

You wanted to know about the...

HERITAGE PRESERVATION BY-LAW



Fredericton
NEW BRUNSWICK'S CAPITAL CITY

What is a HERITAGE PRESERVATION BY-LAW?

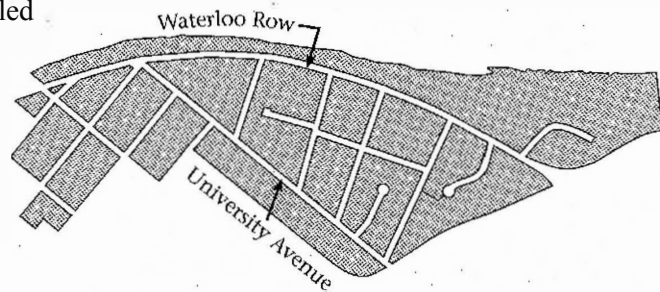
The Municipal Heritage Preservation Act of the Province of New Brunswick enables municipalities to make by-laws for the preservation of areas and sites of importance to the community. The Heritage Preservation By-Law (By-Law L-4) regulates the design of any changes or work done to the exterior of existing buildings and the exterior design and siting of new buildings within a designated area. The By-Law also regulates the demolition, removal or relocation of buildings in a designated area.

Why does the City of Fredericton have a HERITAGE PRESERVATION BY-LAW?

Like many communities, Fredericton has a large stock of buildings of historical or architectural significance. Buildings and groupings of buildings, together with their settings, have a special character and identity reflective of the City's history, and should be preserved. A preservation by-law is a tool used by many municipalities in Canada to protect and enhance this distinctive character. Such protection helps to stabilize or increase the market value of properties, and provides a degree of security for property owners who have invested time and effort in the maintenance of their properties. Studies have shown that heritage preservation can play a role in creating a sense of community pride, in attracting visitors and in stimulating development in other sectors of the economy, thus benefiting the whole community.

What areas in the city are administered UNDER A PRESERVATION BY-LAW?

The area presently administered under By-law L-4 is called the St. Anne's Point Heritage Preservation Area. You can see a map of this area attached to the By-law on our website (www.fredericton.ca). Council may designate additional places or areas in the future and append them to the By-law.



Are all buildings in a PRESERVATION AREA AFFECTED?

Most preservation areas contain a combination of older and contemporary buildings. It is important to treat the scale, form, and setback of all buildings in the same manner. Existing contemporary buildings, and new buildings, are not required to "look historic," but careful consideration of their design will ensure that the character of the area is maintained.

How is the By-law ADMINISTERED?

Fredericton City Council appoints citizens and one Council member to a Preservation Review Board. The Board administers the Heritage Preservation By-Law by reviewing applications for the alteration or demolition of buildings or for the construction of new buildings that are contained within a designated area.

The Board makes its decisions by applying Development Standards that are contained within the by-law. These Development Standards are used to ensure that in any intervention, property owners maintain or enhance the historical or architectural character of the preservation area. For existing buildings, detailing and materials used must be traditional to the original exterior facade. Contemporary materials may be permitted provided that their appearance is compatible with the appearance of traditional materials and detailing. For new buildings, the design and setting on the lot must be compatible with other buildings, streets, and open spaces in area to which it is visually related. The Development Standards also regulate setbacks (distance of the building from the street), requiring that streets with uniform setbacks remain uniform, while prescribing how much setback is acceptable on streets with varying setbacks (not less than 50% and not more than 120% of the average setback).

The Board also refers to a set of established design guidelines to help guide its decision-making. These guidelines address matters such as siting, scale, doors and windows, roofs, materials, colour, ornamentation, signs, fencing, landscaping, and modern interventions.

How do I obtain approval from the PRESERVATION REVIEW BOARD?

Property owners wishing to alter the exterior of a building located in the Preservation Area or undertake new construction must make application to the Preservation Review Board at least 10 days prior to the scheduled meeting. In most cases, an application for a building permit is also required to ensure Building Code and Zoning By-law compliance. Property owners should include with their application development plans and specifications sufficient to describe the work proposed.

The application is brought to the Board Secretary who takes it to the next available meeting. Regular meetings of the Board are once monthly, while special meetings are held when necessary. If the Board is satisfied that the proposal meets the intent of the By-Law, it issues a "Certificate of Appropriateness" to the property owner. The applicant may then obtain all other necessary approvals.

The Board may delegate certain approvals to a "Community Heritage Officer." This Officer, a planner designated by the City, determines whether a proposal fully meets the provisions of the By-Law and conforms to the established guidelines. If so, the Officer can issue a Certificate without referring it to the Board. In many cases, minor interventions such as pools, decks, sheds, re-roofing, replacement in kind, or signs, can also be approved by the Officer directly. Whether the Board or the Community Heritage Officer gives the approval, every reasonable effort will be made to notify the applicant of the decision within 14 days of the filing of an application, and the Board must make a decision within 30 days of the filing of an application.

Property owners are encouraged to contact the City before filing their application to determine the feasibility of their proposal. Staff is available to discuss the proposal and explain the process involved. Many property owners hire a design professional to help them decide the best course of action for work within a heritage preservation area.

Can I appeal a DECISION OF THE BOARD?

Yes. A person can appeal to the Provincial Planning Appeal Board a decision of the Preservation Review Board or the Community Heritage Officer, or any term and condition, within 15 days of the decision.

For further information, or to obtain a copy of the by-law, contact:

City Hall

397 Queen St.

Fredericton, NB E3B 1B5

Telephone: (506) 460-2062

Fax: (506) 460-2894

E-mail: juan.estepa@fredericton.ca

Application forms are also available at www.fredericton.ca

Design GUIDELINES

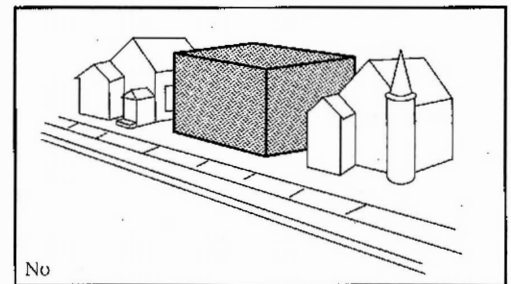
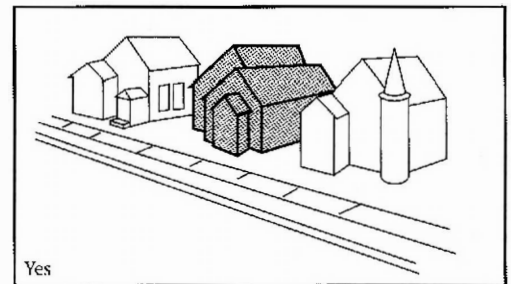
The following design guidelines should be respected in the execution of all new construction, renovations or additions undertaken in a preservation area.

AUTHENTICITY/INTEGRITY

All buildings should be recognized as products of their own time. The copying of historical styles and their details is discouraged, as all buildings should honestly reflect the materials, methods and styles of their time. Further, every building has its own unique character-defining elements. Modifications to existing buildings should be consistent with the building's original character but not copy the original building style. Wherever possible, new additions or alterations should be done in such a manner that, if they were removed, the original building would not be compromised.

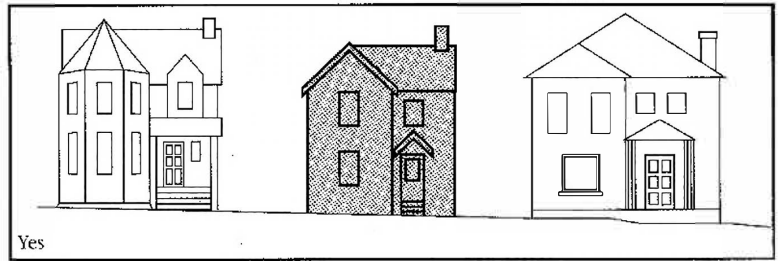
SCALE AND MASSING

Scale refers to the height and width of a structure while massing refers to its shape and form and both are important in ensuring a building "fits in" with its surroundings. Building size, mass and roof shapes directly affect the building's visual impact. New development should not be less than 80% or greater than 120% of the average prevailing building dimensions.



COMPATIBILITY

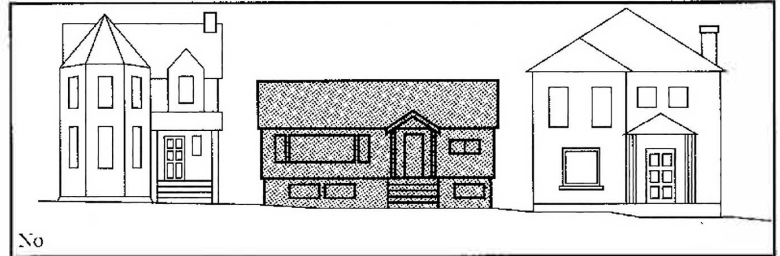
A building's design should be respectful to its neighbours. Existing building and streetscape composition and design features should be considered in the design of any additions, alterations or new construction.



Yes

BALANCE/PROPORTION/HARMONY

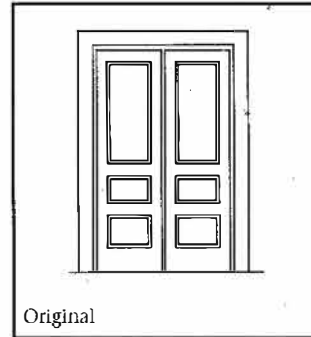
Attention is necessary to the balance and proportion of all design elements as they relate to one another. This ensures visual harmony as well as sensitive integration into the existing building context.



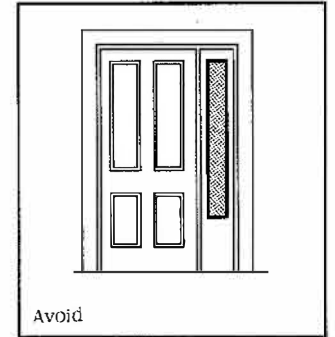
No

WINDOW AND DOOR OPENINGS; PORCHES

Size, proportion and arrangement of doors, windows and openings such as porches vary from building to building, yet in older areas there is an overall consistent pattern that provides expression to buildings. The original size and proportion of openings should be maintained when renovating, and respected in new construction, to establish balance and expression to the exterior. Careful attention should be paid to the height, width, composition and placement of windows, doors and porches.



Original



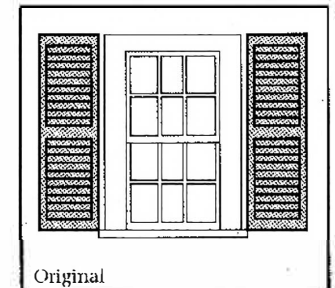
Avoid

MATERIALS

Materials present in the area include clapboard, shingles, brick, stucco, stone and glass block. These materials, applied in their traditional manner, are preferred over substitutes like vinyl or aluminum.

COLOUR

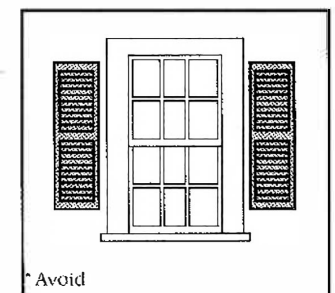
Exterior colour is often a significant factor in the visual harmony of a heritage preservation area and therefore careful choice of colour is encouraged. However, a Certificate of Appropriateness is not required to change colour.



Original

ORNAMENTATION

Ornamentation, detailing and trim provide texture and uniqueness to buildings. It should be repaired and retained, if possible, or replaced with a similar unit. Details typical of a period prior or subsequent to that of the subject building should be avoided. Ornamentation not present on the original building should not be later added. Elements such as bargeboards, brackets, shutters, sills, moldings, pilasters, columns and quoins add definition and character. Care should be taken to ensure their compatibility with the style, scale and type of building.



Avoid

MODERN INTERVENTIONS

Storm windows and doors, satellite dishes, skylights and other modern interventions should be integrated into the context of the original design. Careful consideration must be made regarding the placement and size of elements such as satellite dishes and skylights so that they are as non-obtrusive as possible. If aluminum storm windows and doors are necessary, they should be simple in design.

SIGNS

The size and placement of signs is subject to the City's Zoning By-law. The sign should be simple using appropriate material and colours that complement the building. It should be located or attached so that it will not conceal significant features or damage the building fabric. Both a Sign Permit and a Certificate of Appropriateness are required.

FENCING AND OTHER LANDSCAPING ELEMENTS

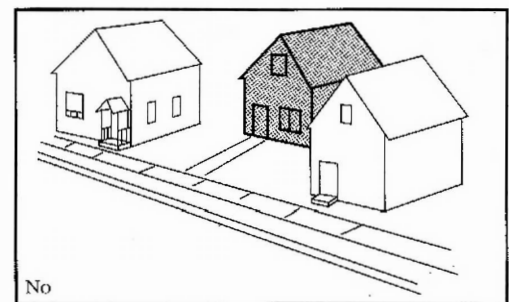
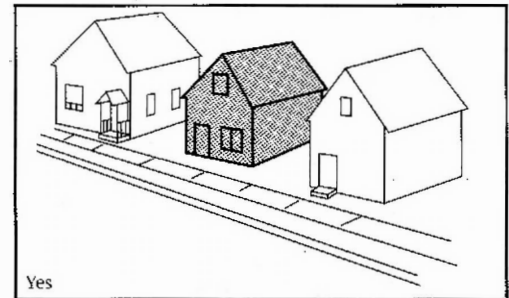
The scale, style, material and colour of fencing and other architectural elements such as arbours and trellises should respect the main building design. These elements should complement and enhance the composition rather than contrast its character. A building permit is required for a fence that encloses a swimming pool. However, a Certificate of Appropriateness is not required for any free standing landscaping elements.

NEW BUILDINGS: SITING

The views, existing vegetation, orientation, the site's context and microclimate, the building program and traffic patterns should be taken into consideration in the site design. Rear and side yard setbacks are subject to distance provisions set out for the property in the City's Zoning By-law. The Preservation By-law's Development Standards regulate front yard setback.

NEW BUILDINGS: DESIGN

Contemporary design of new buildings, additions or alterations is encouraged, but should be compatible in scale, massing, material, colour and character to adjacent buildings and streetscapes.



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