

Town of Truro – Bylaws

Subject: Heritage Property
Bylaw Number: B160-003
Approval Date: July 3, 1981
Departments: Planning and Development

Heritage Property

- 1.1 This Bylaw shall be known and may be cited as the “Heritage Property Bylaw”.
- 2.1 In this Bylaw, “Town Registry of Heritage Property” means a Municipal Registry of Heritage Property within the meaning of the Heritage Property Act, S.N.S. 1980, Chapter 8, having all the powers and duties prescribed by the Act or incidental thereto.
- 2.2 In this Bylaw, “Heritage Advisory Committee” means a Heritage Advisory Committee within the meaning of the Heritage Property Act, having all the powers and duties prescribed by the Act or incidental thereto.
- 2.3 In this Bylaw, “Town Heritage Property” means a Municipal Heritage Property within the meaning of the Heritage Property Act.
- 3.1 There shall be a Town Registry of Heritage Property wherein all prescribed documents relating to the registration of heritage property pursuant to the provisions of the Heritage Property Act or this Bylaw shall be filed.
- 3.2 The maintenance of the Town Registry of Heritage Property shall be the responsibility of the Town Clerk.
- 4.1 There shall be a Heritage Advisory Committee which may advise the Town respecting:
 - (a) the inclusion of buildings, streetscapes and areas in the Town Registry of Heritage Property;
 - (b) an application for permission to alter substantially or demolish a Town Heritage Property;
 - (c) building or other regulations that affect the attainment of the intent and purpose of the Heritage Property Act; and
 - (d) any other matters conducive to the effect of carrying out the intent and purpose of the Heritage Property Act.

4.2 The Heritage Advisory Committee shall be composed of not less than seven (7) members, appointed by Town Council. One member of the Committee may be a non-resident of Truro if that person:

- (i) pays property taxes or business occupancy tax (or any successor thereof) to the Town, either personally or as a majority shareholder in a corporation which pays such taxes, and such taxes are not in arrears; or
- (ii) has expertise relating to the work of the Committee for which the Town would otherwise be required to pay.

The remaining members of the Committee shall be residents of Truro.

Appointments shall be annually for a period of up to three years with any such member so appointed eligible for one further term of appointment. Appointments shall be made by Council at its regular November meeting or as soon thereafter as Council may deem advisable.

Council shall make an effort to have representative on the Committee as follows:

- (i) up to two committee members who are members of Council;
- (ii) two Committee members who are:
 - (a) a member of the Colchester Historical Society;
 - (b) a representative of the Heritage Conservation Districts; or
 - (c) an individual who has otherwise demonstrated active concern for the preservation of buildings of historic significance;
- (iii) one Committee member who is a representative of Truro business; and
- (iv) the remaining Committee members shall be appointed at large.

4.3 The Committee shall be governed, where not inconsistent with the Act or this By-law, by the general rules of procedure applicable to committees as are contained in the By-laws of the Town of Truro.

4.4 The Heritage Advisory Committee may recommend to Council that a building, streetscape or area may be registered as a Town Heritage Property in the Town Registry of Heritage Property and the prescribed notice of such recommendation shall be served and filed by the Town Clerk in accordance with the Act; and, in addition to the requirements of the Act, a copy of the notice shall be filed in the Town Registry of Heritage Property.

4.5 Notice of a recommendation by the Town Heritage Advisory Committee that a building, streetscape or area as a Town Heritage Property shall be in Form A, as attached hereto.

5.1 Council may register a building, streetscape or area as a Town Heritage Property in accordance with the provisions of the Act and the registration shall be in the Form B, as attached hereto.

- 5.2 Notice of such registration shall be sent to each registered owner of the Municipal Heritage Property. One copy of the registration shall be deposited in the Registry of Deeds and one copy of the registration shall be filed in the Town Registry of Heritage Property.

- 6.1 Council may from time to time set out or amend the terms of reference within which the Heritage Advisory Committee shall operate. The Council may set out and amend such guidelines as it sees fit for the designation of property as Heritage Property and the Heritage Advisory Committee shall make recommendations in accordance therewith.

Form A

Notice of Recommendation to Register as a Town Heritage Property

To:

You are hereby notified that:

- (1) The land and building located at

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

has been recommended to be registered in the Town Registry of Heritage Property for the Town of Truro.
- (2) The reasons for this proposed designation are:

(approximate date of erection; type or architecture, typical of an era; part of a streetscape with description of streetscape location; local historical significance; national historical significance).
- (3) Section 13 (4) of the Heritage Property Act prohibits any substantial alteration to the appearance or demolition of a property described herein for a period of one hundred twenty (120) days from the date and service of this notice, unless the Town Council sooner refuses to register the property.
- (4) The effect of recommendation and registration in the Town Heritage Registry described in paragraph (1) is that no demolition or substantial alteration in exterior appearance may be taken from the date of registration unless an application, in writing, for permission is submitted to the Town and the application is granted with or without conditions. Where such application is not approved, the owner may make the alterations described in his application or carry out the proposed demolition at any time after one year but not more than two years from the date of the 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 , 19 at o'clock in the noon 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 Town Clerk for the Town of Truro, weekdays from 9:00 a.m. to 5:00 p.m.

DATED this day of 20

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Town Clerk

Form B

Notice of Registration of Heritage Property

(To be filed in the Registry of Deeds for the District in which the property is located in the Town Registry of Heritage Property)

TO:

You are hereby notified that:

- (1) The land and building located at:
(address, location, legal description or other identification of property)
has been registered in the Town Registry of Heritage Property by resolution adopted at a meeting of Council the day of 20

- (2) The effect of registration in the Town Registry of Heritage Property is that no demolition or substantial alteration in the exterior appearance may be undertaken from the date of registration unless an application, in writing, form permission is submitted to the Town and the application is granted with or without conditions. Where an application is not approved, the owner may make the alteration described in his application or carry out the proposed demolition at any time after one year but nor more than two years from the date of the application.

DATED this day of 20

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Town Clerk