

Town of Fort Erie

Heritage Permit Application Guide



Planning & Development Services Department

The Corporation of the Town of Fort Erie

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

Information on this form is collected under the authority of the Ontario Heritage Act and will be used by the Town of Fort Erie in the processing of this application. The information provided, as well as supporting studies and reports, may be used by other departments and committees for the purpose of assessing the proposal and preparing comments. This information may also be released to the public by way of Council reporting and upon written request.



Table of Contents

SECTION 1.0 – INTRODUCTION..... 3

1.1 WHAT IS A HERITAGE PERMIT? 3

1.2 WHEN IS A HERITAGE PERMIT REQUIRED? 3

1.3 WHEN IS A HERITAGE PERMIT NOT REQUIRED? 3

1.4 ADDITIONAL EVALUATION CRITERIA..... 3

1.5 OTHER REGULATIONS AND TOWN REQUIREMENTS 4

SECTION 2.0 – APPLICATION PROCESS 5

SECTION 3.0 – CONTACTS 8

SECTION 1.0 – INTRODUCTION

1.1 WHAT IS A HERITAGE PERMIT?

A heritage permit is required to undertake changes to properties designated under Part IV and V of the Ontario Heritage Act. Changes to properties that are listed on the Fort Erie Municipal Heritage Register do not require a heritage permit, except for demolition.

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.

1.2 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 to or destruction of one or more heritage attributes 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.

1.3 WHEN IS A HERITAGE PERMIT NOT REQUIRED?

A heritage permit is not required for routine interior or exterior maintenance that does not change the appearance, condition, material, or integrity of a structure of the property or a heritage attribute.

1.4 ADDITIONAL EVALUATION CRITERIA

Heritage permit applications are reviewed with the consideration of the Council-approved designating by-laws. In general, alterations to a heritage property must have regard for its designating 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.

Guiding Principles for Heritage Property Alterations	
1. Do not base solely on conjecture	Conservation work should be based on historical documentation and/or historical precedents using archival photographs, drawings, physical evidence, historical references, and the advice of heritage experts.
2. Site of building	Do not move buildings unless there is no other means to save them. Site is an integral component of a building.

3. Repair and conserve	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.
4. Materials used	Repair with like material whenever possible.
5. Time period	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.
6. Massing and height	Massing and height of new additions should not overshadow the heritage portions of the building. Additions should appear smaller and subordinate to the historic portions of the building, and should ideally be located to the rear.
7. Reversal of alterations	Whenever possible, alterations should be executed in a way that they could be reversed later to return the building to its original condition.
8. New work	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.
9. Care and upkeep	With continuous care and upkeep, future restoration will not be necessary and the high costs of conservation projects can be avoided.

1.5 OTHER REGULATIONS AND TOWN REQUIREMENTS

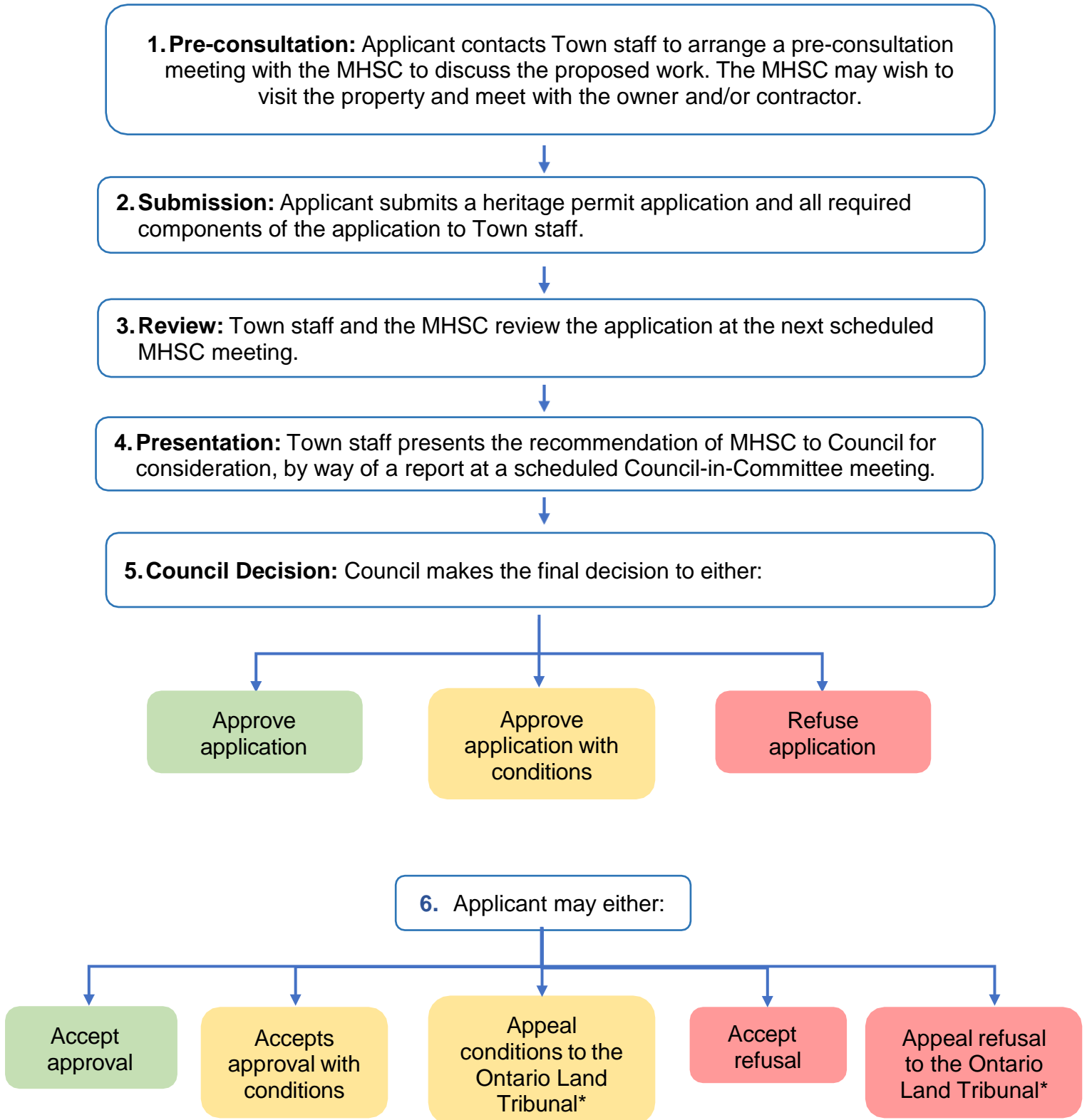
- Applicants undertaking work on their property are subject to all applicable policies, regulations, and requirements that may apply. These may include the Official Plan, the Zoning By-law, and other approvals and permits, such as site plans, site alterations (including tree removals), building permits, demolition permits, Tree Preservation Plans, and Heritage Impact Assessments.
- Approval of a heritage permit does not exempt a property owner from other Town requirements.
- Owners are strongly advised to confirm all Town approvals and permit requirements early in the process.

SECTION 2.0 – APPLICATION PROCESS

Town staff will review the application for completeness. The application will then be reviewed by the Fort Erie Municipal Heritage Standing Committee (MHSC), a municipal advisory committee constituted under Section 28 of the Ontario Heritage Act. The MHSC will work with the applicant to understand the proposed works, and ultimately make a recommendation to Council relative to accepting or denying the application. Council is the final authority relative to approving or denying the application. Council is obligated to make a decision on a complete heritage permit application pursuant to the timelines outlined in the Ontario Heritage Act. If mutually agreed upon, an extension can be granted.

The following diagram outlines the process that a heritage permit application typically goes through:

Heritage Permit Application Process



*The Ontario Land Tribunal (OLT) hears and adjudicates matters related to land use planning, environmental and natural features, heritage protection, land valuation, land compensation, municipal finance, and related matters.

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

- **Step 1: Pre-consultation**

Before submitting an application, applicants are required to pre-consult with Town staff and MHSC members to discuss the proposed alterations. This advance consultation helps to avoid ineligible projects.

Pre-consultation will be scheduled for a regular MHSC meeting. The owner and/or an agent may be requested to prepare a presentation for the MHSC meeting. This pre-consultation 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. The MHSC or Town staff may also request to visit the property at an alternate time. A pre-consultation summary will be provided to the applicant within two (2) weeks of the meeting.

- **Step 2: Application**

The property owner shall submit a Heritage Permit application to the Planning and Development Services Department. All heritage permit applications submitted should include all required documentation as outlined in Step 3.

Heritage permit approval should precede building permits and site plan approval if required. An incomplete heritage permit application will not be processed or considered by the MHSC.

- **Step 3: Required Documentation**

Depending on the scope of work, documentation may be required from qualified heritage experts, such as an architect, engineer, planner, or contractor.

The following must be submitted as part of the heritage permit application:

- Designating by-law of the property;
- Site plan or a current survey of the property that shows all structures and vegetation, and all setbacks and distances from adjacent properties;
- Architectural drawings, appropriate for construction purposes, to clearly illustrate the proposed work, and all proposed changes to structures and heritage attributes, including:
 - Elevations and floor plans;
 - 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;
 - Specifications and details for all proposed work;

- 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;
 - Photographs of all heritage attributes;
- Landscape details, including:
 - Architectural drawings of patios, fencing, arbours and other hard landscaping where relevant;
 - Tree Preservation Plan, if existing vegetation is proposed for removal or potential damage is anticipated;
- 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, etc.;
- Heritage Impact Assessment, if required; and
- The owner's authorization, if submitted by an agent.

- **Step 4: Evaluation and Approval**

Pursuant to the Ontario Heritage Act, the application shall be reviewed by Town staff and the MHSC. The MHSC will make a recommendation to Council, relative to approval, approval with conditions, or denial of the application.

- **Step 5: Undertake Work**

Following approval of an application, the owner will undertake the work. The owner is required to contact the municipality concerning any changes to the project that are proposed during the course of the work. A heritage permit infraction may result in charges laid against the owner in accordance with the Ontario Heritage Act or Ontario Building Code.

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. 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.

- **Step 6: Inspection**

Follow up site inspections will be conducted to ensure compliance with the application as submitted and approved.

SECTION 3.0 – CONTACTS

For more information regarding the Town's Heritage Permit Program, please contact:

Junior Community Planner
 1 Municipal Centre Dr., Fort Erie, ON L2A 2S6
 (905) 871-1600 ext. 2527
 fbegum@forterie.ca

You may also visit the Town of Fort Erie Heritage Planning webpage at:
<https://www.forterie.ca/pages/HeritagePlanning>

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A. Property, Owner and Agent Information

Location of Subject Property

Municipal Address:

Property Owner Contact Information

Name of Property Owner:

Mailing Address:

Postal Code:

Province:

Phone No.:

Email Address.:

Agent Contact Information (if applicable)

If the property owner is authorizing an agent to act on their behalf in making this application, please complete and sign this section. If an agent is authorized, all correspondence will be sent to the authorized agent. If no agent is authorized, all correspondence will be sent to the property owner/applicant.

I, _____ am the owner of the land that is subject of this application, and I hereby authorize my agent _____ to make this application and to act on my behalf in regard to this application.

Dated at the _____, this _____ of _____, _____.
(Town/City of...) *Day* *Month* *Year*

Name of Owner

Signature of Owner

Name of Agent:

Mailing Address:

Postal Code:

Province:

Phone No:

Email Address:

C. Materials

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				

***Please attach additional pages if required.**

D. Checklists

Other Applications

Please state other approvals required:

Building Permit	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Demolition 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 (no permit)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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

Completed Submission

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

- Pre-consultation meeting with the MHSC on _____ (date)
- The Designating By-law is attached
- A digital or hard copy of all drawings has been submitted
- A digital or hard copy of all photographs has been submitted
- Landscape details
- Physical and/or visual samples of materials proposed to be used
- A site plan or current survey has been submitted (if applicable)
- Heritage Impact Assessment (if required)
- The owner's authorization, if submitted by an agent
- Other documents (as requested)

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 (i.e. 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 Signature (required)

Date

Agent's Signature (if applicable)

Date

Office Use Only:

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:

- Pre-consultation meeting with staff
- Designating By-law of the property
- Digital or hard copy of all drawings
- Digital or hard copy of all photographs
- Site Plan/survey (if applicable)
- Owner's authorization, if submitted by an agent
- Other documents (as requested)

Verified by:

PDS Staff member

Date