach to conservation work. While neither technical nor case-specific, they offer a framework for making essential decisions about which *character-defining elements* of an *historic place* should be preserved and which ones can be altered while protecting *heritage value*.

These Standards are, in fact, principles that express the collective wisdom that has accumulated in heritage conservation practice. They are rooted in practical and theoretical arguments that evolved as the field of conservation developed over the years. Working from these basic principles gives consistency and an ethical foundation to the decisions that must be made when conserving an historic place. The Standards are to be broadly applied throughout the conservation process and read as a whole, because they are interconnected and mutually reinforcing.

Conservation is a case-by-case pursuit, based on an understanding of the specific values of an historic place. While the applicability of each standard is unique to each case or *intervention*, nevertheless, there is a consistency in applying the standards to different types of places. Chapter 4, which forms the bulk of this document, provides detailed guidelines for four categories of historic places and materials.

Because the standards are basic principles to be applied using a reasoned process unique to each historic place, it is important to fully understand their meaning. This chapter explains the meaning of each standard and gives examples for their application. Because many of the standards describe multiple principles, it is important to consider every sentence in a standard. The individual principles associated with each standard are separated into part (a), (b), etc. The explanations that follow further define each separate principle.

The first nine standards relate to *Preservation*, which is at the core of all conservation projects. As such, these general standards must be applied to all conservation projects regardless of treatment type. Three additional standards are specific to *Rehabilitation* projects—Standards 10, 11 and 12—and two additional standards are provided for *Restoration*—Standards 13 and 14.

REPAIRING OR REPLACING?

Standards 8, 10 and 13 are related standards; each one describes the importance of repairing before replacing for each of the three treatment types based on the condition of the character-defining elements and the type of evidence available.

- Standard 8, in the context of *Preservation*, where the condition allows more for repair than replacement, assumes that material evidence is available to use as a basis when part of a character-defining element needs to be replaced;
- Standard 10, in the context of *Rehabilitation*, permits compatible, distinguishable new elements to be inserted when replacing elements too deteriorated to repair;
- Standard 13, in the context of *Restoration*, requires that replacement elements be based on evidence from the restoration period.

THE STANDARDS

The Standards are not presented in a hierarchical order. All standards for any given type of treatment must be considered, and applied where appropriate, to any conservation project.

General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the *heritage value* of an *historic place*. Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an *historic place* that requires minimal or no change to its *character-defining elements*.
6. Protect and, if necessary, stabilize an *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.

Additional Standards Relating to Rehabilitation

- 10.** Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
- 11.** Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12.** Create any new additions or related new construction so that the essential form and integrity of an *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

STANDARD 1



The character-defining interior features and finishes, such as the birch floors, window frames and views of the city at Habitat 67 in Montreal, have been carefully maintained, repaired and retained.

(a) Conserve the *heritage value* of an *historic place*. (b) Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. (c) Do not move a part of an historic place if its current location is a character-defining element.

Part (a) states that the overarching objective of heritage conservation is to conserve heritage value. If an historic place has been formally recognized, the designating authority will likely have prepared a document outlining the place's values, such as a Statement of Significance. These values are embodied in character-defining elements.

Part (b) outlines how to conserve heritage value by minimizing changes to character-defining elements. Identifying character-defining elements helps guide where necessary interventions should and should not take place.

Part (c) addresses the wholeness of a place and reinforces that spatial relationships can be character-defining. In a garden, for example, moving a central feature to another location affects the heritage value of the entire landscape. In an archaeological site, location may be critical to understanding other elements that are now missing. In an engineering work, machinery moved from its original position can lose part of its meaning, thus diminishing its heritage value.



Centuries ago, the inland Inuit, or Kivallirmiut, recognized the hunting potential of the annual fall crossing of massive herds of caribou and began establishing seasonal camps along the Kazan River. Today Fall Caribou Crossing NHSC in Nunavut, is noted not only for its archaeological remains and former importance to the Kivallirmiut, but also for its natural landscape, continued use as a hunting area and the vitality of the oral history and traditions of the people who know it best. Moving any of these stones would impair heritage value.

STANDARD 2

Conserve changes to an historic place that, over time, have become character-defining elements in their own right.

It is natural and necessary for places to evolve, reflecting changes in the community and culture of that they are a part. Places may be modified for reasons of taste, for the changing nature of their use, or to adapt to evolving conditions and technologies. Changes that mark significant changes, or that are considered expressions of their time, may be deemed to have a value in their own right.

Factories and other industrial works are constantly adapted. Retaining these adaptations may be important in telling the story of changing technology or the growth of a particular industry. Commercial and residential interiors were often changed with new ownership or passing trends. For example, a 1950s cafeteria in a 1910 office building may have its own distinct value as part of the evolution of that historic place.

A fine old storefront that has been modernized may have lost its heritage value. However, some changes may have acquired value, such as an art-deco stainless steel over-cladding or a marquee added to a popular urban theatre. Not every change to an historic place has heritage value, but those that do should be identified in a Statement of Significance. For historic places that were formally recognized some time ago, the process of determining if there is heritage value associated with later changes is an important step in the conservation process.



The lean-to is a character-defining element that shows the evolution of the Addison Sod House in Saskatchewan from a rustic sod dwelling to a comfortable home. Removing the later changes to restore the house to an earlier period would not be appropriate because it would remove elements that have heritage value.



Over the years, several landscape architects and architects have made specific contributions to the evolving functions of Vancouver's Stanley Park. These include the play areas, totem groupings and aquarium that are now integral to the park's heritage value.

STANDARD 3



When the windows of Lefurgey House in Summerside, PEI were damaged in a fire, instead of replacing the entire windows, only the broken glass was replaced. The replacement glass, salvaged from a nearby house that was replacing its windows, had similar properties and wavy appearance.

Conserve *heritage value* by adopting an approach calling for *minimal intervention*.

Minimal intervention in the context of heritage conservation means doing enough, but only enough to meet realistic objectives while protecting heritage values.

Minimal does not mean, doing little or nothing, or the least possible. In fact, enough intervention to arrest and correct deterioration, meet codes, or introduce new services, can be quite extensive. Determining minimal intervention is a matter of rigorous assessment, options analysis and creativity to identify the intervention that balances technical and programmatic requirements with protecting heritage value.

The application of Standard 3 varies depending on the nature of the character-defining element. In a landscape where value resides in living things that mature and die, substantial replanting may be necessary. In the case of an historic bridge that is unable to support current traffic loads, minimal intervention might well mean significant interventions to assure public safety.

For archaeological sites, minimal intervention calls for striking a balance between gaining knowledge from investigations and preserving the resources *in situ*. A certain level of intervention is often necessary to sufficiently understand the heritage value of the archaeological site and to determine the best preservation approach. This can be achieved by selecting the most appropriate and effective research methodology for a specific project such as targeting only necessary excavations and using non-intrusive means of investigation, when appropriate.

Minimal intervention has different meanings for *Preservation*, *Rehabilitation* and *Restoration*. In the context of *Preservation*, it means undertaking sufficient maintenance or repairs to ensure the longevity of the place while protecting heritage value. In the context of *Rehabilitation*, it might mean limiting the proposed new use, addition or changes. In a *Restoration*, minimal intervention is a delicate balance between removals and recreations to represent the historic place's condition at a specific time in its history.



The extensive damage caused by Hurricane Juan to the Halifax Public Gardens required substantial replanting. The large scope of work is still considered a minimal intervention because any less work would have negatively affected the heritage value of the place.

STANDARD 4

(a) Recognize each *historic place* as a physical record of its time, place and use. (b) Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.

Part (a) of this standard requires us to respect the historic place and to conserve, as best we can, the physical evidence that conveys the significance of the historic place, including its contribution to a specific context and to the social history associated with its uses.

Part (b) discourages the creation of additions that falsify the story of a place. There is always a high risk of loss of authenticity when adding elements from other places or eras.

The materials removed from historic places are often salvaged and reused. Careful consideration must be given to how and where this is done. For example, using a salvaged lamppost from an historic landscape with identifiable characteristics at another site does not conform to the standard. On the other hand, using recycled bricks of the same age and appearance, or reusing identical windows within a building are appropriate from both conservation and *sustainability* standpoints. Where it is deemed critical to the honesty of the work, such additions can be rendered distinguishable in a discreet way.



The Old Strathcona Provincial Historic Area in Edmonton is a diverse historic district. The individuality of each building and evidence of the era of its construction has been maintained. Earlier simply constructed wood buildings stand alongside later more sophisticated masonry buildings and modern infill structures.



The original plans for the Margaret Marin Residence in Edmonton indicate a decorative upper balcony that was never built. During recent renovations, it was decided not to construct this balcony because it would have conveyed a false sense of historical development.

STANDARD 5



Despite changing requirements in education, the Lunenburg Academy in Nova Scotia remains in its original building and setting. The Academy was designed using green space, natural lighting and ventilation in a way that is still valid for school use today.

Find a use for an historic place that requires minimal or no change to its character-defining elements.

Standard 5 advocates maintaining the use of the place or finding a new viable use that has little impact on its character-defining elements. It is important to find the right function for an historic place to ensure a long-term, stable context for conserving heritage value.

If the current use is a character-defining element, maintaining this use is in accordance with the standard, as long as growth or technological change does not become destructive to its character-defining elements. If maintaining the original use leads to the removal or significant alteration of character-defining elements, the owners and users may need to consider a compatible new use for the historic place.

Finding a new use depends on an analysis of heritage value and physical compatibility with the historic place and its likeliness to provide a lasting, new life for the historic place. Using an old jail as a youth hostel may initially seem like an unusual concept, but it illustrates resourceful, clear-sighted functional analysis as the generator of good reuse: both jails and hostels provide a lot of small rooms for sleeping.

Old buildings are often considered as venues for museums or galleries, but if strict interior environmental conditions are required for that function, complex and potentially destructive interventions may be needed. New uses that require substantial alteration of character-defining elements do not conform to the standard.

In the case of archaeological sites, the intention is seldom to use the archaeological site itself, but rather the space that contains it. It is therefore important that a new use requires minimal intervention and does not alter the character-defining elements that are often submerged or buried underground.



After serving the community for many years as a primary school, the Charlotte Street School in Fredericton now has a new community use as the Charlotte Street Arts Centre. This use required little change to the building's layout and character. Classrooms were maintained to serve as open art studios, dance and music studios and an art gallery. The existing wide corridors and staircases, as well as the classrooms and other spaces, fit the new needs well.



This Dawson City building, originally built to be the temporary location for the government telegraph office, was rehabilitated into housing units.

STANDARD 6

(a) Protect and, if necessary, stabilize an *historic place* until any subsequent *intervention* is undertaken. (b) Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.

While Standard 5 reinforces the need for an appropriate and sustainable use, part a) of Standard 6 recognizes that there may be a period of vacancy in the life of any historic place, such as a period of inaction at a former industrial site or farm.

Mothballing, the temporary closure of an historic place with measures to protect it from vandalism and weather, is a process that requires planning and continual monitoring. For a landscape, mothballing might include taking measures to diminish the risk of insect infestation or plant disease. Archaeological sites can be particularly vulnerable because the resources are often not visible.

Part b) acknowledges a responsibility to protect archaeological resources, but also reinforces the message that they must be protected and preserved *in situ*. This is a highly regulated aspect of conservation: one must identify and engage the authority having jurisdiction. The information required to best preserve and protect the site is gained from a variety of archaeological interventions. A strategy to recover the information using the most appropriate and effective methods needs to be developed in an effort to strike a balance between gaining knowledge from investigations and preserving the resources *in situ*.



Nearby archaeological resources were protected when stabilizing the Prince of Wales Fort in Manitoba. Strategically placed archaeological investigations on the surface of the ramparts established the extent of artifacts, including their depth below the surface.



These buildings, along with others at St. Luke's Anglican Rectory and Church in the Yukon, were temporarily stabilized using a variety of measures including adding sandwich bracing, cable bracing, heavy frames, roll roofing, and covering door and window openings in order to keep out snow and rain. Stabilization allows the structures to be adequately researched and their eventual restoration to be planned.

STANDARD 7



Ground-penetrating radar was used at McPherson House in Fort Simpson, NT; this guided archaeological excavations limiting the impact on the site.

(a) Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. (b) Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.

Part (a) of Standard 7 refers to a comprehensive examination and assessment of the physical place. Determining if an intervention is needed, and what an appropriate intervention might be, requires an understanding of the physical condition and behaviour of the character-defining elements and the historic place as a whole. The cause and extent of any decay should be based on evidence from a site investigation.

If the condition evaluation reveals a weakness that threatens the historic place's long-term survival, the standard requires assessments and options analysis to determine the appropriate course of action. This standard, in combination with Standard 3, usually leads to intervening only where the existing condition is actively causing further deterioration or weakening the asset.

Part (b) addresses the course of action once it is clear that an intervention is needed. The gentlest means to achieve a reasonable level of conservation should be selected. This includes the technique or methodology itself and the extent of the intervention being considered.

Investigations themselves are forms of intervention and as such should follow a minimal intervention approach. Investigations should begin with observation and non-invasive probes followed by careful sampling and physical openings or selective disassembly if required. The objective is to obtain enough evidence without unnecessarily disturbing the historic place.



A condition assessment and evaluation undertaken before an intervention at Belvedere Cemetery in St. John's Ecclesiastical District, would reveal that the well-aged and weathered patina found on the grave markers is not damaging. It is in fact a character-defining element of this historic place and should be preserved.

STANDARD 8

(a) Maintain character-defining elements on an ongoing basis. (b) Repair character-defining elements by reinforcing their materials using recognized conservation methods. (c) Replace *in kind* any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

This standard introduces the basic hierarchy of interventions. Maintain first, then repair rather than replace the deteriorated parts of character-defining elements. If the replacement of a part is the only option, it should be done *in kind*. This approach is closely tied to *minimal intervention* (Standard 3).

Part (a) of this standard promotes the ongoing maintenance of an historic place, an essential but often undervalued aspect of conservation. Rigorous maintenance reduces long-term costs as well as the frequency of major interventions.

Part (b) emphasizes the use of recognized conservation methods when carrying out repairs. Past experiences in conservation offer many cases where the application of unproven new materials or techniques resulted in more damage than good. Techniques and materials must have proven track records and be based on research, analysis and review.

Part (c) introduces the concept of replacement *in kind*. *In kind* is defined as: with the same form, material and detailing as seen in the existing elements. If the character-defining element is a wood shingle, the standard states that it must be replaced with a wood shingle, and not an asphalt shingle.

Replacement *in kind* may sometimes be difficult, and substitute materials may be necessary when the original materials are damaging to character-defining elements or hazardous to public health. Some mid-20th century materials are no longer made or cannot be manufactured in small batches. In a place where the heritage value depends on a material that is no longer available, the ongoing loss of the material will eventually lead to a difficult choice: accepting breakage or replacing the entire material or assembly with one that is physically and visually compatible with the original.



Wrecks at Red Bay NHSC, NL, such as this Basque Period wreck, are reburied using sand and tarp to ensure their long-term preservation. Their condition is periodically assessed through monitoring.



When restoring decorative plaster in the Walker Theatre in Winnipeg, moulds were made of existing plaster elements. The deteriorated plaster was then patched and repaired using the moulds to match the original.



A condition assessment of the exterior walls and frame of this Storehouse at Fort Langley, BC found extensive deterioration of some timbers, which required replacement *in kind*. The dimensions, hewn finish and species of wood used in the repairs matched those replaced. The photograph shows part of one storehouse wall after the repairs were completed, but before the new timbers were whitewashed.

STANDARD 9



The new pieces of stone on the Wellington Wall at the Parliament Grounds in Ottawa are clearly visible on close inspection due to a different tooling technique.

(a) Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. (b) Document any intervention for future reference.

Part (a) of this standard speaks to balancing the need for an *intervention* to be appropriate in physical and visual terms and subtly distinguishable. Compatibility can allow for some variation in the finish or patina, which will serve as the distinguishing factor. Generally, repair and replacement work only needs to be identifiable on close inspection. However, honesty requires that new work be clearly distinguishable from the old by subtle visual means or by date stamping in inconspicuous locations.

Part (b) emphasizes the requirement for documentation to help future decision makers better understand the historic place. It is important to keep good records of all conservation work, including *maintenance*, and to plan for easy retrieval of that data in the future.

While the main reason for making interventions identifiable is honesty, it is also a means of keeping a record of the place. The historic place itself is its own best document.



The grand residential estate at Parkwood in Oshawa is a cultural landscape that covers 4.8 hectares. Aerial photography was used to document the large-scale site during the conservation process.

STANDARD 10

- (a) Repair rather than replace *character-defining elements*.
 (b) Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. (c) Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.

This standard advocates restraint during a *Rehabilitation* project, recognizing that the wholesale replacement of elements will inevitably have an impact on heritage value. *Rehabilitation* is meant to preserve and not diminish the heritage value of a place; a new use or a substantial reinvestment does not justify extensive replacement.

Part (a) discourages replacing elements that can be repaired. In a rehabilitation project, more latitude is available in choosing the techniques and methods of repair. Modifying a technically problematic detail may be required to ensure long-term performance. In archaeological sites, elements are rarely repaired or replaced. However, in some cases, this may be the most appropriate way to slow deterioration and prevent the loss of heritage value.

Part (b) encourages replacing elements with in-kind versions, when the original is too deteriorated to repair, but enough evidence is available to accurately reproduce the element in kind.

Part (c) addresses the case of historic places in a more advanced state of disrepair, or where significant elements or assemblies are missing. A rehabilitation project must conserve the heritage value of the place despite the insertion of a new element. Compatibility with the historic place is achievable through a range of approaches. The new element could be discreet and compatible in form, material and detailing, or contemporary in design, achieving compatibility through proportion, scale or massing.

Addressing significant deterioration is an implicit goal of this standard. If deterioration is not properly addressed, it can result in a loss of heritage value.



In areas of Maplelawn and Gardens NHSC in Ottawa where insufficient historical evidence existed, a Rehabilitation approach was taken. New perennial beds were designed using adjacent layouts and historical information from other parts of the garden as inspiration. This approach resulted in compatible new beds that completed the garden and strengthened its overall heritage value.



The character-defining elements of Doukhobor Dugout House NHSC in Saskatchewan, such as the window frames, had suffered visible deterioration from exposure to the elements. A long-term repair solution was necessary to prevent further decay and to preserve the site's heritage value.

Following the reinforcement treatment of treating the logs with preservatives, collapsed character-defining elements were reassembled based on records from previous interventions and existing traces on the site.

STANDARD 11

(a) Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. (b) Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

In a rehabilitation project, additions or new construction may be needed to assure the continued use of an historic place. Part (a) indicates that when this is the case, such additions or new construction must not obscure, radically change or have a negative impact on character-defining materials, forms, uses or spatial configurations.

Part (b) requires physical compatibility with the historic place. This includes using materials, assemblies and construction methods that are well suited to the existing materials. New materials and assemblies should also have compatible service lives or durability, so that *maintenance* and repair work can be undertaken concurrently. Not doing so can lead to prematurely replacing adjacent historic materials for the sake of efficiency.

Part (b) also requires that additions or new construction be *visually* compatible with, yet distinguishable from, the historic place. To accomplish this, an appropriate balance must be struck between mere imitation of the existing form and pointed contrast, thus complementing the historic place in a manner that respects its heritage value.

Part (b) also requires an addition to be subordinate to the historic place. This is best understood to mean that the addition must not detract from the historic place or impair its heritage value. Subordination is not a question of size; a small, ill-conceived addition could adversely affect an historic place more than a large, well-designed addition.



These two additions in Montreal show the range of possibilities for successful additions to historic places. Although the addition to Shaughnessy House by the Canadian Centre for Architecture has a larger footprint than the original building, it demonstrates a subtle approach, using compatible scale, proportions of openings, materials and details, which acknowledges the original building. Pointe-à-Callière Museum of Archaeology and History illustrates a contrasting contemporary approach where an archaeological site has been successfully integrated into a new design in ways that communicate the site's heritage value.

STANDARD 12

Create any new additions or related new construction so that the essential form and integrity of an *historic place* will not be impaired if the new work is removed in the future.

Reversible interventions are those that can be removed at a later date without damaging the character-defining elements of the historic place. This is particularly important if the intervention is related to a new use that may later change. For example, a temporary access ramp could be constructed in a manner that allows for easy dismantling without damaging an adjacent character-defining foundation wall or front garden. Reversible interventions are not destructive. A proposal to tear down a wall and store the stone so that it might someday be rebuilt is not a reversible intervention.

A sound addition can enhance the value of an historic place. An addition, in itself, can be intended to last, and should be designed to be physically compatible. Although a certain amount of irreversible change may be unavoidable, strategies to reduce the size and impact of the addition should be explored. This can be achieved, for example, by using existing window openings to insert a connecting door, or attaching an addition to an elevation that is not character defining.

Interventions to accommodate rapidly evolving technologies or short-lived objectives must be designed with particular attention to reversibility. If the new element is equipment that requires regular replacement, it is important to anticipate a large enough access for future upgrades.



The dome of Melville City Hall was originally an uninsulated, painted-metal covering that caused persistent condensation problems. Applying insulating polyurethane foam with aluminized coating was a cost-effective solution that was compatible with the historic metallic look of the dome. If a more elaborate solution is contemplated in the future, the polyurethane could be removed.



Space to temporarily house the Library of Parliament in the former Bank of Nova Scotia Building on Sparks Street in Ottawa. The entire intervention was designed to be reversible.

STANDARD 13



These cast iron columns were uncovered and restored when CentreBeam Place, in St. John, was rehabilitated.

(a) Repair rather than replace *character-defining elements* from the restoration period. (b) Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

Part (a) of Standard 13 emphasizes repairing deteriorated elements from the restoration period. The act of repairing a character-defining element supports the goal of authenticity.

Part (b) recognizes that elements may deteriorate beyond repair, but their deteriorated state, or the state of adjacent surviving elements, may still contain sufficient physical evidence to allow their accurate replacement. Replacing individual components is an ongoing activity where the loss of small parts, such as decorative finials on a fence post, is common. The value does not reside in a single one of these elements, but their continual loss can eventually compromise the heritage value of the whole.

A preservation or rehabilitation project may also include elements of restoration, such as work on an ornamental fountain in the centre of a formal garden. Any restoration interventions must be based on clear physical, documentary or oral evidence and detailed knowledge of the earlier forms and materials.



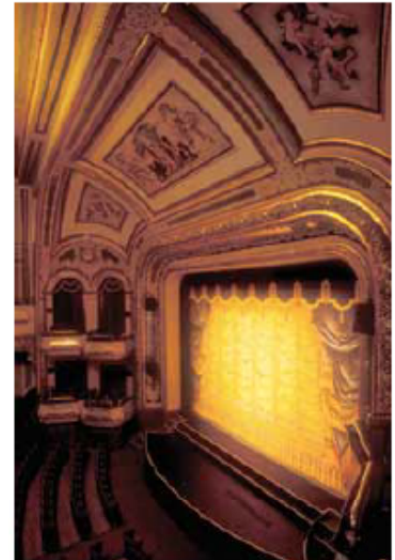
The rhythmic pattern created by the regular spacing of trees along the street is a character-defining element of the Avenue of Trees in Surrey, BC that can be used as evidence to restore the row if a gap develops.

STANDARD 14

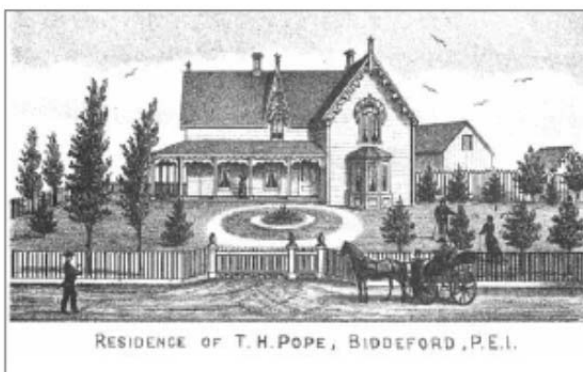
Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

This standard applies mainly to projects where *Restoration* is the primary treatment type and where the absence of character-defining elements from the restoration period has a negative impact on the heritage value of the historic place. Recreating large missing assemblies is challenging because of the extraordinary amount of evidence required to avoid conjecture. Where resources are limited, the urge to restore should be balanced with the practicality of replacing and later maintaining long-missing features.

The reconstruction of an entire historic place is not considered conservation and is not addressed in this document. However, the recreation of a missing built feature in a landscape or heritage district is best regarded as an addition to an historic place, and would be subject to Standards 11 and 12.



In the restoration of the Capitol Theatre in Moncton, photographic and physical evidence supported restoring the interior decorative frescoes in their original colours. Other elements, such as the marquee, were reproduced from documentary photos using new elements to match the forms, materials and detailing.



Based on documentary evidence, including an 1880 engraving, the original fenestration of the Bideford Parsonage Museum in P.E.I. was restored and roof finials replaced.

BY-LAW H-200

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