

# Planning Fact Sheet

Planning & Development:  
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## Municipal Heritage Property Bylaw Review (2021)

### Background

Following the dissolution of the Towns of Springhill (2015) and Parrsboro (2016) the Municipality of Cumberland has been busy modernizing, revising, and consolidating many Bylaws and Policies.

There are currently three separate Heritage Bylaws in the Municipality:

- Municipality of Cumberland Heritage Property Bylaw – 1985
- Town of Springhill Heritage Property Bylaw – 1992
- Town of Springhill Heritage Property Bylaw - 1982

Each of these bylaws have different procedure requirements and make-up of a Heritage Advisory Committee.

### Goals

The Heritage Bylaw review process has four primary goals:

- Consolidate the three existing Heritage Bylaws into one.
- To provide a consistent approach to Heritage in the Municipality of Cumberland.
- To review Council policies for recognizing, protecting, and promoting heritage resources throughout the Municipality of Cumberland
- Provide the public an opportunity to voice opinions on the protection of Heritage.

### Protecting Heritage Properties

In 1980, the Government of Nova Scotia passed the Heritage Property Act, to help identify, protect and rehabilitate built heritage throughout the province. Under the Act, a heritage property is a building or structure and the land on which it is located; however, protection is only afforded to exteriors.

A registered heritage building is just one way to recognize tangible local history. Under the Act, it is also possible to register a streetscape, a heritage conservation district, a public building interior and a cultural landscape (a distinct geographic area uniquely representing the combined work of nature and the people of our Municipality).

The Heritage Property Act offers three types of protection:

- Provincial Registry of Heritage Properties
- Municipal Registries of Heritage Properties
- Heritage Conservation Districts

## Municipal Heritage Property By-Law Review

A Municipal Registry of Heritage Properties is a list of properties and structures that have been deemed to have a local or community-level heritage value. The Municipality of Cumberland currently has three Heritage Property Bylaws which administer the protection of the registered heritage properties.

Heritage value may extend beyond a single building to a group of related structures and their overall setting. In this case, several properties can be collectively protected through the establishment of a heritage conservation district. In 1995, Maitland was declared Nova Scotia's first Heritage Conservation District.

### Why Register a Heritage Property?

There are a number of benefits associated with registering as a Municipal Heritage Property:

**Recognition:** A plaque is installed to officially recognize the property as an important asset to the rich cultural heritage of the community and region.

**Advice:** Provincial Heritage staff can provide valuable information on heritage properties and guidance in their ongoing management and maintenance. The NS Department of Communities, Culture and Heritage offers grants to assist in the costs associated with professional heritage building conservation advice.

**Protection:** Significant changes to the exterior of a heritage property require review by the Heritage Advisory Committee and approval by Municipal Council. This measure of protection applies even after ownership of the property is transferred.

**Financial Support:** A registered heritage property may be eligible for grants or professional assistance offered in programs of the Nova Scotia Department of Communities, Culture and Heritage.

## QUESTIONS ON THE HERITAGE PROPERTY BY-LAW

### Why do we need a new Heritage Bylaw?

- There are three existing bylaws which is confusing and difficult to administer.
- The Heritage Act has changed significantly since the existing Heritage Bylaws were written.
- The newest of the bylaws is nearly thirty years old, many things have changed since.

### Does the Heritage Bylaw provide enough support to protect heritage in the Municipality of Cumberland?

- Are there additional steps needed to protect our heritage?
- Is Cumberland's heritage adequately promoted?
- Are heritage conservation guidelines or controls needed to protect/promote historic areas?
- Is protect and promoting Heritage important to residents?

### What is the public participation and timeline for this Bylaw?

Planning staff will conduct public engagement in August and September before preparing a memo and recommendations in October. This will be followed by a draft Bylaw which will likely go to Council for first reading in November.

## OTHER HERITAGE PROPERTY RESOURCES

### Provincial Heritage Programs

Provincial Heritage Property Program staff support the administration of the Heritage Property Act, coordinate provincial heritage registrations, advise on the conservation of registered heritage properties, administer the grants offered to owners of registered heritage properties, and support municipal heritage property programs. <https://cch.novascotia.ca/exploring-our-past/heritage-property>

### Government of Nova Scotia Financial Support

The Government of Nova Scotia also offers financial support to conserve registered heritage properties which includes both provincially and municipally registered. <https://cch.novascotia.ca/exploring-our-past/heritage-property/what-kind-financial-support-can-i-receive-conserve-my>

### Insuring a Heritage Property

The Insurance Bureau of Canada (IBC) has some information and tips for insuring a heritage property. <http://www.ibc.ca/bc/home/heritage-properties>

#### 5 Tips for Insuring a Heritage or Historically Designated Property

Insurers look for well-maintained properties with good claims records. Whether you are buying or renovating a heritage home, you can mitigate risk. Consider the following.

- Shop around. Find an insurer who understands the specific risks associated with a heritage property. Consider the claims settlement process and the deductible amounts being offered.
- Reduce risk. Take steps to protect your property and reduce the chance of making a claim. The cost of insurance is directly related to risk; by reducing risk, you may be able to lower your premiums. To reduce risk, consider the following:
  - Install smoke detectors and centrally monitored burglar and fire alarms.
  - Ensure your property is compliant with relevant building codes.
  - Replace knob-and-tube wiring. While some insurance companies will not insure properties with knob-and-tube, others may allow you time to have it removed. Still other companies may offer coverage only after a safety inspection.
  - Update and/or upgrade your roof, heating, and plumbing systems. Forced air, gas and electric heat; copper and PVC plumbing; and sewer backflow valves are modern options that reduce risk.
  - Provide proof of an adequate fire-break if your property is semi-detached or a row house.
  - Inspect and maintain your property's oil tank, fireplace and/or wood burning stove
- Keep accurate records. Detailed information helps an insurer make an informed decision. In an off-site location, store the following:
  - Copies of by-laws and/or ordinances regarding zoning, demolition, repair and/or construction of your property.
  - Information on the type of historic classification – listed, designation or heritage conservation easement – assigned to your property.
  - Information about your region's planning requirements for heritage properties and for "infills" or new construction in heritage districts.
  - Current maintenance and renovation records – for example, upgraded plumbing or replaced roofing – as well as photographs of all aspects of your property, including interiors, exteriors and outbuildings.

## Municipal Heritage Property By-Law Review

- Document unique characteristics. Features such as hand-carved elements, antique chandeliers, plaster walls and mouldings set heritage properties apart from modern dwellings. Record and photograph these details so your insurer can accurately assess the replacement cost in the event of a loss.
- Buy sufficient insurance. Insurers may not offer guaranteed replacement cost coverage for a heritage property, even as a policy add-on. It's your responsibility to ensure adequate coverage to meet heritage regulations. Don't reduce coverage to save a few dollars – coverage should reflect the true value of your property.
- Use the Insurance Bureau of Canada's [Heritage Property Risk Prospectus](#) to provide insurers with relevant information about your home.