



## **Town of Kentville Bylaw 206 HERITAGE**

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**BE IT ENACTED** by the Council of Town of Kentville under the authority of the *Municipal Government Act*, Statutes of Nova Scotia, 1998, Chapter 18, and *Heritage Property Act*, 1989, Chapter 199, and amendments thereto as follows:

### **1. SHORT TITLE**

This Bylaw shall be known as Bylaw 206 and may be cited as the “Heritage Bylaw”.

### **2. DEFINITIONS**

- a. “Act” means the *Heritage Property Act*;
- b. “Committee” means the Planning Advisory Committee established to carry out the provisions of this Bylaw;
- c. “Council” means the Council of the Town of Kentville;
- d. “Municipal Heritage Property” means a building, public-building interior, streetscape, cultural landscape or area registered in the Town of Kentville Registry of Heritage Properties;
- e. “Registered Owner” means an owner of land whose interest in the land is defined and whose name is specified in an instrument in the Land Registry Office;
- f. “Registry” means the Municipal Registry of Heritage Property of the Town;
- g. “Town” means the Town of Kentville.

### **3. PLANNING ADVISORY COMMITTEE**

- a. Town of Kentville Planning Advisory Committee shall be designated as the body responsible for implementing provisions of the Heritage Bylaw for Town of Kentville.
- b. The Committee may advise Council respecting:
  - i. the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes, and areas in the Registry;

- ii. an application for permission to substantially alter or demolish a Municipal Heritage Property.
- iii. building and other regulations that affect the attainment of the intent and purpose of the Heritage Property Act;
- iv. an application to substantially alter the external appearance of or demolish a Municipal Heritage Property;
- v. the deregistration of Municipal Heritage Properties;
- vi. financial incentives to Municipal Heritage Properties;
- vii. the amendment of evaluation criteria, guidelines and standards for Municipal Heritage Properties; and
- viii. ensuring the designation of any property under this bylaw is strictly voluntary.

#### **4. REGISTRY**

- a. The Town shall establish and maintain a Municipal Registry of Heritage Properties where all prescribed documents relating to the registration of Municipal Heritage Properties pursuant to the Act of this Bylaw shall be filed.
- b. The Registry shall contain information with respect to recommendations, registrations, and deregistration's, recording particulars of documents required to be logged at the Land Registry Office.
- c. The Registry shall be accessible to the public at no charge during regular business hours of the Town.

#### **5. NOTICE OF RECOMMENDATION**

- a. The Town shall cause a Notice of Recommendation to be served upon each Registered Owner of a property that is the subject of the recommendation at least thirty (30) days prior to registration of the property in the Municipal Registry of Heritage Properties and shall be in the form designated by the Town.
- b. The notice shall contain:
  - i. a statement that the property described in the notice has been recommended for registration in the Registry;
  - ii. a brief statement of the reason for the recommendation;
  - iii. a summary of the consequences of registration;
  - iv. a statement that no person shall demolish or substantially alter the appearance of the property for one hundred twenty (120) days after the notice is served; and
  - v. notification of the right of the Registered Owner to be heard and the date, time and place where they may be heard.

- vi. Inform the owner, while the property has been identified as a potential Municipal Heritage Property, it is voluntary, and the owner has a right to decline. Declining the opportunity is achieved by writing to the Chief Administrative Officer via letter or email.

## **6. REGISTRATION AND NOTIFICATION**

- a. The Town may register a property as a Municipal Heritage Property in accordance with the provisions of the Act and notice of the registration shall include all the information set out in Section 5b. Notice of Registration shall be in the Town designated form.
- b. Notice of Registration shall be:
  - i. served upon each registered owner;
  - ii. deposited with the Land Registry Office;
  - iii. filed in the Municipal Registry of Heritage Property; and
  - iv. no registration shall take place until Council has given the owner of the property an opportunity to be heard and such opportunity shall be given not earlier than three (3) weeks after the service of the notice required.
  - v. The Planning Advisory Committee may receive from a Registered Owner, an application to have a property considered a Municipal Heritage Property.

## **7. DE-REGISTRATION**

- a. The owner(s) of a Municipal Heritage Property may apply to, or the Town on its own motion may, deregister a Municipal Heritage Property.
- b. Notice of Deregistration of a Municipal Heritage Property shall be sent to each registered owner of the Municipal Heritage Property and deposited in the Land Registry.

## **8. ALTERATION OR DEMOLITION**

- a. A Municipal Heritage Property shall not be substantially altered in appearance or demolished without the approval of the Town;
- b. An application for permission to demolish or substantially alter the appearance of a property which is entered in the Municipal Heritage Registry shall be in writing to the Town;
- c. The application shall be reviewed by the Planning Advisory Committee;
- d. Within thirty (30) days after receiving an application the Planning Advisory Committee shall submit a written recommendation to Council respecting the application.
- e. The Town may take up to three (3) months to consider an application.

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- f. Council may grant the alteration of demolition permit either with or without conditions or may refuse the permit, and the Town shall advise the applicant of its decision.
- g. Where the Registered Owner of a property that is entered in the Registry has made application for permission to substantially alter the appearance or demolish the property and the permission is not granted, the Registered Owner may make the alteration or carry out the demolition at any time after one (1) year from the date of the application.

**9. PENALTY**

Any person or Corporation who contravenes any provision of this bylaw is punishable on summary conviction by a fine of not less than \$500 and not more than \$2,000, and to imprisonment of not more than thirty (30) days in default of payment thereof.

**10. REPEAL**

Town of Kentville Heritage Property Bylaw, Chapter 110, approved by Council on the 27th day of January, 2025, including any amendments thereto, is hereby repealed.

**CLERK'S ANNOTATION FOR OFFICIAL BYLAW BOOK**

Date of first reading:	April 27, 2026
Date of advertisement of Notice of Intent to Consider:	April 28, 2026
Date of second reading:	May 25, 2026
Date of Approval by Minister:	
Date of advertisement of Passage of Bylaw:	
Effective Date:	

I certify that this Heritage Bylaw was adopted by Council of the Town of Kentville on the 25th day of May, 2026 and published as indicated above.

**SIGNED** by the Mayor and Clerk this 25th day of May, 2026.

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Mayor

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Clerk