



Heritage Property Application Guideline

Culture Division, Community Services

Forward

The City has maintained an inventory of heritage properties, or Heritage Register, since 1977. The City has statements and policies within its Official Plan to conserve heritage resources. The Provincial Policy Statement, 2014, also states, "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

Properties of cultural heritage value or interest have been designated under the *Ontario Heritage Act*, and are subject to the rules and regulations of the Act. Designated properties may be individually designated under Part IV of the Act, or under Part V, which addresses heritage conservation districts. All alterations, including demolition or removal of a structure from a designated property, require a Heritage Permit and must have written confirmation prior to the commencement of any work. The purpose of a Heritage Permit is to ensure that alterations or changes to a heritage designated property meet heritage conservation standards and are not detrimental to the cultural heritage resource.

Properties that are listed on the City's Heritage Register but not designated under the Ontario Heritage Act are subject to demolition control to provide an opportunity for Council, in consultation with the City's Heritage Advisory Committee, to consider designation under the Ontario Heritage Act.

Types of Heritage Permits

A heritage permit is required to:

- Alter a property designated under the *Ontario Heritage Act*
- Demolish a property designated under the *Ontario Heritage Act*
- Demolish a property listed on the City's Heritage Register
- Repeal a heritage designation bylaw

Timing

The time it takes for a permit to be issued depends on the type of permit requested. Heritage permits for the demolition of a property designated under the *Ontario Heritage Act* and for the repeal of a heritage designation bylaw are discouraged. However, Council has 90 days to respond to such requests. A heritage application for the demolition of a property listed on the City's Heritage Register requires 60 days from the time that a satisfactory application is received.

Because each application is assessed on a case-by-case basis, with varying requirements, most alteration permits take two to three months or more. This is the lead-time required to submit a report to the Heritage Advisory Committee (HAC), which meets Tuesday mornings, ten times per year. Staff can approve some alterations in Heritage Conservation Districts. It is strongly recommended that property owners seeking alterations consult with staff as early in the process as possible.

Requirements

A completed application form, signed by the property owner, is required for all heritage applications.

Development applications, major alterations and demolitions require a satisfactory Heritage Impact Assessment (HIA). An HIA provides a historical background on the subject property and documents the physical attributes of the property rationalizing how the property will be mitigated through the development process.

Additional plans or information as well as photographs and/or drawings may be required. Alterations or demolitions that comprise development applications require the relevant Site Plan, Official Plan Amendment, Rezoning and/or Committee of Adjustment application numbers.

There is no fee for a heritage application. However, there are fees for building permits.

Alterations

Alterations that require a heritage permit, even when a building permit is not required, include, but are not restricted to the following:

- A change to windows and doors, or the addition of new window and door openings
- A change in roofing materials
- Facade replacement
- Masonry repairs or replacement, including painting of unpainted masonry
- Additions (removal or building), including removal or change in accessory buildings
- Placement of exterior heating/cooling systems
- Addition of skylights
- Removal and/or installation of porches and verandahs
- Alteration of significant landscape features

Alterations that do not require a heritage permit include:

- Standard maintenance of such features as gutters and down spouts
- Repairs to fencing or landscape elements, such as walkways
- Painting, with the exception of the painting of unpainted masonry (e.g. brick or stone) - this requires a permit
- Re-roofing in the same materials
- Alterations deemed consented to in accordance with the Heritage Conservation District plan

In most cases, a permit is not required for alterations to the interior of a structure; but there are exceptions. Consult with City staff before proceeding to ensure that there are no restrictions.

Applications are reviewed to ensure that the proposed alterations do not negatively affect the property's heritage attributes. Proper materials, acceptable heritage conservation methods, context and overall design are considered.

Review Process

Staff reviews applications and makes recommendations to HAC, which makes recommendations to the Director, Culture Division, Community Services. The Director has been delegated Council's authority to make a final decision in most cases.

Alteration permits may be granted after HAC is consulted, i.e. when both staff and HAC recommend approval of an alteration, the heritage permit is issued. If there is a discrepancy between the opinion of staff and HAC, or if both parties do not approve, Council makes the decision.

A Note on the Issuance of Heritage Permits

Heritage permits are subject to review by all relevant City staff. This may include but is not limited to the following departments: Community Services, Planning & Building and Transportation & Works. Heritage permits may also be conditional upon the completion of other complimentary requirements, such as protection of trees and landscape features.

When permits are issued, Community Services will notify the property owner and any City departments and/or agencies affected by the application.

Appeal Process

Property owners can object to/appeal the refusal of a heritage permit for property designated under the *Ontario Heritage Act*. The Conservation Review Board (CRB) hears appeals to the refusal of the issuance of a demolition or alteration permit and the repeal of designation bylaws for property designated under Part IV of the *Ontario Heritage Act*. The Local Planning Appeals Tribunal (LPAT) hears objections to the alteration or the demolition for property designated under Part V of the *Ontario Heritage Act*.

More Details & Information

For detailed information on these procedures, please see the *Ontario Heritage Act* available at http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o18_e.htm.

Heritage Permit application forms are available at www.mississauga.ca/heritageplanning under "Heritage Permits."

For more information, contact:
Heritage Planning
Culture Division, Community Services
City of Mississauga
201 City Centre Drive, Suite 202 Mississauga, ON L5B 2T4
Tel.: 905-615-3200, ext. 4061
Email: heritage.planning@mississauga.ca

Frequently Asked Questions

Do I need permission to paint my house or choose the paint colour?

No, painting and colour choice is not regulated unless you plan to paint masonry that has never been painted. The painting of masonry surface DOES require a heritage permit.

Do I need permission to have my house re-pointed or to repair the stonework?

Yes, permission is required, as poor masonry work may cause considerable failure and therefore expense to a homeowner in the future.

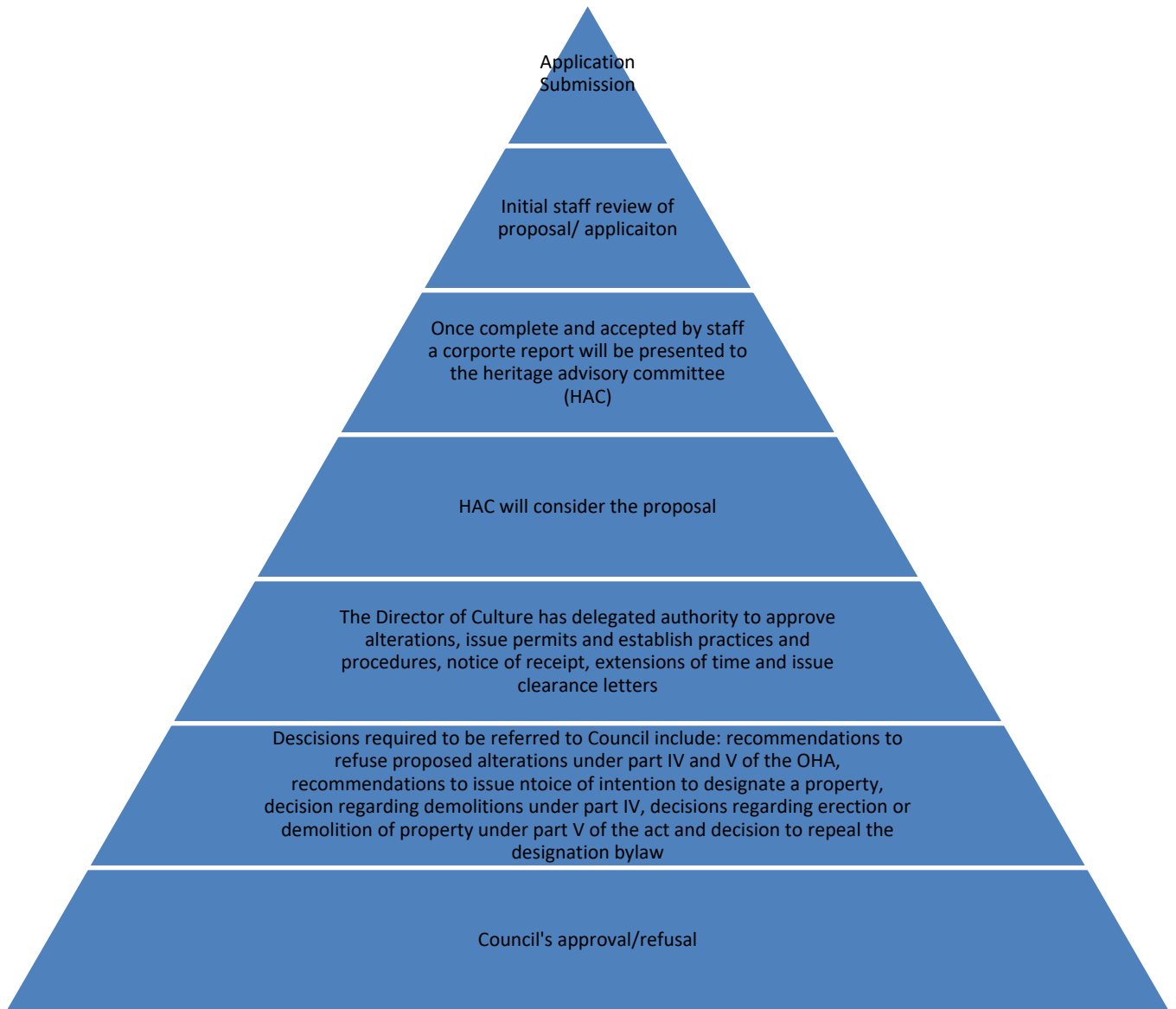
Can the exterior of a heritage designated structure be changed?

Yes, but with permission and guidance on how best to alter the structure, in keeping with its style and materials. Generally it is not the intent for the structure to be frozen in time.

What happens if I do not follow the rules or act prematurely without permission?

The *Ontario Heritage Act* has provisions for offenses and recovery of restoration costs. Fines of up to \$50,000 and/or imprisonment for up to one year can be levied if one fails to follow the Act. The Act also allows the municipality to restore a property, building or structure and recover the costs from the owner. If an owner demolishes or removes a heritage designated structure without permission, they may be subject to a fine of \$1,000,000.

HERITAGE DESIGNATED PROPERTY PERMIT APPLICATION PROCESS



APPEAL PROCESS

