

TOWN OF PICTOU
HERITAGE ADVISORY COMMITTEE BY-LAW

BE IT RESOLVED that this By-Law, known as the Heritage Advisory Committee By-Law for the Town of Pictou be enacted effective this _____ day of _____, 2024.

TITLE

1. This By-Law may be cited as the “Heritage Advisory Committee By-Law”.

DEFINITIONS AND INTERPRETATION

2. In this By-Law:
 - a. **“Committee”** means the Planning Advisory Committee within the meaning of the *Heritage Property Act*, R.S.N.S. 1989, c. 199 [*Heritage Property Act*], of the Province of Nova Scotia or successor legislation as may be enacted from time to time, having all the powers and duties prescribed by the Act or incidental thereto;
 - b. **“Town Heritage Property”** means a Municipal Heritage Property within the meaning of the *Heritage Property Act*;
 - c. **“Council”** means the Council of the Town of Pictou;
 - d. **“CAO”** means the Chief Administrative Officer of the Town of Pictou and has the same meaning as in the *Municipal Government Act*, S.N.S. 1998 c. 18, of the Province of Nova Scotia or successor legislation as may be enacted from time to time;
 - e. **“Town”** means the Town of Pictou; and
 - f. **“Registry”** means a municipal registry of heritage property within the meaning of the *Heritage Property Act*.

APPLICATION

3. This By-Law is enacted pursuant to Section 12 of the *Heritage Property Act*.
4. This By-Law is intended to add to, and not to conflict with or subtract from, the requirements contained in valid provincial or federal legislation and regulations in force from time to time and shall be interpreted accordingly. Without limitation to the forgoing, in the event of a conflict between the National Building Code and this By-Law, the National Building Code shall govern.

COMMITTEE TERMS OF REFERENCE

5. The Committee shall be governed by the provisions herein, the *Heritage Property Act*, Town policy and the *Municipal Government Act*, S.N.S. 1998 c. 18 [MGA].
6. The Committee may advise and make recommendations to the Town respecting:
 - a. the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes and areas in the Registry;
 - b. an application for permission to substantially alter or demolish a Town Heritage Property;
 - c. the preparation, amendment, revision or repeal of a conservation plan and conservation by-law;
 - d. the administration of heritage conservation districts pursuant to the provisions of this the *Heritage Property Act*;
 - e. an application for a certificate that is required by the *Heritage Property Act* or a conservation plan and conservation by-law to go to a public hearing;
 - f. building or other regulations that affect the attainment of the intent and purpose of this By-law and the *Heritage Property Act*; and
 - g. any other matters conducive to the effective carrying out of the intent and purpose of the *Heritage Property Act*.
7. Council shall authorize the Planning Advisory Committee to act as the Heritage Advisory Committee. Any terms of reference for the Planning Advisory Committee will apply to the Heritage Advisory Committee.

TOWN REGISTRY

8. The CAO shall establish and maintain at the Pictou Town Office, a Registry wherein all documents relating to the registration of Town Heritage Property shall be filed.
9. The Registry shall:
 - a. be properly indexed;

- b. contain data with respect to recommendations, registration, if applicable, recording particulars of documents required to be registered at the Nova Scotia Land Registration Office and true copies of all notices required by the *Heritage Property Act*;
 - c. contain particulars of Town Heritage Property under recommendation or registered so as to adequately identify the property; and
 - d. be accessible to the public at no charge during regular Town business hours at the Town Administration Office.
10. The Committee may recommend to Council that a building, streetscape, or area be registered as a Town Heritage Property in the Registry and the prescribed notice of such recommendation shall be served and filed by the CAO in accordance with the provisions of the *Heritage Property Act*.
11. Notice of a recommendation by the Committee that a building, streetscape, or area be registered as a Town Heritage Property shall be in Form A.
12. The Town may register a building, streetscape, or area as a Town Heritage Property in accordance with the provision of the *Heritage Property Act* and the registration shall be in Form B.
13. Notice of any such registration shall be sent to each registered owner of the Municipal Heritage Property and a copy of the registration shall be recorded on the parcel register in the Nova Scotia Land Registration Office.

PREVIOUS HERITAGE PROPERTIES DEEMED REGISTERED

14. Buildings, streetscapes, or areas which were and continued to be registered Town Heritage Properties in the Town prior to the enactment of this by-law, shall be registered Town Heritage Properties in the Registry.

OFFENCE ENFORCEMENT AND PENALTIES

15. No person shall contravene or fail to comply with any provision of this By-law.
16. This By-law may be enforced, at the discretion of the Town, in accordance with the procedures set out in the MGA and *Summary Proceedings Act*, R.S.N.S. 1989, c. 450 [SPA], and the SPA, where applicable, shall apply to proceedings under this By-law.

REPEAL

17. The Heritage Property By-Law passed in 1982, and any previously related By-laws of the Town, and any amendments thereto, are hereby repealed.

EFFECTIVE DATE

18. This By-law is effective upon ministerial approval.

CAO ANNOTATION

Date of First Reading:

Date of advertisement of Notice of Intent to Consider:

Date of Second Reading:

Date of Ministerial approval of By-law:

Date of advertisement of Passage of By-law:

I certify that the above HERITAGE ADVISORY COMMITTEE BY-LAW was adopted by Pictou Town Council at duly called meetings and was published as indicated above.

Chief Administrative Officer

FORM A

NOTICE OF RECOMMENDATION TO REGISTER
AS A TOWN HERITAGE PROPERTY

TO:

You are hereby notified that:

1. The Heritage Advisory Committee has recommended that the land and building located at

be registered in the Town Registry of Heritage Property for the Town of Pictou.
2. The reasons for this proposed designation are:
3. Section 13(4) of the *Heritage Property Act* prohibits any substantial alteration to the exterior appearance of a Town Heritage Property or any demolition of a Town Heritage Property for a period of One Hundred Eighty days (180) from the date of service of this notice unless the Town Council before the expiration of One Hundred Eighty days refuses to register your property as a Town Heritage Property.
4. The effect of recommendation and registration in the Town Heritage Registry as described in paragraph 1 is that no demolition or substantial alteration to the exterior appearance of your property may be made from the date of registration of your property as a Town Heritage Property unless an application, in writing, for permission to demolish or alter your property is submitted to the Town and the application is granted with or without conditions. Where your application is not approved, you may make alterations described in your application or carry out the proposed demolition at any time after one year but not more than two years from the date of 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 _____ A.D., 20____, at _____ o'clock in the _____ noon at _____, _____. (This date must be 21 days after service of the notice.) Information and particulars concerning the reasons for recommendation are available from the office of the CAO for the Town of Pictou during regular business hours.

DATED this _____ day of _____, A.D. 20____.

CHIEF ADMINISTRATIVE OFFICER (SEAL)

FORM B

(To be filed in the Nova Scotia Land Registration Office and in the
Town Registry of Heritage Property)

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

To:

You are hereby notified that:

1. The land and building located at:

Has been registered in the Town Registry of Heritage Property by resolution adopted at a meeting of Council the _____ day of _____, A.D., 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, for 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 not more than two years from the date of application.

DATED this _____ day of _____, A.D. 20____.

CHIEF ADMINISTRATIVE OFFICER (SEAL)

MUNICIPALITY OF THE TOWN OF PICTOU
SELECTION CRITERIA FOR HERITAGE BUILDINGS

<u>Ranking</u>	<u>Score</u>
1. Age	
1773-1823	100
1824-1834	95
1835-1845	90
1846-1856	85
1857-1867	80
1868-1878	75
1879-1889	70
1890-1900	65
1901-1911	60
1912-1922	55
1923-1933	50
1934-1944	45
1945-1955	40
1956-1966	35
1967-1977	30
1978-1988	25
1989-1999	20
2000-2010	15
2011-2021	10
2022+	5
2. Condition (Restoration Possibility)	
Dilapidated	+5
Ruinous	+10

3. Relationship to Streetscape

Totally Integrated	10
Partially Integrated	7
Stand Alone	5

4. Architectural Merit

Outstanding example of type	20
Unique or rare example	20
Original façade	5
Particular point of note	5

5. Historicity

Associated with Individual of National or Provincial Importance	15
Association with Individual of Municipal Importance	10
Well Known Local Builder or Architect	10
Association with Events of National or Provincial Importance	15

6. Qualification

The Selection Criteria for the designation of heritage buildings within the Town is to be based on a numerical system whereby a score of 50 points is required for heritage recognition, with scores between 45 and 49 to be reviewed. Buildings under consideration will be viewed by at least three members of the Heritage Advisory Committee with a selection report to be presented biannually to the Council.

Styles:

New England Colonial	Scottish Townhouse	Italianate
North East Colonial	Second Empire	Scottish Vernacular
Victorian	Gothic Revival	Scottish Crofter

TOWN OF PICTOU

HERITAGE PROPERTY DESIGNATION APPLICATION

Name of Owner _____

Location of Property _____

Type of Structure House Church Commercial Barn
 Cemetery _____ Other

Construction Date: Pre-1773 1773-1823 1824-1834 1835-1845 1846-1856
 1857-1867 1868-1878 1879-1889 1890-1900 1901-1911 1912-1922
 1923-1933 1934-1944 1945-1955 1956-1966 1967-1977 1978-1988
 1989-1999 2000-2010 2011-2021 2022+

Style of Building and Type of Construction

Has Building any Outstanding Feature of Architectural Value?

Has property any connection with persons or events of historic importance?

Nationally Provincially Locally

Give details overleaf.