

## **Town of Sackville Municipal Heritage Conservation Area By-law, 2010**

### **How does the By-law work ?**

The heritage by-law applies to the following types of development within the designated areas :

- 1) Construction of **new buildings**;
- 2) **Alterations** to existing buildings;
- 3) **Additions** to existing buildings;
- 4) **Relocation** of buildings into or within the areas; and
- 5) **Demolition** of existing buildings.

In all cases, except demolition, the by-law applies only to the **exterior** of buildings.

When any such development is undertaken, in addition to the **Building Permit** required from the Tantrammar Planning District Commission, a **Municipal Heritage Permit** is also required from the **Heritage Board**.

When an application is made to the Planning Commission for a building permit or a demolition permit for a property within one of the designated heritage areas, a copy of the application is immediately forwarded to the **Heritage Board**. Developments as listed above, even when they do not require a **Building Permit** (e.g. re-painting, change of siding, change in window size) still require a **Municipal Heritage Permit**; in these cases, property owners should apply to the Heritage Board, c/o the Town Hall.

**New Buildings** : Contemporary design of new buildings is encouraged provided that the design is compatible with the size, scale, materials and character of existing buildings within the conservation area.

**Alterations** should retain the character-defining elements of a building; where these cannot be reasonably repaired they should be replaced with elements that match in appearance the forms, materials and detailing of the original.

**Additions** should be visually compatible with the character-defining elements of an existing building, and must not impair the essential form and integrity of the existing building if the addition is removed in the future.

**Relocation**: The same requirements as for new buildings apply.

**Demolition** : The Board will make every effort to encourage the preservation of heritage buildings. Where preservation is not viable, a permit may be issued provided that a) the building is offered for

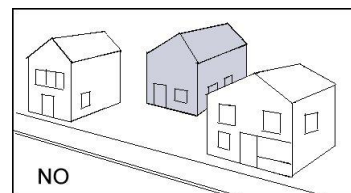
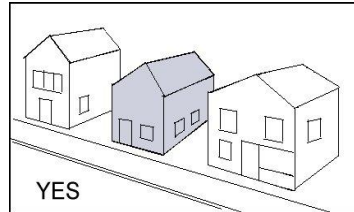
sale for a nominal sum on condition that it is removed from the site; b) the Heritage Board has been provided with any photographs, plans, or historical documents relating to the building, or copies thereof; and c) provision has been made for salvaging any items of historical or architectural interest or significance.

### What guidelines does the Heritage Board employ in its decisions ?

The Board will be guided by the national *Standards and Guidelines for the Conservation of Historic Places in Canada* (available online at [www.pc.gc.ca/eng/docs/pc/guide/nldclpc-sgchpc/page2/page2b.aspx](http://www.pc.gc.ca/eng/docs/pc/guide/nldclpc-sgchpc/page2/page2b.aspx)).

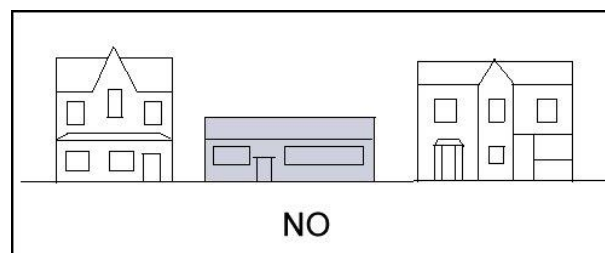
Each case will be considered on its own merits, but the following illustrate the type of guidelines that will be applied, where appropriate.

**Setbacks:** These should conform to the setbacks of neighbouring buildings.



**Side yard ratios:** These should conform to the relative side yard ratios of either of the neighbouring buildings so as to maintain the pattern of open and occupied spaces.

**Dimensions:** The height and the height/width ratio, as well as the dimensions of windows should conform to those on neighbouring buildings. Roofs should conform to those on neighbouring buildings in regard to pitch and direction.



**Materials and Details:** Details and materials for exterior facades should be in keeping with those found on neighbouring buildings.

**Appeals** All decisions of the Heritage Board may be appealed to a provincial Appeal Board (the Assessment and Planning Appeal Board) in accordance with the 2010 Act (2010:69-73).

**Contraventions of the By-law** The 2010 Act specifies actions that may be taken by the Town, via the courts, in the case of contraventions of the by-law; these include the issuing of restraining orders and fines (83-92). These actions are options for the Town and not requirements.

**Is there financial assistance to conserve my heritage property ?**

Financial assistance is limited at present, but the Province of New Brunswick has a **Built Heritage Program** which offers some financial support to “built heritage rehabilitation projects.”

The province also has a **Property Tax Abatement Program** for Heritage Properties.

For information on these see the N.B. Heritage website at <http://www.gnb.ca/0131/Heritage-e.asp>.

Further information can be obtained through Community Development and Programming; call 364-4930.

In the event of any discrepancies between this document and the Heritage By-law or the 2010 Heritage Conservation Act, it is the wording of the By-law and of the Act that shall prevail.

**“Heritage is that which we inherit from  
the past and wish to preserve  
for future generations”**

**Jan 2011**