



HERITAGE REGULATIONS

1. TITLE

These regulations may be cited as the Town of Grand Falls – Windsor Heritage Regulations.

2. DEFINITIONS

For the purposes of this section, the following definitions shall apply:

- a) “Act” means the *Municipalities Act 1999*
- b) “Council” means the Town Council of the Town of Grand Falls – Windsor
- c) “Municipality” means the Town of Grand Falls – Windsor
- d) “Committee” means the Grand Falls – Windsor Advisory Committee established pursuant to Section 414 (2) (dd) of the *Municipalities Act 1999*
- e) “Municipal Site” means as the case may require, an area or a place, parcel of land, building or structure, exterior or interior portion or segment of a building or structure, within the municipality, whether it is privately owned or owned by the Town of Grand Falls – Windsor
- f) “Municipal Heritage Site” means a municipal site, object or landmark within the municipality that represents an important historical development of the locality, of its natural history or its people and their culture, and has been designated as such by the town of Grand Falls – Windsor
- g) “Municipal Heritage Designation” means a municipal heritage designation within the municipality that represents an important historical place, land, event, person, object or landmark, cultural tradition or practice, or tradition bearer.

3. HISTORIC BACKGROUND

In 1768, as Lieutenant John Cartwright was mapping the Exploits River, he found a large waterfall. He named it "Grand Falls".

By 1900, the great English publisher Alfred Harmsworth Lord Northcliffe was looking for a reliable and plentiful source of newsprint. He chose the site at Grand Falls for its great industrial potential and in 1905 established the Anglo-Newfoundland Development Company to construct a paper mill, the largest in the world at that time. The mill opened in 1909.

The company founded, built, and ran Grand Falls as a "company town" on the then-current model of the English garden city, providing services and amenities that were extremely rare in Newfoundland at that time. A planned street grid, a town hall, spacious housing developments, schools, churches, a public library, a hospital, street-lighting, musical and dramatic societies, and a plethora of sporting clubs and events were all notable features of life here.

Many people also settled in the area near the main railway line, now known as Windsor. This name was chosen as a result of a royal proclamation that one town in every region of the empire should carry the royal surname. Businesses authorized by the company operated in Grand Falls, while Windsor offered a huge variety of retail and related services to the residents of both towns.

In 1938, the town of Windsor became the first incorporated municipality in Newfoundland outside St. John's. In 1961, the town of Grand Falls also was incorporated. In 1991, the two towns amalgamated to become the current town of Grand Falls-Windsor. In 2009, the paper mill closed. It had been the engine that transformed the economy and society of the central region. Today, the thriving Town of Grand Falls-Windsor represents the living and lasting legacy of its founder Lord Northcliffe.

4. MISSION STATEMENT

The Town of Grand Falls – Windsor Heritage Advisory Committee aims to identify, preserve and promote the history and heritage of Grand Falls – Windsor. The Committee advises Council on heritage issues, and works in conjunction with other committees to maintain and nurture the tangible and intangible heritage of Grand Falls – Windsor, including historical sites, venues, land, property, people, lore, music and events.

5. ESTABLISHMENT OF MUNICIPAL HERITAGE AND ADVISORY COMMITTEE

- 1) A Municipal Heritage Advisory Committee (hereinafter referred to as the "Committee") is hereby established pursuant to Section 414(2) (dd) of the *Municipalities Act, 1999*.

- 2) The Committee shall consist of not fewer than five members to be appointed at any regular meeting of Council.
- 3) Council may refer to the Committee for its consideration and advice and the Committee may, on its own initiative, consider and advise Council on any matter relating to the powers afforded to Council under the terms of the *Municipalities Act, 1999*, and, in particular, the Committee may make recommendations to Council respecting the heritage designation of people, events, traditions, as well as 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.
- 4) The Committee shall consist of two members of Council, one of which shall be appointed by the Mayor as Chair, Economic Development Officer, one representative of the Grand Falls-Windsor Heritage Society, and up to two members-at-large from the residents of Grand Falls – Windsor.
- 5) The Committee may make rules governing its procedure.
- 6) A majority of the members of the Committee shall constitute a quorum.
- 7) All questions before any meeting of the Committee shall be decided by a majority of the members present, including the presiding member, and the presiding member shall have a deciding vote in the event of equality of vote.
- 8) The presiding member shall cause minutes of all meetings and proceedings of the Committee to be recorded in a book kept for the purpose and shall forthwith, after the adoption of the Committee of such minutes, sign and deliver the same to the Chief Administrative Officer of the Council.
- 9) The committee shall meet a minimum of twice a year, at the call of the Chair.
- 10) Board appointments must be reviewed and renewed annually. Committee members may only serve a maximum of three consecutive one year terms.

PURPOSE OF COMMITTEE

- 1) The purpose of the Committee is to work closely with the Economic Development Officer and other committees of Council to help promote and preserve our history and heritage for future generations.
- 2) The Committee is to identify sites, properties, buildings, unique places, outstanding historic events, exceptional people of the past and distinctive cultural traditions that fit the criteria set down by the Committee for nomination for Heritage Designation.

- 3) The Committee will promote the history, heritage and folklore of Grand Falls – Windsor for tourism.
- 4) The Committee shall act in an advisory capacity to Council.
- 5) The Committee may form Sub-Committees from volunteers when needed.

6. DESIGNATION OF MUNICIPAL HERITAGE SITES

- 1) Council may refer the matter of designation of municipal heritage sites to the Committee for review and recommendation prior to the designation. In no event shall Council be required to act upon the recommendations received.
- 2) Council may make heritage regulations under Section 414 (2) (dd) of the *Municipalities Act*, which reads, “A council may make regulations designating real property as a heritage building, structure or land”. Council may act in accordance with the *Municipalities Act* and designate as a municipal heritage site any municipal site within the borders of the municipality that in the opinion of Council represents an important development of:
 - a) the locality;
 - b) its natural history;
 - c) its people and their culture;
 - d) land adjacent to a municipal heritage site, although not containing heritage resources.
- 3) Unless the request for designation is made by the owner of such property, written notice of Council’s intention to designate shall be given to the owners of such property by one of the following:
 - a) by personally serving notice on the owner, or
 - b) by registered or certified mail

A copy of the notice will be posted on the property to be designated. It shall be deemed sufficient service if the notice is given or sent to the person or persons listed on Council’s assessment roll as owner of the property.

- 4) Council shall give the owner of any such property a reasonable opportunity (30 days) to make representation to Council with respect to the intended designation.
- 5) The installation of a 5”x10” bronze plaque will be mounted on the outside of the building or site to indicate its heritage significance.

7. PROTECTION OF PROPOSED AND DESIGNATED MUNICIPAL HERITAGE SITES

- 1) Section 200 (1) of the *Municipalities Act* reads, “A 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 of the Council specifically authorizing the alteration and in accordance with the terms and conditions of the permit.”

In addition, Section 404 (1) (g) of the *Municipalities Act* reads, “A Council may make an order that a building constructed on heritage land be removed and the lands restored and that the exterior of a heritage building or structure not altered in accordance with a permit be restored as required by Council.”

Therefore, notwithstanding the provisions of the Municipality’s Development regulations, any person proposing to:

- a) excavate, repair, alter, renovate, enlarge construct an addition to, demolish, remove, destroy or damage a municipal heritage site
- b) erect, build or construct any erection, building or structure upon or within a municipal heritage site
- c) carry out any development project including any commercial, industrial, agricultural, residential, construction or other similar activity, development or project, upon or within any municipal site that is a municipal heritage site

Shall before commencing the proposed work, activity, development or project described in Clause (a), (b), or (c) submit to Council an application outlining the proposed work and request a permit authorizing the proposed work, activity, development or project.

- 2) Except for minor repairs and interior work, Council shall refer all development applications, including fences and outbuildings for designated municipal heritage sites to the Committee before granting approval.

For the purpose of these regulations, minor repairs, including fence paintings and posts, replacing hardware, roof shingles and similar repairs which do not alter the original appearance or materials of the structure, will be permitted. However, Council may refer any application to the Committee should it feel that additional advice is needed before making a decision on a permit application.

- 3) Any application for a permit required under this section shall be in such form and shall contain such information as Council may prescribe. Council may forward the application to the Committee for review and recommendation (within 30 days).
- 4) After considering the application and the recommendation submitted by the Committee, Council may approve the work, activity, development or project in the

form in which it is proposed or with such variations as Council deems necessary for the protection of the site.

- 5) No person shall carry out any work, activity, development or project described in Subsection 6.1 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.
- 6) Council may require the owner or lessee of a municipal heritage site to undertake such measures as Council may prescribe for the basic maintenance of such site.
- 7) The Building Inspector, or his designate, is hereby appointed as an inspector for the purposes of this section and, in accordance with the provisions of the *Municipalities Act 1999*, shall enforce the provisions of these regulations.

8. REGISTER OF MUNICIPAL HERITAGE SITES

- 1) A registry of designated municipal heritage sites, buildings and properties shall be maintained by the Municipality. This list may from time to time be updated without amendment to the Development Regulations,
- 2) A register shall be available for public inspection in the office of the Municipality during normal office hours, and on the town website at www.grandfallswindsor.com. As of the date of signing this regulation, sites, buildings and properties currently registered are:

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| a) Town Hall | b) Presbyterian Church |
| c) Grand Falls House | d) Valley Road Cemetery |
| e) High Street Traffic Circle | f) Memorial Grounds |
| g) Forestry monument | |

9. PENALTY

- 1) If any order made under Section 200 (1) and 414 (2) (dd) of the act is 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.

These Heritage Regulations were approved at Council meeting 473, this __24__ day of ____January____, 2017.

Jeff Saunders,
Town Manager / Clerk