

**TOWN OF ANNAPOLIS ROYAL**  
**AMENDMENTS TO THE HERITAGE PROPERTY BY-LAW**

**APPROVED BY COUNCIL OF THE TOWN OF ANNAPOLIS ROYAL:**

**NOVEMBER 16, 2022**

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I acknowledge receipt of the amendments to the Town of Annapolis Royal's Heritage Property By-law.

Heritage Property By-laws (HPB) are enabled by way of the authority of Section 12 of the *Heritage Property Act* (HPA). Although the Minister of Community, Culture, Tourism and Heritage is responsible for the administration of the HPA, the approval of the Minister of Municipal Affairs and Housing is required for such a by-law to take effect.

I have reviewed the HPB documents and have determined that they meet all requirements set out in Section 12(6) of the Heritage Property Act.



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Honourable John A. Lohr  
Minister of Municipal Affairs and Housing

Dated: April 6, 2023



*Town of Annapolis Royal*

## **CERTIFIED MOTION**

### **MOTION #C2022-11-16-03 Planning and Heritage Committee By-Law**

It was regularly moved and seconded that Council approve the second and final reading of the Planning and Heritage Committee by-law dated September 29, 2022.

**Motion carried**

**THIS IS TO CERTIFY** that the above is a true copy of the resolution passed at a duly called meeting of the Council of the Town of Annapolis Royal held on November 16, 2022.

**GIVEN** under the hand of the Chief Administrative Officer and under the corporate seal of said Town this 25<sup>th</sup> Day of November 2022

  
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Sandi Millett Campbell  
Chief Administrative Officer

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TOWN OF ANNAPOLIS ROYAL  
Planning And Heritage Committee By-Law

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This By-law shall be known as the PLANNING AND HERITAGE COMMITTEE BY-LAW of the Town of Annapolis Royal

**1.0 Purpose**

The Planning and Heritage Advisory Committee provides advice to Council on the preparation of or amendment of the Municipal Planning Strategy (MPS), Land Use By-law (LUB), Subdivision By-law and other related matters, including all matters concerning the preservation of built heritage within the Town and heritage issues in general in accordance with the *Heritage Property Act* of the Province of Nova Scotia.

**2.0 Definitions:**

In this By-law:

- a) *Heritage Act* shall mean the *Heritage Property Act* of the Province of Nova Scotia;
- b) *Town* shall mean the Town of Annapolis Royal;
- c) *CAO* shall mean the Chief Administrative Officer of the Town of Annapolis Royal;
- d) *Committee* shall mean a Planning and Heritage Advisory Committee established pursuant to the *Heritage Property Act* and the *Municipal Government Act*;
- e) *Council* shall mean the Town Council of the Town of Annapolis Royal;
- f) *MGA* shall mean the *Municipal Government Act* of the Province of Nova Scotia.

**3.0 Appointment Process and Composition**

- a) Applications for appointment to the Committee shall be invited by public advertisement (including social media) before the Council makes appointment to the Committee.
- b) The Council, annually, at a regularly called meeting of the Council shall appoint a committee of Council to be known as the Planning and Heritage Advisory Committee (PHAC). PHAC shall be comprised of six (6) members at least two (2) of whom shall be members of Council and four of whom shall be members of the public. Citizens are appointed as volunteers and should demonstrate a strong interest in planning and heritage matters.
- c) The Municipal Staff shall attend the meetings and the Chief Administrative Officer may attend the meetings and may offer comments and advise on issues before the Committee.
- d) The Committee shall be governed, where not inconsistent with the MGA and Heritage 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 Annapolis Royal.

#### **4.0 Term of Office**

- a) The Council shall appoint each of those members for a two-year term and the terms shall be staggered.
- b) If a member of the Committee vacates office for any reason at any time before that member's term shall expire, the Council may appoint a new member to the Committee to hold office for the unexpired term.

#### **5.0 Chair and Vice Chair**

5.1 The Chair and Vice Chair shall be elected by the members of PHAC.

5.2 The term of the Chair shall be two years, with the election of the Chair and Vice Chair occurring at the first meeting of the Committee in the calendar year of the expiration of the term.

5.3 The duties of the Chair include:

- a) Chair Committee meetings;
- b) In conjunction with Municipal Staff and the Committee establish meeting dates for the Committee.

5.4 The duties of the vice chair include:

- a) To assume the role of the Chair if absent.

#### **6.0 Duties and Functions**

6.1 The Planning functions of PHAC are as follows:

- a) Review applications for Municipal Planning Strategy amendments and make recommendations to Council.
- b) Review applications for Land Use By-law amendments and make recommendations to Council.
- c) Review applications for development agreements and make recommendations to Council.
- d) Review any request for recommendation that the Council or the CAO refers to the Committee and make recommendations to the Council and to the CAO.
- e) Review other matters pertaining to Planning, as required or as directed by Council.
- f) Alert Council to planning related matters.

6.2 The Heritage functions of PHAC are as follows:

- a) In accordance with the Heritage Property Act, identify and assist to designate, preserve, and protect buildings and areas of historic, architectural, or cultural value.
- b) Examine, nominate, and recommend all properties and areas that deserve protection and designation now and in the future.
- c) Provide Council with reliable advice to assist in making decisions on complex issues involving heritage in the Town.
- d) Facilitate the communities of interest and involvement in heritage conservation.
- e) Promote heritage conservation within the community.
- f) Review applications to substantially alter the external appearance of or demolish a registered municipal heritage property.
- g) Review any request for recommendation that the Council or the Chief Administrative Officer refers to the Committee and make recommendations to the Council and to the CAO.
- h) At the request of Council, review other matters pertaining to heritage.

6.3 Municipal Staff shall establish and maintain, at Town Hall, a registry of heritage properties.

The registry shall:

- a) be properly indexed;
- b) contain data with respect to recommendation, registration, if applicable, recording particulars of documents required to be lodged at the Registry of Deeds for Annapolis County and true copies of all notices required by the Act;
- c) Contain particulars of heritage property under recommendation or registered so as to adequately identify the property;
- d) Be accessible to the public at no charge during regular Town business hours at Town Hall;
- e) Be made available for photocopying from a master copy for owners of registered property;

6.4 Municipal Staff in addition to the duties outlined in Section 6.3, shall ensure compliance with notice requirements respecting recommendation and registration of heritage property under the Act

**7.0 Remuneration**

7.1 No remuneration shall be paid to any Committee member other than reimbursement of approved expenses incurred in the performance of Committee duties.

**8.0 Frequency of Meetings**

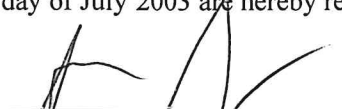
8.1 PHAC shall meet monthly and at the call of the Chair with 24 hours written notice to Municipal Staff.

**9.0 EFFECTIVE DATE**

9.1 This Bylaw shall be effective date of publication.

**10.0 Repeal and Replace**

The By-Laws known as the PLANNING AND HERITAGE COMMITTEE BY-LAW as adopted by Council on the 29th day of April 2011, and the HERITAGE BY-LAW as adopted by Council on the 21st day of July 2003 are hereby repealed.

  
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Amery Boyer, Mayor

  
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CAO Sandi Millett-Campbell

This is to certify that the foregoing is a true copy of a by-law passed at a duly convened meeting of the Council of the Town of Annapolis Royal, held the 16<sup>th</sup> day of November, 2022.

Given under the hand of the Mayor and Chief Administrative Officer and the seal of the Town of Annapolis Royal this \_\_ day of \_\_ 2022.

First Reading	October 19, 2022
"Notice of Intent" Publication	October 27, 2022
Second Reading	November 16, 2022
Ministerial Approval	
Date of Publishing	
Forwarded to the Minister	
Posted on the Town Website	