

Heritage Permits

Frequently Asked Questions and Application Submission Guidance



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Heritage Permits

The *Ontario Heritage Act* requires municipal councils to protect designated properties from alterations that may remove, damage or change their heritage features. A heritage permit may be required to undertake changes to properties designated under the *Ontario Heritage Act*. There is no fee to apply. Properties included on the Heritage Register but are not designated do not require a Heritage Permit.

There are different requirements for properties that are individually designated (Part IV properties) and for properties within a Heritage Conservation District (Part V properties). For example, the *Ontario Heritage Act* requires that specific information must be included as part of any application for alterations, demolition or removal that affects properties that are designated under Part IV of the *Ontario Heritage Act*.

An owner of a designated property must seek permission from Council *prior* to making alterations to the property that could affect its heritage features. Permission is granted through the approval of a heritage permit, which is administered by municipal staff in consultation with the Municipal Heritage Advisory Committee.

What is a Designated Property?

A designated heritage property is a property that has been identified as design or physical, historical, or contextual value and is protected under the *Ontario*

Heritage Act.

Properties may be designated individually (Part IV of the *Ontario Heritage Act*) or as part of a Heritage Conservation District (Part V of the *Ontario Heritage Act*). To find out if your property is a Part IV or Part V property or if it is listed on the Heritage Register, go to www.municipalityofbluewater.ca



When is a Heritage Permit Required?

The need for heritage permits for Part IV properties is determined by the designating by-law. For example, many designation bylaws for Part IV properties refer to the conservation of the building facade. Alteration of the facade, from repointing masonry to window replacement to porch restoration can require a heritage permit.

Examples of typical alterations that require a heritage permit:

- Additions to the portions and elevations of buildings within a Part IV property as described in the designation by-law
- New construction within the Bayfield Main Street HCD
- Demolition of all or part of a heritage building within a Part IV property
- Demolition of buildings and structures within the Bayfield Main Street HCD
- Painting, including previously unpainted masonry or wood cladding
- Installation of signage to a designated façade or on property in the HCD
- Major landscaping alterations, including the erection of fences, grading, driveway widening, introduction of new parking and the installation of a swimming pool, on Part IV designated properties where they affect the heritage attributes or within the Bayfield Main Street HCD
- Replacement or installation of new windows, doors, cladding material (vinyl, aluminium, stucco, masonry veneers, etc.), roofing materials, soffits, eaves troughs, and down spouts
- Porch/verandah or chimney reconstruction or construction
- Installation of dormers, skylights, awnings or shutters
- Masonry cleaning and repointing
- Installation of temporary/removable storm windows and doors
- Removal of architectural decorative details defined in the designation bylaw
- Installation of railings attached to a building or structure

Alterations to designated properties should repair rather than replace original features when possible. They should not damage heritage materials and construction methods. Where replacement of materials or new construction is necessary, these should match or be compatible with the original. Reversible alterations that allow for the future restoration or reinstatement of heritage features are also preferred.

Examples of alterations that do not usually require a heritage permit:

- Any interior alterations, unless interior elements are specifically defined in the designation bylaw or if interior work will affect the external appearance of the property
- Structural repairs, unless they affect the external appearance of the building or overall structural integrity
- Installation of vents, satellite dishes, meters, utility boxes, A/C units, etc.
- Continuing maintenance or small repairs with the same materials such as, repairs to soffits, weather stripping, eavestroughs, and downspouts
- Replacement of cladding material or roof treatments with the same materials, scale and dimensions (e.g. asphalt shingles with asphalt shingles, or wood siding with wood siding);
- Repair of broken window glass
- Repairs to an existing fence, unless specifically defined in the designation bylaw
- Planting and/or removal of minor vegetation and,
- Replacement and repair of driveways and walkways with the same materials

Heritage Permit Applications



What Information is required for a Heritage Permit Application?

The information required varies depending on how you want to alter your property. As a minimum you should be prepared to provide this information (see Appendix A for more detail):

- A description of the property
- Plans and elevation drawings
- A survey/site plan
- Photographs
- Product samples and/or paint chips showing the products to be used and,
- If required, technical cultural heritage studies

For large and complex construction activities, the applicant may also be required to submit a conditions study, heritage impact assessment and/or an archaeological assessment.

In order to ensure a timely decision on the application, the applicant is encouraged to seek assistance from an architect, architectural technologist, or others familiar with heritage buildings.

What is the Process for Submitting a Heritage Permit Application?

Development Services staff are available to meet with applicants to review all documentation prior to the formal submission of an application.

When an application is submitted, staff will review the application and the supporting documentation. Once the application is complete, staff will issue an official notice of receipt as required by the *Ontario Heritage Act*.

A summary of the application is included on the agenda for the monthly meeting of the Bluewater Municipal Heritage Committee. Applications must be received at least two weeks prior to the meeting date.

Applicants and/or their agents are encouraged to attend the committee meeting(s) to explain the application and answer any questions.

Following review by the [Bluewater Municipal Heritage Committee](#), a decision is made to approve, approve with conditions or deny the application and the applicant is notified in

writing. The decision is made by Council for the approval of minor alterations, complex applications, applications for demolition and applications for new buildings or structures or if the staff recommendation is for denial. Under the *Ontario Heritage Act*, a decision must be made within 90 days of issuing a notice of receipt.

The issuance of a Heritage Permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any by-laws of the Municipality of Bluewater, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.



When is the Submission Deadline?

Complete applications must be submitted to municipal staff two weeks prior to a scheduled Municipal Heritage Advisory Committee meeting for the application to be included on the meeting's agenda. Municipal staff will inform the applicant of the meeting at which their application will be

considered. Applicants are strongly encouraged to attend the meeting to answer questions that arise. A schedule of upcoming meetings can be found on the Municipality of Bluewater website, or by contacting municipal staff.

Under the requirements of the *Ontario Heritage Act*, property owners can expect to receive a decision from Council about their application within 90 days of receiving a notice of receipt of a complete application. The Municipality of Bluewater will endeavor to minimize processing time for applications.

How Will I know that my Heritage Permit Application is Complete?

A heritage permit application must include enough information to enable municipal staff and the Heritage Advisory Committee to fully understand the scope of the work and its effect on the property's heritage features.

Should the information provided be insufficient for a full understanding, the applicant will be notified, and the review of the application will be deferred until the missing information is provided. Applications must reflect the final plans for the proposed work. Once it has been determined that the application is complete, a notice of completeness will be sent.



What Can I do If my Heritage Permit Application is Denied?

The Municipality of Bluewater Development Services staff and the volunteer Bluewater Municipal Heritage Advisory Committee make efforts to reach a satisfactory solution for each heritage permit application. Discussions with the applicant along with minor revisions to the application usually result in successful applications. Pre-submission consultation with Development Services staff can identify these issues prior to the initiation of the formal process.

If the municipality denies an application, the applicant can appeal the decision to the Ontario Land Tribunal within 30 days of receiving the decision of council. For more details on appeals, applicants should consult the Ontario Land Tribunals website: [Heritage Matters - Tribunals Ontario - Environment & Land Division \(gov.on.ca\)](https://www.gov.on.ca/mut/matters-tribunals-ontario-environment-land-division).

What happens if I make alterations without a Heritage Permit?

Undertaking work without an approved Heritage Permit is an offence. The *Ontario Heritage Act* allows for financial and other penalties. Anyone convicted of contravening the *Ontario Heritage Act* may receive a maximum fine of \$1,000,000.

In addition, the *Ontario Heritage Act* allows the Council of the municipality the option of restoring the property, building or structure to its previous condition and to recover the cost of this restoration from the owner.

Other Permits and Approvals

In addition to requiring a heritage permit, projects affecting designated heritage properties may also require other permits and approvals. For example, properties in the Bayfield Main Street Heritage Conservation District require a Building Permit in addition to a heritage permit for exterior alterations. Should a Building Permit be required, the heritage permit application documents must be submitted at the time of submitting the Building Permit application.

Other Permits and Approvals

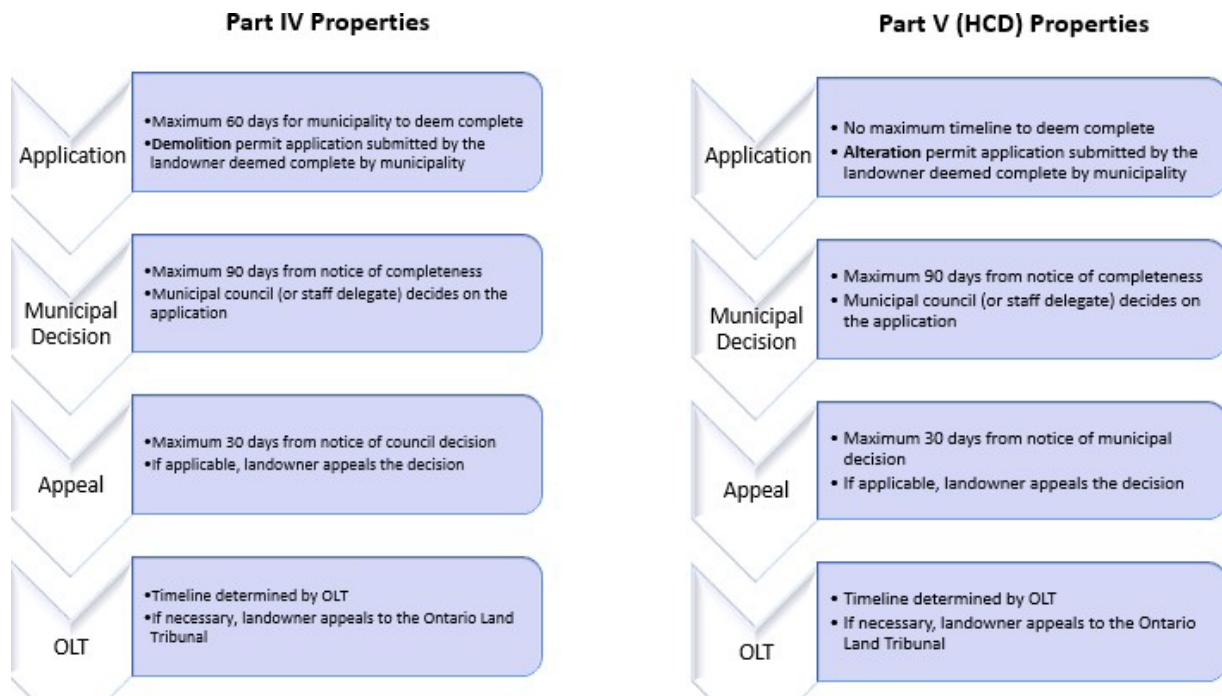
Applicants should also note that complete removal and reconstruction of certain building features (e.g. a porch) may result in the requirement of the property owner to rebuild the structure to meet requirements of the current Building Code.

It is the applicant's responsibility to check with Planning staff at Huron County to determine whether the project requires additional permits or approvals.

The Municipality works with the County on land use planning applications submitted under the *Planning Act* (e.g. zoning by-law amendments, minor variances, consents, community improvement plans). The Bluewater Development Services Department will strive to co-ordinate review of a land use planning application with a heritage permit application and other approvals that may be required.

If you are planning a project on designated property that requires planning approval, the Municipality of Bluewater requires pre-consultation prior to applying. A list of staff contacts can be found at

www.municipalityofbluewater.ca



Appendix A: Submission Requirements

The Municipality of Bluewater requires an application form and detailed documentation with an application to ensure that the cultural heritage value and interest of designated properties within the Municipality are protected and conserved in accordance with municipal and provincial policy. The application allows an accurate assessment of the merits and technical details of the proposed alterations.

The following submission requirements are required with your application. The level of detail required for reports and/or studies listed below can vary, depending on the nature of your property and your proposal.

Photographs

Photographs that depict the existing buildings, structures and heritage attributes that are affected by the application and their condition and context. The photographs should:

- be recent (i.e. within one month of the application submission date)
- depict all elevations of the existing buildings, structures and each heritage attribute affected by the proposed works. The photographs of the buildings, structures and heritage attributes should be unobstructed by landscaping, vehicles etc.
- show the existing condition and context of the building, structure and/or each heritage attribute(s). The context includes other buildings and existing landscaping (mature trees, fences, walls, driveways) on the subject property
- Include archival photographs if available

Location Plan

A site plan or sketch that illustrates the location of the proposed alteration, demolition, or removal. The location plan should:

- include details of the location of each building, structure and/or heritage attribute and/or value that are to be altered, demolished removed, retained and/or erected should be clearly shown on the plan
- include buildings, structures, heritage attributes and/or landscape features that are to be demolished or removed should be shown in red
- be drawn to a standard metric scale (i.e. 1:100, 1:200, 1:500)
- include all property lines, abutting roads and building footprints on the site and on adjacent lot

Drawings and Written Specifications

The drawings and written specifications should include:

- existing and proposed plans, sections and elevations that show the details of each building, structure and heritage attribute that is proposed to be demolished, removed, altered, or erected.
- plans and/or specifications should show materials, colours, dimensions, massing, and the extent of work.
- the drawings and specifications should show any proposed changes to existing chimneys, external walls, cladding, external doors, windows, exterior trim, fencing/means of enclosure, porches/verandahs, roofs, shopfronts, signs, exterior lighting, vehicle access and surface treatments.
- if applicable, the drawings and specifications should also show any internal heritage attributes described in the designation bylaw and proposed changes.

A Description of the Property

The description of the property that is the subject of the application should include:

- all existing buildings, structures and heritage attributes on the property and should include their age, location, type of construction and materials
- existing landscaping including mature trees, boundary treatments and driveways
- the reason for the proposed works and proposed alterations, demolition, or removal
- details of the potential impacts of the proposed works including details of the potential impacts to the heritage attributes of the property

Technical Cultural Heritage Studies

All technical cultural heritage studies relevant to the proposal. These may include:

- ***Condition Assessment*** by a qualified heritage professional who is a member of the Canadian Association of Heritage Professionals for alterations to a property where the condition of property is a reason for the proposed alteration, removal and/or demolition
- ***Heritage Impact Assessment*** by a qualified heritage professional who is a member of the Canadian Association of Heritage Professionals if the application proposes major alterations, demolition or removal of a building or structure
- ***Archaeological Assessment*** by a licensed professional archaeologist if the application proposes significant disturbances to the property determined to have archaeological potential