



TOWN OF FORT ERIE

Heritage Permit Application

Guide and Application Form

2013

June 2013

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Community Planning & Development Services Department

The Corporation of the Town of Fort Erie

Municipal Centre
1 Municipal Centre Drive
Fort Erie Ontario L2A 2S6
905-871-1600

HERITAGE PERMIT APPLICATION GUIDE

What is a Heritage Permit?

A heritage permit is required to undertake changes to properties designated under the *Ontario Heritage Act*. Properties are designated individually under Part IV of the *Act*. Properties that are listed on the Fort Erie Heritage Register as 'NOT designated properties' do not require a heritage permit.

The *Ontario Heritage Act* outlines the process by which to ensure that any changes to a designated property do not alter the property in such a way that the reasons for designation are diminished.

When is a Heritage Permit Required?

A heritage permit is required prior to any alteration to a designated property that is likely to result in the loss, removal, obstruction, replacement, damage or destruction of one or more heritage features on the property. Generally, a heritage permit is required for any large-scale work that would also require a building permit, demolition permit or other formal approvals by the Town and other government agencies.

Examples of work that may require a Heritage Permit include:

- All new construction including new additions to existing structures and new independent structures such as garages, sheds, porches, decks and steps.
- Alteration, addition, removal or replacement of windows, doors, porches, verandahs, chimneys, cladding, roofing material, trim and other exterior details of a structure.
- Demolition of a structure or part of a structure.
- Change in paint colour of exterior elements of a structure.
- New signage.
- Hard landscaping such as the alteration, addition, removal or replacement of patios, fences, gates, trellises, arbours, gazebos, retaining walls and walkways.

When is a Heritage Permit Not Required?

A heritage permit is not required for routine maintenance and minor repairs that do not change the appearance or material of a structure of the property. Additionally, internal changes to a building on a designated property do not require a heritage permit if the alterations do not affect the external appearance of the designated property. An exception to this is if an individually designated property has a designation by-law which outlines specific interior elements to be preserved.

Examples of work that may not require a heritage permit include:

- Re-roofing in material and colour similar to existing material and colour.
- Re-painting of architectural elements in the same colour
- Repairs to, and replacement of eavestroughs and downspouts unless these are ornamental and integral to the heritage character and appearance of the building.
- Re-pointing of brick and repairs to chimney with historically appropriate mortar.

- Soft landscape work (ie, plantings)

What Are the Criteria Used to Evaluate the Proposed Work?

Heritage permit applications are reviewed with the consideration of the Council-approved designating by-laws of individual properties.

Additional Evaluation Criteria

In general, alterations to a heritage property must have regard for the individual designation by-law.

The following guiding principles are based on the Ontario Ministry of Culture principles of conservation for heritage properties. These principles are based on international charters which have been established over several decades.

- Do not base restorations solely on conjecture. Conservation work should be based on historic documentation and/or historical precedents using archival photographs, drawings, physical evidence and historical references.
- Do not move buildings unless there is no other means to save them. Site is an integral component of a building.
- Repair and conserve existing materials and finishes rather than replacing them, except where absolutely necessary. Minimal intervention maintains the historical integrity and true character of the resource and is often less expensive.
- Repair with like material whenever possible.
- Do not restore to one period at the expense of another period. Do not destroy later additions in order to restore the house to a single time period, except when a later addition is uncomplimentary or inappropriate historically.
- Massing and height of new additions should not overshadow the heritage portions of the building. Additions should be smaller and subordinate to the historic portions of the building and should ideally be located to the rear.
- Whenever possible, alterations should be executed in a way that they could be reversed later to return the building to its original condition.
- New work should be distinguishable from the old structure. Building additions and new construction should be recognized as products of their own time, and new additions should not blur the distinction between old and new by attempting to duplicate. Strive for complimentary additions not replicas of the existing building.
- With continuous care and upkeep, future restoration will not be necessary and the high costs of conservation projects can be avoided.

Other Regulations and Town Requirements

- Applicants undertaking work on their property are subject to all applicable policies and regulations that may apply.
- These may include the Official Plan and the Zoning By-law and other approvals and permits such as site plan, site alteration (including tree removals) and building permits.
- Approval of a heritage permit does not exempt a property owner from other Town requirements.

- Owners are strongly advised to confirm all Town approval and permit requirements early in the process.

What is the Approval Process?

Planning staff processes the application which is reviewed by the Fort Erie Municipal Heritage Standing Committee a municipal advisory committee which reviews heritage related matters. The committee is constituted under Section 28 of the *Ontario Heritage Act*. The Committee makes a recommendation to Council and Council makes the final decision. If Council does not make a decision on a heritage permit application within 90 days of its submission, Council shall be deemed to have consented to the application. If mutually agreed upon, an extension can be granted.

The following are the steps that a heritage permit application typically goes through:

1)	Applicant contacts Planning staff to arrange pre-consultation meeting to discuss proposed work			
	↓			
2)	Applicant submits heritage permit application and all required components of the application to Planning staff			
	↓			
3)	Municipal Heritage Standing Committee (MHSC) review application and drawings			
	↓			
5)	Planning staff presents the report and recommendation of MHSC on the heritage permit application to Council for final approval			
	↓			
6)	Planning and Development Committee Meeting – Council makes final decision to either:			
	Approve application	<u>OR</u>	Approve application with conditions	<u>OR</u> Refuse application
	↓			
	Applicant either:			
	Accepts approval	<u>OR</u>	Accepts approval with conditions OR Appeals conditions to the CRB/OMB*±	<u>OR</u> Accepts refusal OR Appeals decision to the CRB/OMB*±
	*Appeal process for Part IV (individual) designated properties: <ul style="list-style-type: none"> • Heritage permits to alter the property can be appealed to the CRB • Heritage permits to demolish or remove a structure can be appealed to the OMB 			
	±CRB – Conservation Review Board (tribunal whose decision is non-binding) OMB – Ontario Municipal Board (tribunal whose decision is binding)			

What Are the Submission Requirements?

The heritage permit application must be submitted in a manner that provides staff and Fort Erie Municipal Heritage Standing Committee with a clear understanding of the specific details and visual representation of the proposed alterations to the property. Please refer to staff or to the Town website for submission deadline dates.

a) Pre-consultation meeting with staff:

Before the submission of a heritage permit application, applicants are strongly encouraged to meet with Planning staff and Fort Erie Heritage Standing Committee members to discuss the proposed alterations. This pre-consultation is an important step in the application process as it provides an opportunity for the applicant and staff to review the policies and guidelines related to the property in order to ensure that the application meets the relevant requirements. This meeting may occur on the property that is the subject of the application, to be arranged between staff and the owner prior to entry on the property.

b) All heritage permit applications submitted to the Planning Department should include:

- Completed application form and any additional written description of the proposed changes
- Digital copy of all drawings
- Digital copy of all photographs

c) Information on drawings and visual materials:

When staff indicates that it is necessary, the following must be submitted as part of the heritage permit application:

- Site plan or a current survey of the property that shows all structures, all critical setbacks and distances from adjacent properties, and the location of all proposed work to structures and/or landscaping
- Architectural drawings to clearly illustrate the proposal, showing all proposed changes to all structures, including:
 - Elevations
 - Floor plans (these will be used for internal review purposes only and will not be made available to the general public)
 - Clear dimensions of building proportions and massing
 - Clear dimensions of door and window openings with respect to size, type and style
 - Vertical dimensions from existing and proposed grade, finished floor level, roof slopes, mechanical vents and equipment, fixtures, signage, outdoor lighting and other relevant elements of the proposed changes
 - 3-D drawings or artist renderings of proposed work for large scale projects
- Photographs of the property, including:
 - Photographs of the front of the property showing the main structure
 - Photographs of the nearby streetscape and neighbouring properties
 - Photographs of all applicable portions of the property and structures
- Landscape details including:

- Architectural drawings of patios, fencing, arbours and other hard landscaping- where relevant
- Physical and/or visual samples of materials proposed to be used
 - Examples of windows, roofing materials, cladding materials (i.e. stucco, stone, brick, wood), landscaping materials

The above requirements should be considered in relation to the requested addition, modification or restoration. Certain requirements are more relevant than others depending on the circumstance.

Additional Information

- The owner and/or an agent should attend the Fort Erie Municipal Heritage Standing Committee (MHSC) meeting.
- The owner and/or an agent may be requested to prepare a presentation for the MHSC meeting.
- A heritage permit approval should precede building permits and site plan approval if required.
- Other known required permit or approval processes should be identified at the time of the submission of the heritage permit application.
- It is in the interest of a heritage property owner to retain licensed professionals to undertake the design and execution of projects on heritage properties.
- A heritage permit infraction may result in charges laid against the owner in accordance with the *Ontario Heritage Act*.
- All work proposed in an approved heritage permit application must be completed by the applicant within two years of the approval by staff or by Council.
- Follow up site inspections will be conducted to ensure compliance with drawings as submitted and approved.

For further inquiries regarding the submission requirements, please contact:

Contacts:
 Town of Fort Erie
 Community and Development Services
 1 Municipal Centre Drive,
 Fort Erie, Ontario
 L2A 2S6
 905-871-1600

HERITAGE PERMIT APPLICATION FORM

To be submitted to Planning Department

Please use black ink

The accuracy and completeness of this application is the responsibility of the applicant

Location and Contact Information

Location of Subject Property:

Municipal Address:

Owner Contact Information:

Name:

Address & Postal Code:

Day Time Phone No:

Home Phone No:

Fax No:

E-mail Address:

Agent Contact Information (if applicable):

Name:

Address & Postal Code:

Day Time Phone No:

Home Phone No:

Fax No:

E-mail Address:

Heritage Permit Application Summary

A. Purpose of the Application

- Alterations to Building New Construction Landscaping
- Demolition

Clearly describe the changes you are undertaking to alter the property (attach additional pages(s) if needed):

1. _____
2. _____
3. _____
4. _____
5. _____

B. Review of Heritage Guidelines

Explain the reasons for undertaking the alterations and describe how the proposal is consistent with the Part IV individual designating by-law.

C. Product and Manufacturer Details (fill in all applicable information):

Item(s) to be changed	New or Restoration	Material	Colour	Manufacturer Details
Cladding (Siding, brick, stucco, etc)				
Roof				
Foundation Walls				
Trim				
Doors				
Windows				
Porch / Verandah				
Fencing				
Landscaping				
Other				

D. Other Applications

Please state if the proposal in this heritage permit application will also require approvals for the following:

- | | | |
|------------------------|------------------------------|-----------------------------|
| Building Permit | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Minor Variance | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Site Plan | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Site Alteration | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Sign Permit | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| Tree Removals | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

If Yes, please describe the application for all required approvals listed above:

E. Completed Submission

Before submitting this application, please check off the following applicable boxes to ensure that your application is complete:

- Pre-consultation meeting with staff has been completed
- A Site Plan has been submitted (if applicable)
- A digital copy of all drawings has been submitted
- A digital copy of all photographs has been submitted

Declaration & Signature:

I hereby declare that the statements made herein are, to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application.

I have reviewed the submission requirements and understand that incomplete applications may not be accepted.

I also understand that the proposal must comply with all other applicable legislation and by-laws and that other approvals if required must be described clearly in Section D of this application form (ie. Minor variance, site plan, building permit, sign permit, site alteration, tree permit).

I acknowledge that any change to the approved drawings, however small, may require an amendment to the permit and may require resubmission for approval. Failure to reveal these changes to Heritage Planning staff may result in work stoppage and charges and/or fines under the Ontario Heritage Act.

I acknowledge that Town of Fort Erie staff and members of the Fort Erie Municipal Heritage Standing Committee may visit the property that is the subject of this application for the purpose of evaluating the merits of this application. Property entry will be organized with the applicant or agent prior to entry.

I acknowledge that personal information of this form is collected under the authority of the Ontario Heritage Act and will be used to process heritage permit applications.

I confirm that the owner and/or agent for this property has reviewed this application with Heritage Planning staff at a pre-consultation meeting.

Owner's Signature (required)

Date

Agent's Signature (if applicable)
Office Use Only:

Date

Heritage Permit Application Completion Verification for Staff

HPA No:	
Date HPA Submitted:	Date of Pre-Consult Meeting:
Date of Receipt Letter to Owner:	90 Day Expiry Date:
Fort Erie Municipal Heritage Standing Committee Meeting Date:	P&D Council Meeting Date:
The following portions of this application have been completed or submitted:	
<input type="checkbox"/> Pre-consultation meeting with staff	
<input type="checkbox"/> Site Plan	
<input type="checkbox"/> Digital copy of all drawings	
<input type="checkbox"/> Digital copy of all photographs	
Verified by:	
_____	_____
Heritage Planning staff member	Date