

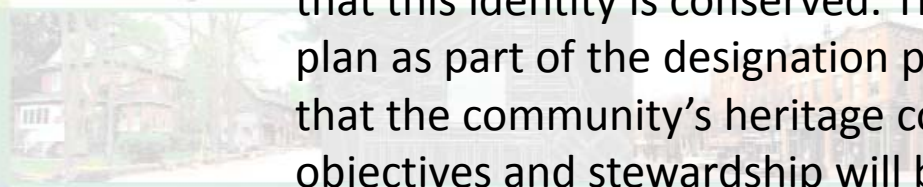
What are the benefits of district designation?

District designation enables the council of a Municipality to manage and guide future change in the district, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the area's special character.

The immediate benefit of HCD designation is a planning process that respects a community's history and identity.

*A Guide to District Designation Under
the Ontario Heritage Act*

Ontario Heritage Tool Kit

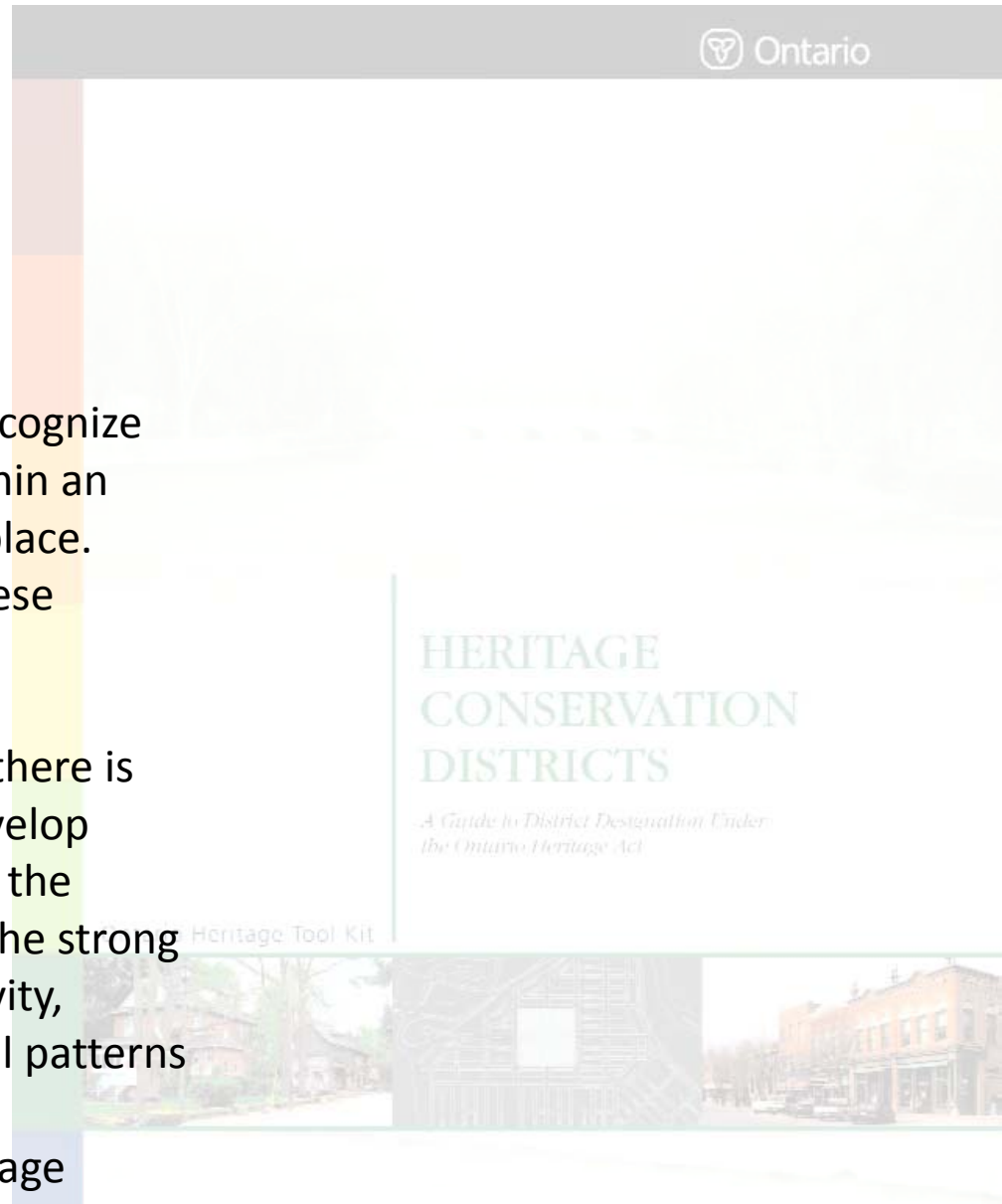


District designation is one of the best ways to ensure that this identity is conserved. The adoption of a HCD plan as part of the designation process ensures that the community's heritage conservation objectives and stewardship will be respected during the decision-making process.

Enhanced quality of life and sense of place

Designation allows a community to recognize and commemorate what it values within an area, that contributes to its sense of place. It provides a process for sustaining these elements into the future.

During the study and research phase there is opportunity for the community to develop an understanding and appreciation of the community's heritage resources and the strong relationship between patterns of activity, memory, and imagination and physical patterns of buildings, structures, streetscapes, land forms and natural features. Heritage district designation allows these resources and relationships to be identified and protected.



Identification of cultural heritage value in districts

Municipalities and communities choose to designate HCDs to conserve their heritage character. The cultural heritage value of individual sites can be expressed in terms of their **design or physical, historical or associative or contextual values.**



HERITAGE CONSERVATION DISTRICTS

*A Guide to District Designation Under
the Ontario Heritage Act*

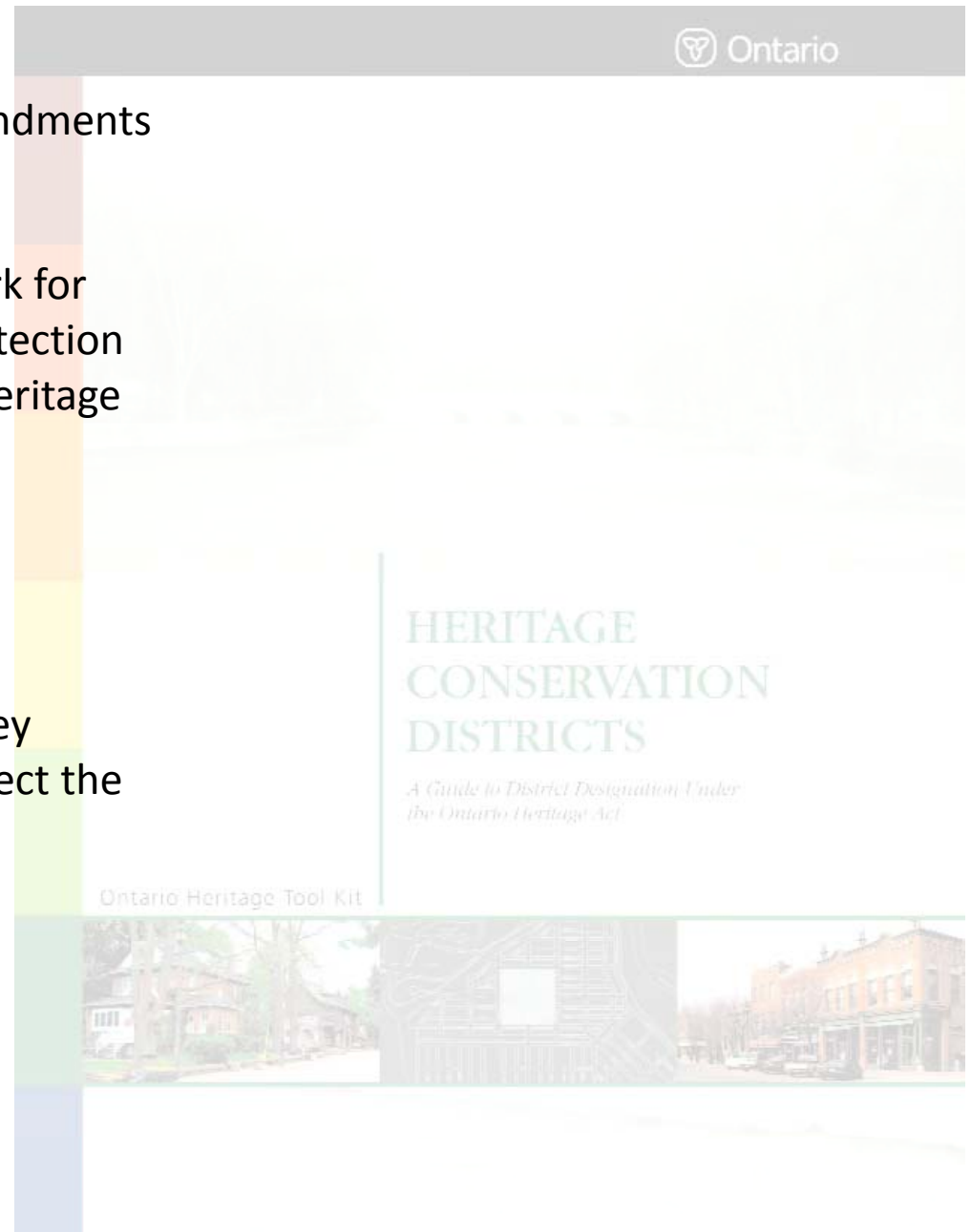
Ontario Heritage Tool Kit



The 2005 Ontario Heritage Act amendments and related amendments to the Planning Act and Provincial Policy Statement provide a clear framework for identification, conservation and protection of cultural heritage resources in a Heritage Conservation District.

The Ontario Heritage Act – Part V

The following is a summary of the key changes to Part V of the Act that affect the designation of HCDs:



District plans and guidelines

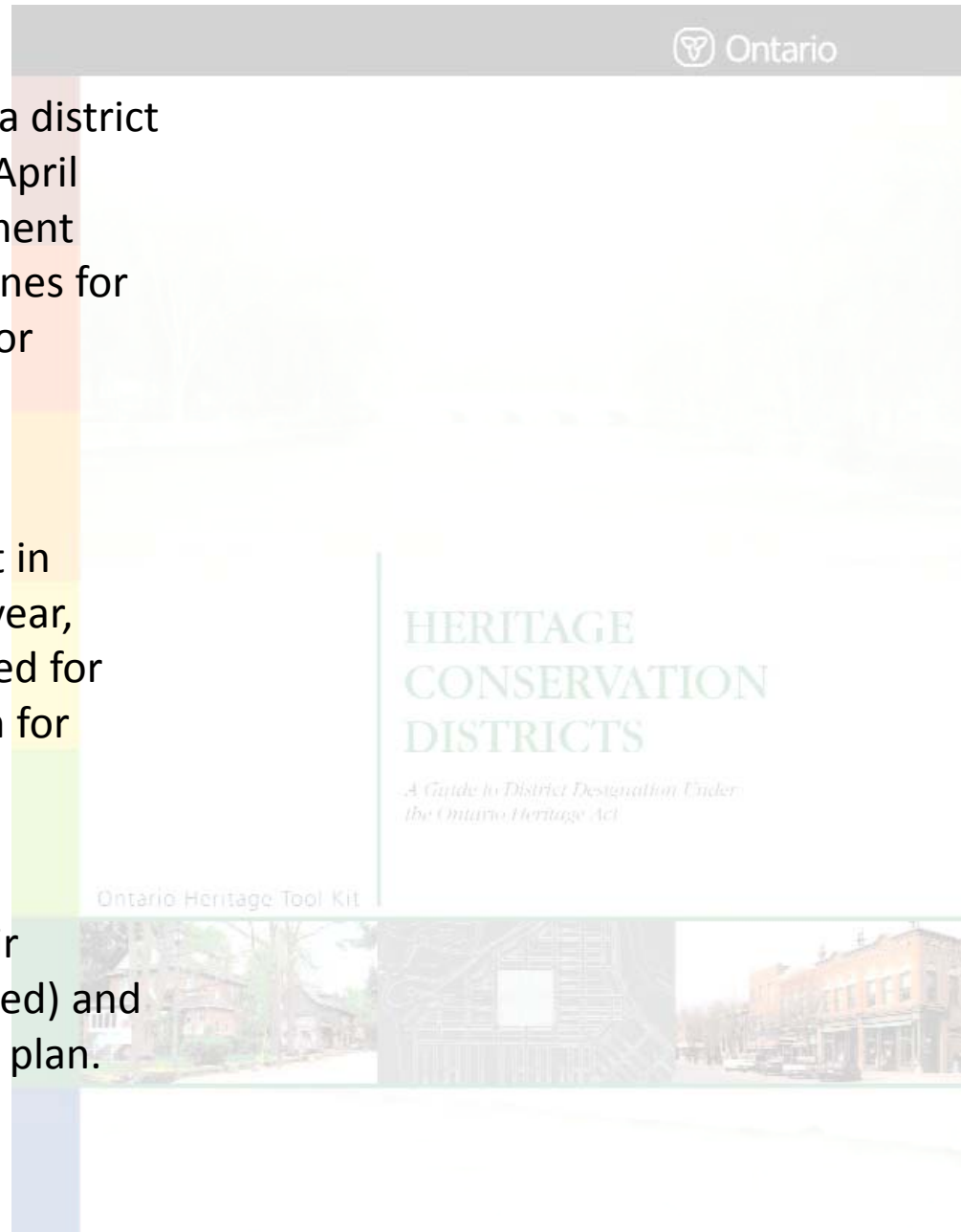
Municipalities are required to adopt a district plan for every HCD designated after April 2005. The plan must include a statement of objectives and policies and guidelines for achieving the stated objectives and for managing change in the district.

Interim controls

Municipalities have the option to put in place interim controls for up to one year, to protect an area that is being studied for designation, similar to the protection for individual properties.

Public Consultation

Municipalities must consult with their heritage committee (where established) and the public in the development of the plan.



Municipal compliance

Municipal review of development applications and undertaking of public work within a HCD must be consistent with the district plan.

Control of alterations

In addition to buildings and structures, municipalities have been provided with additional power to control alterations to other property features. Where provided for in the district plan, municipalities may exempt defined minor alterations from approval requirements.

The image shows the cover of a guide titled "HERITAGE CONSERVATION DISTRICTS". The title is in large, bold, teal letters. Below it, in smaller teal text, is the subtitle "A Guide to District Designation Under the Ontario Heritage Act". At the bottom of the cover, there are three small photographs: a residential street with trees, a close-up of a wooden building facade, and a street view of a brick building. The text "Ontario Heritage Tool Kit" is visible in the bottom left corner of the cover.

HERITAGE CONSERVATION DISTRICTS

*A Guide to District Designation Under
the Ontario Heritage Act*

Ontario Heritage Tool Kit

2005



Provincial
Policy
Statement

**The Provincial Policy
Statement**

The Provincial Policy Statement, 2005 is the current policy statement on municipal land use and planning matters of provincial interest. This policy statement is made pursuant to section 3 of the Planning Act. The PPS promotes the wise use and management of cultural heritage resources. The key policy that supports the implementation of heritage districts is:

POLICY 2.6.1:

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Policy 2.6.1 for the conservation of significant cultural heritage landscapes is not new, but it is strengthened by the stronger implementation standard issued under the Planning Act which requires that planning decisions by municipalities and other approval authorities “shall be consistent with” the PPS, 2005.

The PPS also includes a new policy that will provide additional support for protection of HCDs and their setting:

POLICY 2.6.3:

Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

In other words, lands adjacent to protected heritage properties (which includes designated HCDs) can be developed or altered only if the heritage attributes of the protected property are conserved.



2005

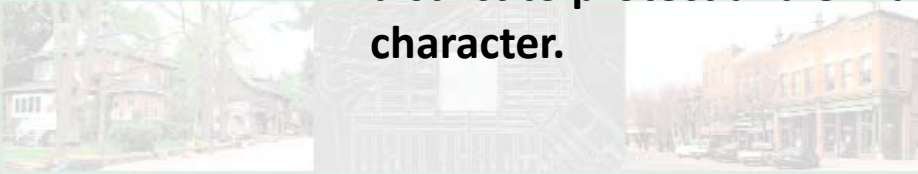
Provincial

Policy

Statement

The key ingredients for a successful HCD are:

- **A sound examination of the rationale for district designation, especially for the delineation of district boundaries;**
- **Active public participation in the designation process;**
- **A clear and complete designation bylaw; and,**
- **A clear and well-publicized HCD plan and policies to manage change in the district to protect and enhance its unique character.**



Successful implementation of a district will ultimately depend on widespread public support for district designation based on a clear understanding of the objectives for designation and appreciation of the proposed HCD plan, policies and guidelines.

Decisions about policies and guidelines need to be made in an open forum, where the benefits of designation and the responsibilities that come with it can be clearly communicated.

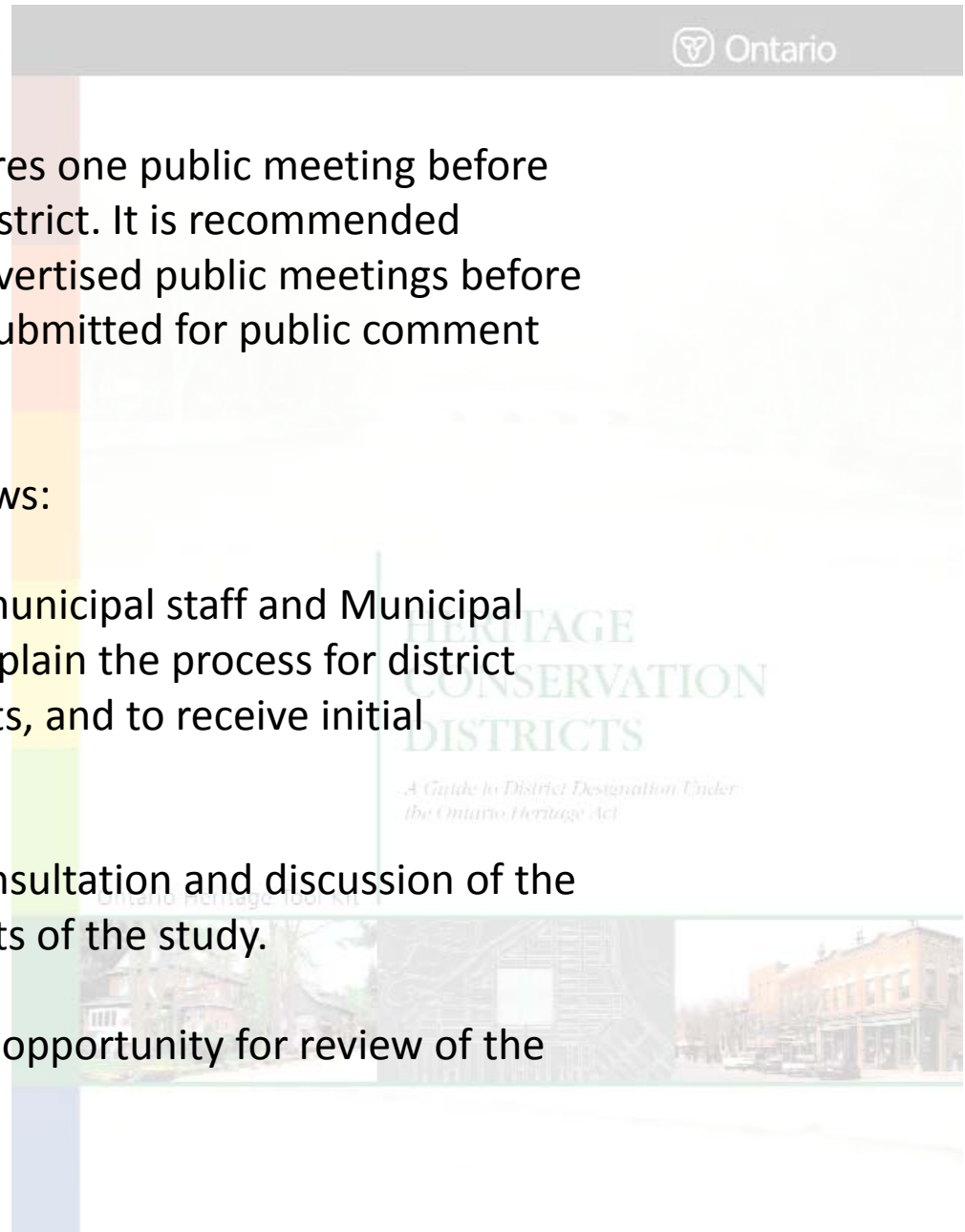
This is especially important to overcome the initial perception encountered amongst many property owners that designation will result in “loss of property rights” or reduction in property value.

There should be a clear agenda and timetable for proceeding with the district study and well-publicized public meetings at important stages, to allow for comprehensive discussion of the issues with area residents and property owners.

The Ontario Heritage Act only requires one public meeting before passing of bylaw to designate the district. It is recommended that there be three or more well-advertised public meetings before the draft district plan and bylaw is submitted for public comment at the statutory public meeting.

Meetings can be conducted as follows:

- The initial public meeting allows municipal staff and Municipal Heritage Committee members to explain the process for district designation and its potential benefits, and to receive initial comments and views.
- The second meeting allows for consultation and discussion of the proposed boundary and other results of the study.
- The third public meeting provides opportunity for review of the draft plan and guidelines.



SUMMARY – CONTENTS OF THE HCD PLAN REQUIRED BY THE ONTARIO HERITAGE ACT

- Statement of objectives to be achieved in designation of area as a HCD
- Statement of district's cultural heritage value or interest
- Description of district's heritage attributes and those of properties within the district
- Policy statements, guidelines and procedures for achieving stated objectives and managing future changes
- Description of external alterations or classes of external alterations that are of a minor nature that an owner can carry out without obtaining a permit

Ontario Heritage Tool Kit

HERITAGE
CONSERVATION
DISTRICTS

*A Guide to District Designation Under
the Ontario Heritage Act*

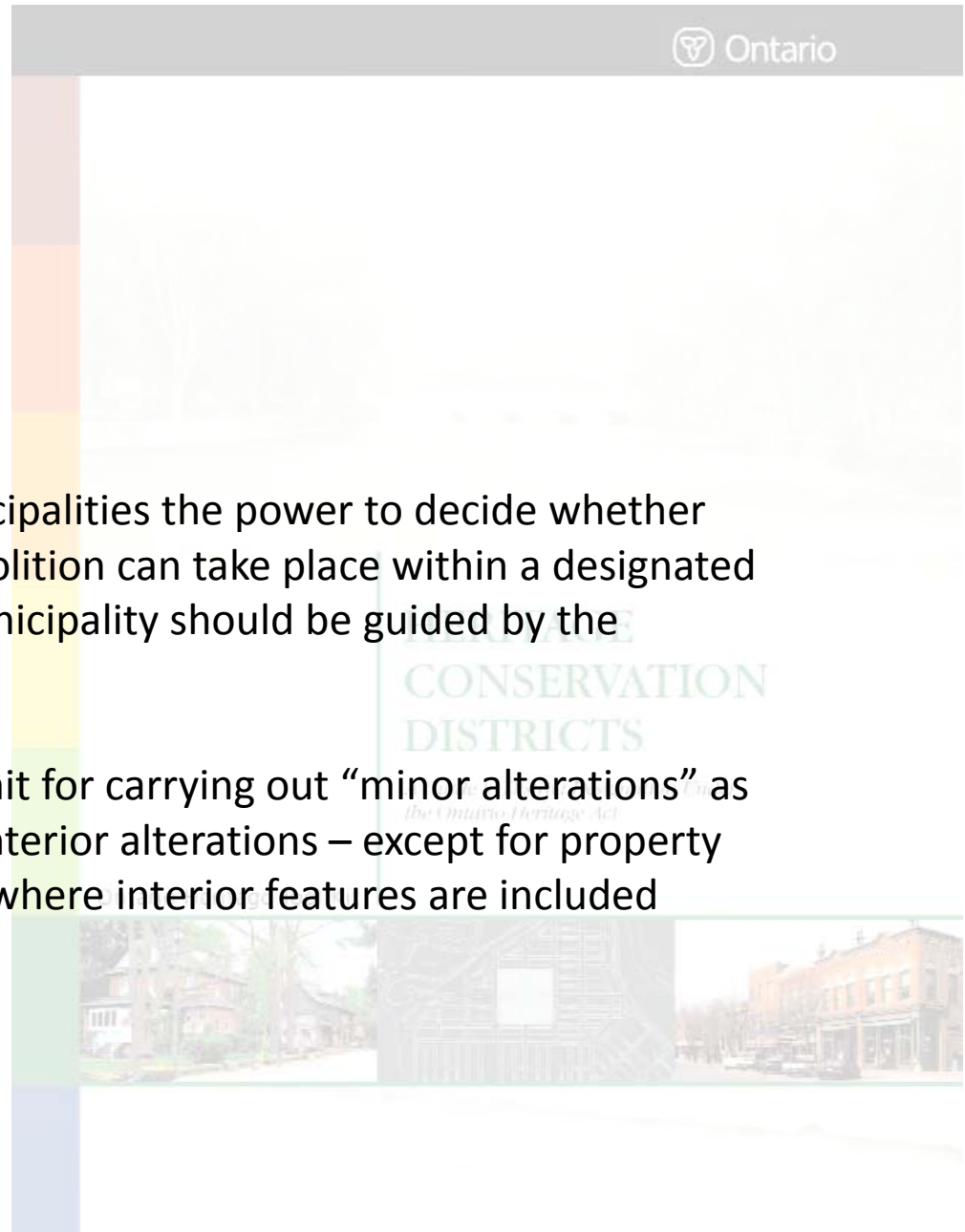


Review of alteration, new construction and demolition

(Ontario Heritage Act: s.42(1)- (5),
s.42(16) – (17))

The Ontario Heritage Act gives municipalities the power to decide whether alteration, new construction or demolition can take place within a designated HCD. In making its decisions, the municipality should be guided by the provisions of the HCD district plan.

Property owners do not need a permit for carrying out “minor alterations” as described in the district plan or for interior alterations – except for property designated under Part IV of the act, where interior features are included in the bylaw.

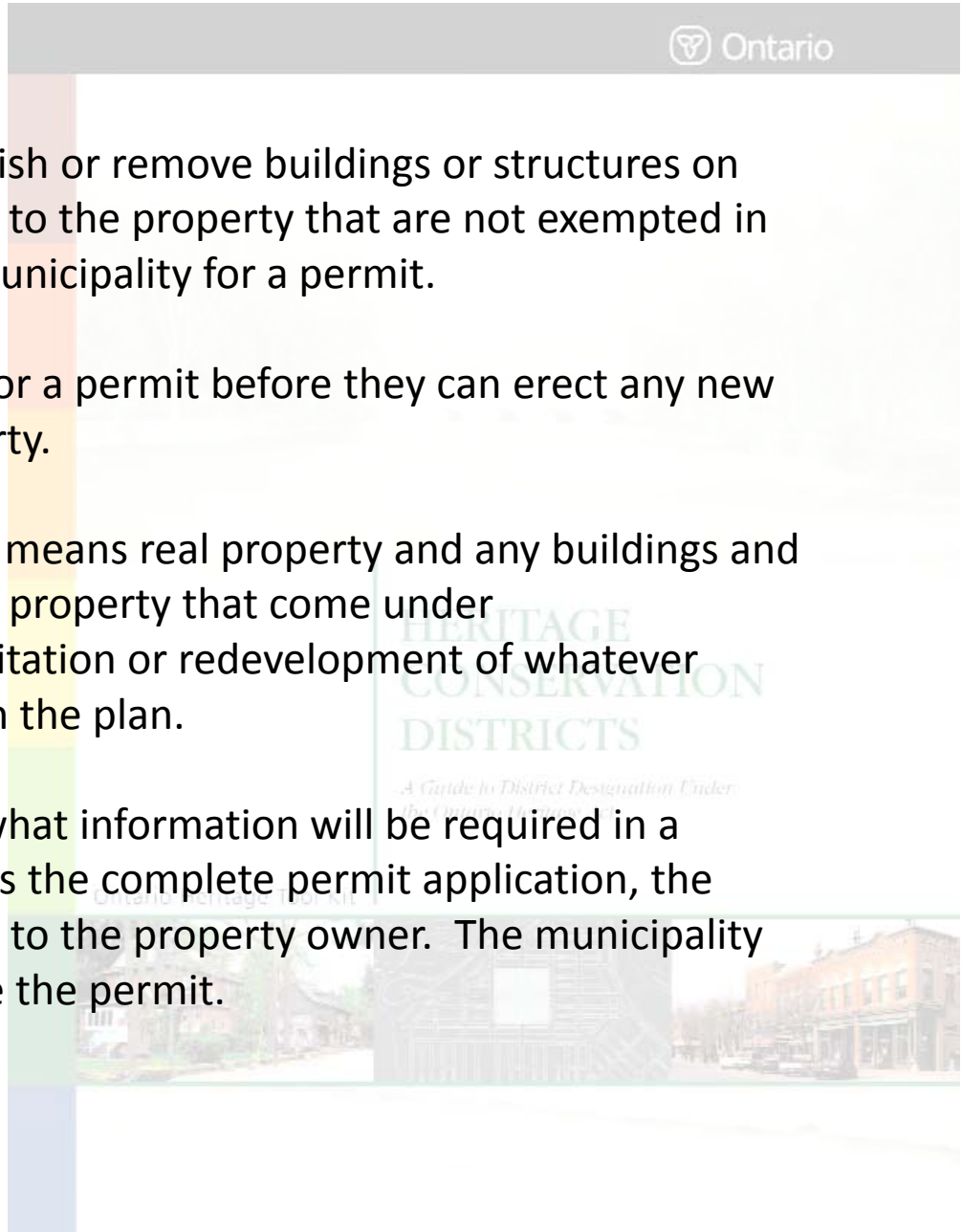


Property owners wishing to demolish or remove buildings or structures on their property, or make alterations to the property that are not exempted in the HCD plan, must apply to the municipality for a permit.

Property owners must also apply for a permit before they can erect any new building or structure on the property.

Under Part V of the act, 'property' means real property and any buildings and structures on it. Alterations to the property that come under review include restoration, rehabilitation or redevelopment of whatever heritage attributes are identified in the plan.

Each municipality can determine what information will be required in a permit application. Once it receives the complete permit application, the municipality acknowledges receipt to the property owner. The municipality then has 90 days to grant or refuse the permit.



The municipality must consult with its Municipal Heritage Committee, where one has been appointed, before making a decision on an application for the demolition or removal of a building or structure. In the making its decisions the municipality should be guided by the provisions of the HCD district plan.

A property owner can appeal municipal council's decision to refuse a permit or to grant a permit subject to terms and conditions to the Ontario Municipal Board.

The permit application process allows municipalities to review proposed physical or functional changes within a HCD to ensure that they are in keeping with the objectives for district designation and will respect the heritage values identified in the HCD plan.

