

BYLAW NO. 17

A BYLAW RESPECTING HERITAGE PROPERTIES

BE IT ENACTED by the Council of the Region of Queens Municipality, under the authority of the Heritage Property Act, RSNS 1989, Chapter 199, as follows:

1. This bylaw shall be known as Bylaw Number 17 and may be cited as the "Heritage Property Bylaw".

DEFINITIONS

2. Words in this bylaw shall take their meanings from their context and from dictionaries of the Canadian language, except as follows:
 - a. "The Region of Queens Registry of Heritage Properties" means a Municipal Registry of Heritage Properties within the meaning of the Heritage Property Act, RSNS 1989, Chapter 199, having all the powers and duties prescribed by the Act or incidental thereto.
 - b. "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.
 - c. "Region of Queens Heritage Property" means a Municipal Heritage Property within the meaning of the Heritage Property Act.

REGISTRY

- 3.1 The Clerk shall establish and maintain at the business office of the Municipality, a Registry of Heritage Properties, where all prescribed documents relating to the registration of heritage properties pursuant to the Act or this Bylaw be filed. The Registry shall:
 - a. be properly indexed;
 - b. contain data with respect to recommendation, registration if applicable, recording particulars of documents required to be logged at the Registry of Deeds for Queens County and true copies of all notices required by the Act;
 - c. contain particulars of the 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 business hours at the Region of Queens Municipality business office.

- 3.2 The maintenance of the Region of Queens Registry of Heritage Properties shall be the responsibility of the Clerk.

ADVISORY COMMITTEE

- 4.1 There shall be a Heritage Advisory Committee which may advise the Region of Queens Municipality respecting:
- a. the inclusion of buildings, streetscapes and areas in the Region of Queens Registry of Heritage Properties;
 - b. an application for permission to substantially alter or demolish a Region of Queens 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 effective carrying out the intent and purpose of the Heritage Property Act.
- 4.2 The Heritage Advisory Committee shall be composed of no less than eight members. The members will be appointed annually by the Region of Queens Municipality. The Committee shall consist of at least two members of the Council, at least one member of the Queens County Historical Society, at least one member of the North Queens Heritage Society, or individuals who have otherwise demonstrated active concern for the preservation of buildings of historical significance.
- 4.3 The Heritage Advisory Committee may recommend to the Region of Queens Council that a building, streetscape or area be registered as a Region of Queens Heritage Property in the Region of Queens Registry of Heritage Properties and the prescribed notice of such recommendation shall be served and filed by the Clerk in accordance with the Act. A copy of the notice shall be filed in the Region of Queens Registry of Heritage Properties.
- 4.4 Notice of recommendation by the Heritage Advisory Committee that a building, streetscape or area be registered as a Region of Queens Heritage Property shall be in Form A.
- 5.1 With the agreement of the owner(s), Council may register a building, streetscape or area as a Region of Queens Heritage Property in accordance with the provisions of the Act and the registration form shall be in Form B.
- 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 Region of Queens Registry of Heritage Properties.

6. 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 Properties, and the Heritage Advisory Committee shall make recommendations in accordance therewith.

PENALTY

7. Any person who violates any provision of this bylaw, shall be liable upon conviction to a minimum penalty of one hundred dollars (\$100) and a maximum penalty not exceeding one thousand dollars (\$1000) and in default of payment thereof to imprisonment for a period not exceeding ninety (90) days.

REPEAL

8. The Heritage Property Bylaw, adopted by the Council of the Town of Liverpool, on the 20th day of November, 1991, and subsequently approved by the Minister of Municipal Affairs on the 16th day of December, 1991, is hereby repealed.

THIS IS TO CERTIFY THAT the bylaw of which the foregoing is a true copy was passed by the Council of the Region of Queens Municipality at a meeting duly held the 15th day of February, 1999.

SIGNED by the Mayor and Regional Clerk this 16th day of February, 1999.

CL.A. Clarke
MAYOR

Christ McNeill
REGIONAL CLERK

DEPARTMENT OF HOUSING
& MUNICIPAL AFFAIRS

except s.6

Recommended for
approval of the Minister

Cathleen O'Grady
Department Solicitor

except s.6

APPROVED this 15 day

of April 19 99

Roy G. ...
Minister of Housing & Municipal Affairs

READINGS: First: January 18, 1999

Second: February 15, 1999

Third: February 15, 1999

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Office of the Minister of Housing and Municipal Affairs

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Form A

NOTICE OF RECOMMENDATION TO REGISTER AS A REGION OF QUEENS HERITAGE PROPERTY

To: _____

You are hereby notified that:

1. The land and building located at

_____ (Address location, legal description or other identification of property)

have been recommended to be registered in the Municipal Registry of Heritage Properties for the Region of Queens.

2. The reasons for this proposed designation are:

_____ (approximate date of erection, type of architecture, typical of an era, part of a streetscape, local historical significance, national historical significance).

3. Section 14(4) of the Heritage Property Act prohibits any substantial alteration to the appearance of the property described herein for a period of one hundred and twenty days from the date and service of this notice, unless the Regional Council refuses to register the property prior to the expiration of one hundred and twenty days.
4. The effect of recommendation and registration in the Municipal Registry of Heritage Properties described in paragraph one is that no demolition or substantial alteration in the exterior may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Council of the Region of Queens Municipality and the application is granted with or without conditions or the Region of Queens Municipality may refuse it. Where such application is not approved, the owner may make the alterations described in his/her 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 Regional Council will sit to hear any objections regarding the recommendation of the property described in this notice on the ____ day of _____, _____, at _____ a.m/p.m. at _____.

Information and particulars concerning the reasons for recommendation are available from the office of the Clerk for the Region of Queens Municipality weekdays from 8:30 a.m. to 4:30 p.m.

DATED this day of

Regional Clerk

FORM B

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

(To be filed in the Registry of Deeds for the Region of Queens)

To: _____

You are hereby notified that:

1. The land and building located at _____
_____ (Address, local, legal description or other identification of property)
have been registered in the Region of Queens Registry of Heritage Properties by
resolution adopted at a meeting of Council the _____ day of _____,
_____.

2. The effect of registration in the Region of Queens Registry of Heritage Properties
is that no demolition or substantial alteration in the exterior appearance may be
undertaken from the date of registration unless an application is granted with or
without conditions by the Council of the Region of Queens Municipality. Where an
application is not approved by the Council of the Region of Queens Municipality,
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 the application.

DATED this day of , .

Regional Clerk