

Heritage Property Bylaw Review

Planning Advisory Committee

February 20, 2024

Planning & Development Department



EAST HANTS

Background

- In 1980, the Government of Nova Scotia passed the Heritage Property Act, to help identify, protect and rehabilitate built heritage throughout the province. Under the act, a heritage property is a building or structure and the land on which it is located;
- The Heritage Property Program offers three types of protection:
 1. Provincial Registry of Heritage Properties;
 2. Municipal Registries of Heritage Properties; and
 3. Heritage Conservation Districts.
- A Municipal Registry of Heritage Properties is a list of properties and structures that have been deemed to have a local or community level of heritage value. The Municipality has adopted the Heritage Property By-Law which administers the protection of the municipally registered heritage properties.
- It's good practice to review bylaws periodically to consider whether the bylaw reflects current legislation and current local circumstances. The Heritage Property Bylaw was last reviewed in November 2016.

Other Jurisdictions

- Planning staff undertook a jurisdictional scan of other municipalities in Nova Scotia to understand what other municipal units have included in their Heritage Property Bylaws and what information they include in their Heritage Property Registry.

Heritage Advisory Committee

1. For the Town of Truro, The Town of Yarmouth, The Town of Lunenburg the Heritage Advisory Committee is a committee separate from the Planning Advisory Committee and includes members who have expertise in heritage matters.
 2. The Town of Wolfville and the Town of Annapolis Royal have their Planning Advisory Committee serving as their Heritage Advisory Committee.
- The Act enables but does not require that the Planning Advisory Committee also act as the Heritage Advisory Committee (HAC). At this point planning staff are not recommending a change to the bylaw to create a separate HAC committee. It's often difficult to recruit public members for committees and over the past few years there has generally not been a lot of heritage items to discuss.

Other Jurisdictions

Municipal Registry of Heritage Property

1. The HRM has an Open Data app which includes an interactive map and a table with the information. The data included in the table is the heritage property name, the approx. age and the registration date.
 2. The Town of Lunenburg - the registry provides the address of the property, the heritage name and the date it was approved. They have kept copies of research, heritage registry application etc., but this is not provided as a part of the Registry.
- The approach taken by the HRM and the Town of Lunenburg are consistent with the approach proposed by staff.

Draft Amended Bylaw

A general overview of the more significant amendments is included below along with the reasoning for the proposed changes.

1. Removal of text which is already covered in the Heritage Property Act and staff feel that it is not necessary to be repeated in the Bylaw;
2. Historically the registry has been a collection of documents (stored in a binder) relating to the registration of the property - e.g. notices; ceremony agendas; application forms; evaluation criteria. Staff are suggesting the registry be simplified to include - the location of the property, the property name, the construction date and the date of Council approval.

Simplifying the level of detail enables the registry to be provided online and also a hard copy be kept at the municipal office. The documents previously held in the heritage registry binder will be retained and will be provided to any members of the public at request.

3. New text proposed to be added to indicate that the Heritage Advisory Committee may advise Council regarding the administration of the Maitland Heritage Conservation District. Historically this has been the practice but is not reflected in the bylaw or the Maitland Heritage Conservation District Bylaw.

Recommendation

That Planning Advisory Committee recommend that Council give first reading to the proposed Bylaw P-700-1, Heritage Property Bylaw.

Recommended Motion

Move that the Planning Advisory Committee recommend that Council give first reading to the proposed Bylaw P-700-1, an amendment to Bylaw P-700 Heritage Property Bylaw.