



Subject: *Maitland Heritage Conservation District Review*
To: CAO for Planning Advisory Committee, January 20, 2026
Date Prepared: January 7, 2026
Related Motions: None
Prepared by: Rachel Gilbert, Manager of Planning
Approved by: John Woodford, Director of Planning and Development

Summary

Following a staff review of the existing Heritage Conservation District Plan and Bylaw amendments are being proposed to the Maitland Heritage Conservation District Plan, Bylaw and Design Guidelines. The Nova Scotia Heritage Conservation District Regulations requires a public participation program be adopted and that background reports be sent to the Minister for Communities, Culture, Tourism and Heritage.

Financial Impact Statement

The costs associated with this request include mailing out letters to people within Maitland and the filing the amended Bylaw with the registry of deeds. These costs will be covered by the existing 2025/26 and 2026/27 budgets.

Recommendation

That Planning Advisory Committee recommend that Council adopt the staff report as the public participation program and approve sending the background information to the provincial government.

Recommended Motion

Planning Advisory Committee recommends to Council that Council:

- Adopt the public participation program, as outlined in the staff report regarding the Maitland Heritage Conservation District Review and dated January 7, 2026; and
- Approve sending the background information to the Minister for Communities, Culture, Tourism and Heritage.

Background

In 1995 Maitland was declared Nova Scotia's first Heritage Conservation District (HCD). After a comprehensive review, in October 2018, Council approved amendments to the Maitland Heritage Conservation District Plan and Bylaw. Bylaw P1100 was approved by Council in October 2018 and came into effect on February 27, 2019. In 2019 an amendment was made to the Plan and Bylaw to remove a property from the district. This removal was at the request of the property owner.

A cycle of regularly reviewing bylaws enables these documents to reflect current legislation and the current community needs. It's been over 7 years since the Heritage Conservation District Plan and Bylaw was amended and planning staff recommend that now is an appropriate time to undertake a review of the Plan, Bylaw and Design Guidelines.

In undertaking a review of the Plan and Bylaw Staff have identified some fairly minor amendments which could assist in providing clarity and consistency with heritage goals:

Details of the proposed amendments are included in Appendix A to this staff report.

- Removal of Brick as a material that the design guidelines currently encourage for new buildings in the Heritage District.
- Additional guidelines regarding signage. The additional guidelines would include expanding the materials which are permitted. Currently only wood signage is permitted
- Providing images to identify the fences types which are already permitted (to provide clarity).
- Requiring a certificate of appropriateness for accessibility ramps into buildings and adding design guidelines for the ramps. The certificate of appropriateness will enable the Heritage Officer to discuss options for the work with the property owner. The priority should be the accessibility of the building for people with disabilities but having the discussion with the heritage officer is important to ensure that the heritage value is also considered, where possible.

In discussions with the community there may be additional amendments which may be suggested to PAC in a future report.

Staff have also identified minor typo and editing amendments which are needed and should be included in the review. These amendments do not change the intent, policies or regulations. These minor amendments will be included in the final version of the plan and bylaw to be presented to PAC at the conclusion of the review.

Review of Maitland Heritage Conservation District Plan and Bylaw

The Nova Scotia Heritage Conservation District Regulations set out the requirements for adoption of amendments to a Heritage Conservation District Plan and Bylaw. These requirements include:

1. Adoption of a public participation program; and
2. Undertake background studies.

1. Public Participation Program

Section 6 of the Regulations requires that a Council shall adopt, by resolution, a public participation program. The content of a public participation program shall be at the discretion of the council, but it shall identify opportunities and establish ways and means of seeking the opinions of the public with respect to the proposed conservation plan and bylaw.

Staff propose the following public participation program:

1. Letters to be sent to each owner of property within the Maitland Heritage Conservation District explaining that a review of the Plan and Bylaw is being undertaken. The letter will provide an opportunity for the property owner to provide comments on the proposed amendments to the Plan, Bylaw and Design Guidelines. The letter will also offer an opportunity to provide comments on any elements of the Plan, Bylaw or Design Guidelines which they have concerns with or where additional amendments should be made to the Plan and Bylaw.

This letter will enable property owners to make comments on the current boundary of the Heritage Conservation District and properties located within the district. The policies in the current Plan sets out that inclusion of a property in the district shall be based on the principles of voluntary inclusion and optional future withdrawal.

2. Letters to be sent to owners of property in Maitland which are not included in the district, but could be included, asking if there is any interest in being included in the Heritage Conservation District.
3. Use of the municipal website and social media to seek input from the wider community.

In addition to the public participation program there is a requirement under the Heritage Conservation District Regulations to hold a Public Hearing before the adoption of the amendments. The Regulations require that notice be given of the details of the public hearing in a newspaper at least once a week for two successive weeks. A notice regarding the public hearing also has to be served on each assessed owner of property within the district.

2. Required Studies

A requirement of the Regulations, is that when preparing a conservation plan and bylaw (including amendments), is to undertake studies relating to the following:

- a) the rationale or justification for heritage conservation measures in the district;
- b) the rationale for the boundaries of the district;
- c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land use by-law or provincial land-use policy or regulation in effect for the district; and
- d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

Much of the information needed for the background studies is already included in the existing Heritage Conservation District Plan and Bylaw. This Plan and Bylaw was comprehensively reviewed and updated in 2018. Staff also recommend that a copy of this staff report be provided with the Plan and Bylaw as it will provide further context to the required background studies.

- a) For the rationale or justification for heritage conservation measures, staff suggest that the rationale as included in the existing HCD Plan is still relevant and therefore amendments to this rationale are not proposed.
- b) The same applies for the rationale for the boundaries of the district, in that this rationale is included in the existing HCD Plan in sections 1.5.7 through to 1.5.11 and staff do not propose to amend this rationale. One of the key points included in the existing HCD Plan is that inclusion in the District is by voluntary inclusion. There are some criteria around what properties will be considered, even if inclusion is volunteered by a property owner. Staff do not believe there would be an appetite by property owners to amend the voluntary inclusion approach and therefore staff do not recommend that this be amended.
- c) The relationship of a conservation plan and conservation bylaw with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation, in effect for the district, were considered through the preparation of the current Plan and Bylaw. With regards to provincial land use policy and regulation, there are none that have a relationship to this review of the HCD Plan and Bylaw. In 2023, the Municipality approved the new East Hants Official Community Plan which includes new land use policies and regulations for the northern portion of the municipality. Prior to 2023, Maitland was located within an area of the municipality which did not have comprehensive planning policies and regulations. Maitland is now located in the Rural Use North (RU-2) Zone. The RU-2 Zone policies and regulations do not impact or contradict the Heritage Conservation District Plan and Bylaw.

Following the adoption of comprehensive zoning in the Municipality, the Land Use Bylaw signage regulations are now in effect in Maitland. The signage regulations build on the signage section of the Maitland Heritage Conservation District Plan and Bylaw in that the size, location and illumination of signage is regulated. These new Land Use Bylaw signage regulations help to protect the heritage setting of the district.

- d) The final item listed in the required background studies or information, is for an analysis to be provided of the social and economic implications of the establishment of the district, as these

relate to clause (a). The district has already been established and this current review is likely to result in some changes to the design guidelines which staff anticipate will be relatively minor and as such the social and economic implications of the amendments is likely to have relatively minor impacts.

The economic implications of owning a property within the HCD mostly relate to the cost associated with complying with the design guidelines for the district. Depending on the work being proposed to the property, the design requirements may increase the cost of the work due to the use of specific heritage appropriate materials or even design standards. There is however also a financial benefit to being located within the district which could help to offset any potential increased costs of construction/renovations. The financial benefit is in the form of incentives which are available from both the municipality and the provincial government.

Maitland is an important tourist draw in the area and there are businesses located in Maitland that obtain some of their income from visitors to the community. The HCD plan and bylaw will help to maintain and preserve the historic value of the properties within the district which can only help to keep or even increase the visitor draw to the area.

After acceptance by council of the background studies and information, council shall provide public access to the studies and provide two copies to the Minister. The Minister shall advise Council when no additional studies are required. The Minister may waive or change the requirement for the background studies, where Council is proposing to amend a conservation plan or bylaw.

Conclusion

Staff have suggested a modest public participation program due to the minor nature of the proposed Amendments. Public notification requirements for the Public Hearing are set out in the Heritage Conservation District Regulations. Following acceptance of the Background Studies and Information by Council two copies of the studies will be provided to the Minister. The Minister has sixty days to decide if further background studies are needed. If further studies are required planning staff will report back to Planning Advisory Committee.

Following the public participation program, staff will provide a second report with full details of the proposed amendments to the Heritage Conservation District Plan and Bylaw.

Alternatives

None

Attachments

Appendix A - Proposed amendments to the Maitland Heritage Conservation District Plan and Bylaw.

Appendix B - Boundary of Maitland Heritage Conservation District

Appendix A

Maitland Plan and Bylaw Proposed Amendments - Jan 2026

Part 1: Plan

1.5.3 Certificate of Appropriateness required for certain types of development

Policy 3

It shall be a policy of Council to require a Certificate of Appropriateness for the following types of development within the Heritage Conservation District:

2. any alteration to an existing building where the alteration is visible from an adjacent public street or road, including but not limited to:
 - (a) Any addition, including new porches, verandas, balconies, **accessibility ramps** and exterior stairs;

1.5.23 Accessibility Ramps

Older buildings are often not accessible to some people with physical disabilities. Ramps to the building entrances may provide an accessible access to these buildings but these ramps may come at the expense of impacting the character of the heritage building. In circumstances where a ramp is required, the accessibility of the building to people with disabilities shall be the priority but the protection of the character of the heritage building should be a consideration.

New accessibility ramps shall be designed to meet the needs of people with disabilities so that they are functional and usable.

Policy 22

It shall be a policy of Council to require a Certificate of Appropriateness for accessibility ramps which are visible from a public street or road. Design Guidelines shall be included in the Heritage Conservation District Bylaw to ensure that, where possible, new ramps shall be designed to preserve the character of the heritage building.

Part 2: Bylaw

2.2 Types of development for which a Certificate of Appropriateness shall be required

Prior to any work commencing, a Certificate of Appropriateness shall be required for the following types of development within the Heritage Conservation District:

5. Substantial alterations to an existing building which are visible from an adjacent street or road, excluding the exceptions in subsection 2.3 of this Section, but including:

- i) Accessibility ramps with respect to location, style, materials of the ramp and the removal of parts of the existing structure.

Part 3: Design guidelines

3.2 New Freestanding Construction

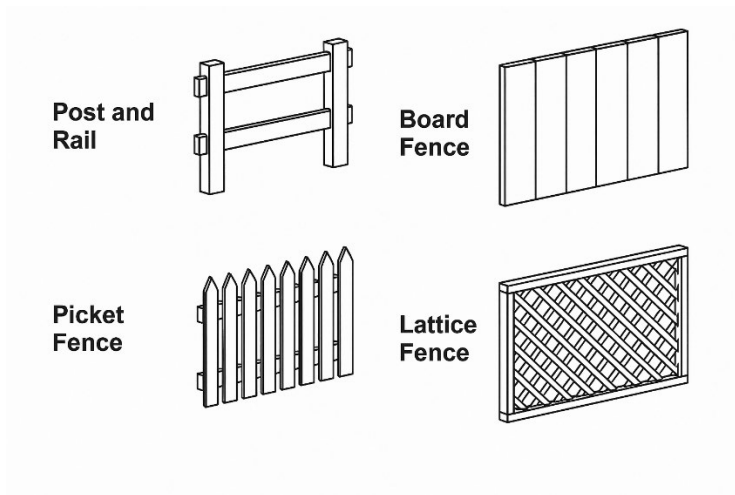
1. New freestanding construction will be required to be compatible with the character of adjacent properties and the streetscape. This means adhering to the general character of the surrounding neighborhood with regards to lot patterns, heights, massing, setback, building scale, and exterior materials.
2. New construction should be a product of its own time and not pretend to be historic by incorporating historic detail that is inappropriate in contemporary construction. New design may be a contemporary interpretation of historic forms and styles, but attempts to replicate historic buildings are discouraged.
3. Nineteenth century buildings have survived until today in large part due to their use of quality natural materials such as ~~brick~~, stone and wood. These materials will be encouraged in new construction. High quality and durable materials are encouraged, ensuring they age well and contribute to the long-term character of the District.
4. Maintaining the height and rhythm of the existing streetscape, as described herein, will unify the District. Blank façades that face the street or are easily visible from the public realm are discouraged.

3.5 Design Guidelines for Signs

The Land Use Bylaw regulates signs with respect to size, locations, and safety. The following design standards supplement the Land Use Bylaw for properties located in the Heritage Conservation District.

1. New signs shall be designed in a manner which respects and reinforces the architecture of the building with which they are associated. Signage which is compatible with nearby buildings helps to create visual unity within the Heritage Conservation District.
 2. Signs such as name and address signs, building identification signs, no trespassing signs, traffic regulation or parking signs, plaques denoting historic significance, etc., shall be relatively small in relation to the building to which they are attached or with which they are associated.
 3. New signs should present clear, concise information in a simple manner.
 4. Signs shall not obscure architectural details, including, but not limited to cornices or the tops of the windows, cornices or trim details.
1. New signs shall be constructed of wood, metal or synthetic materials made to replicate the appearance of wood or metal and may have painted, carved or raised lettering.
 2. High quality and durable materials are recommended, ensuring they age well.

3.6.2 Permitted fence types: (following image proposed to be added to clarify which fence types are already permitted)



3.8 Accessibility Ramps

When designing an accessibility ramp, consideration shall be given to Accessibility Standards of Canada or alternative Nova Scotia accessibility standards. The following design standards shall also apply to accessibility ramps.

1. New accessibility ramps shall be designed to meet the needs of people with disabilities so that they are functional and usable.
2. Where appropriate, and where it respects the dignity of people with disabilities, the location of the ramp should be designed to have the least impact on the main façade of the building.
3. Any posts above the top rail shall be capped.
4. Any steps shall include closed risers.
5. Any area underneath the ramp deck shall have a wooden apron screen.
6. Railings require a top and bottom rail with vertical balusters.

Appendix B - Boundary of the Maitland Heritage Conservation District

