

Heritage Permit Kit

for Properties Designated under Part IV
of the Ontario Heritage Act

#1 Interior alterations

Heritage Attributes
Masonry
Character
Designated
Details
Heritage
Natural
Historical
Restoration
Architectural Contextual
Landscaping
Alteration



BRAMPTON
Flower City

Planning, Design and Development
Heritage

PART ONE - PROPERTY OWNER'S GUIDE:

Why Is A Heritage Permit Required?

Heritage designation puts in place a simple and quick mechanism, through the heritage permit process, to encourage preservation properties designated under Part IV of the Ontario Heritage Act (section 29).

The heritage permit process is designed to ensure that the "heritage attributes", as described in the designation by-law, are not obscured, damaged or destroyed unnecessarily by alterations and other forms of intervention. Heritage attributes are the elements that lend a property its cultural heritage value.

Any work likely to result in the loss, damage, alteration or removal of one or more heritage attributes requires written approval from City Council before the work can begin. This rule applies mostly to major exterior renovations, additions and other works subject to a building permit or demolition permit.

The heritage permit process was not designed to prevent alterations to heritage buildings. Its purpose is to guide alterations in a reasonable and balanced manner - never losing sight of the pragmatic considerations that often trigger the call for change in the first place.

The heritage permit process is also not intended to prevent the introduction of modern conveniences such as central air conditioning, wheel chair ramps, new windows, swimming pools, satellite dishes, garages, parking spaces, and modern interior design treatments. Again, the permit process is, in most cases, simply used to guide such changes so that the new feature or replacement feature does not diminish the heritage value of the property.

"The process is generally not about "if" such changes can be made to a property - it's about "how" or "how best" within the budget constraints and objectives of the property owner - factoring in the significance of the heritage attributes that might be impacted."

It should be stressed that in most instances, the heritage permit process is surprisingly routine.

Legal Basis for Heritage Permit - Ontario Heritage Act

To maintain consistency with provincial legislation and Brampton's new Official Plan, extending the heritage permit process Citywide, is recommended.

Section 33 of the Ontario Heritage Act states that Council must provide its 'consent in writing' before any alterations can proceed that are likely to affect heritage attributes on properties designated under Part IV of the Act. The wording in the Act is as follows:

"No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes... unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration."

When Is A Heritage Permit Required?

In the most general sense, as outlined in the Heritage Act, a heritage permit is required prior to any alteration likely to result in the loss, removal, obstruction, replacement, damage or destruction of one or more heritage attributes on a property designated under Part IV of the Ontario Heritage Act.

As a rule of thumb, a heritage permit is always required for any large-scale exterior renovations and additions; essentially any works that would also require a building permit, demolition permit or other formal approvals by the City, conservation authorities and/or other agencies and other levels of government.

A heritage permit may also be required for some smaller scale projects (*e.g. replacing a front door, removing a verandah railing, etc*), if that project would impact existing heritage attributes and features as found.

The heritage permit process applies to the entire property and all exterior elevations - not just to the front facade.

Whether a heritage permit is required or not, you must still comply with the requirements of the Zoning By-law and Building Code.

Heritage permits should always be secured before seeking any other approvals, such as minor variances from the Committee of Adjustment, approvals from conservation authorities, site plan approvals and so on.

Typical Projects That Do Require A Heritage Permit:

New Construction: such as new additions, introducing new exterior architectural detailing and finishes, along with new garages, fences, barns, outbuildings, porches, verandahs, steps and decks;

Major Structural Alterations and Rehabilitation Projects: such as replacement, removal and changes to existing porches, verandahs, windows and window openings, doors and door openings, chimneys, awnings, existing millwork, decorative elements, detailing and finishes, foundations, barns, outbuildings and the like;

Major Changes to Exterior Walls and Cladding such as introduction or removal of metal soffits, fascia, vinyl siding, stucco finishes; painting previously unpainted masonry walls or removing paint from painted masonry walls; repointing masonry, replacing bricks, repairing or replacing stone finishes, parging foundation (is there another way to describe this that average people would recognize) walls, removing key wall features such as lintels, sills, parapets, chimneys, quoins, voussoirs (these two terms too), removing insulbrick, and the like;

Major Landscaping: such as removal of mature trees, removal or significant alterations to period gardens and hedgerows, installation of new landscaping plans, patios, paths and laneways, altering or removing original or vintage pergolas, fences, garages, outbuildings and the like;

New Signage;

If a heritage permit is required, the applicant should work with the Heritage Coordinator. Together they can review the heritage considerations and fill out the application form.

When ready, the applicant must submit the completed heritage permit application form, along with any supporting information as required, to the Heritage Coordinator.

Applicants and/or their agents are encouraged to come before the Heritage Board as a delegation to briefly outline the scope of their heritage permit application and to answer questions. Arrangements can be made with the Heritage Coordinator.

Role of the Heritage Coordinator:

Heritage permit applications are available from the Heritage Coordinator the Planning Design and Development Department (3rd Floor, City Hall).

The completed application form, along with the required plans, is to be submitted to the Heritage Coordinator. The Heritage Coordinator will review the application and provide comments and recommendations.

Prior to submitting a Heritage permit application, applicants are encouraged to discuss their proposal with the Heritage Coordinator.

The Heritage Coordinator will assist the property owner at every step of the way with application process.

The Heritage Coordinator will also circulate the application to other departments as required for review and comment.

Finally, the Heritage Coordinator will take the heritage permit application to the Brampton Heritage Board for review and endorsement.

Role of the Brampton Heritage Board:

The Brampton Heritage Board (BHB) reviews all heritage permit applications. The Board makes recommendations: to approve, approve with terms and conditions or to refuse. These recommendations are then submitted to the Planning Design and Development Committee (PDD) and then City Council.

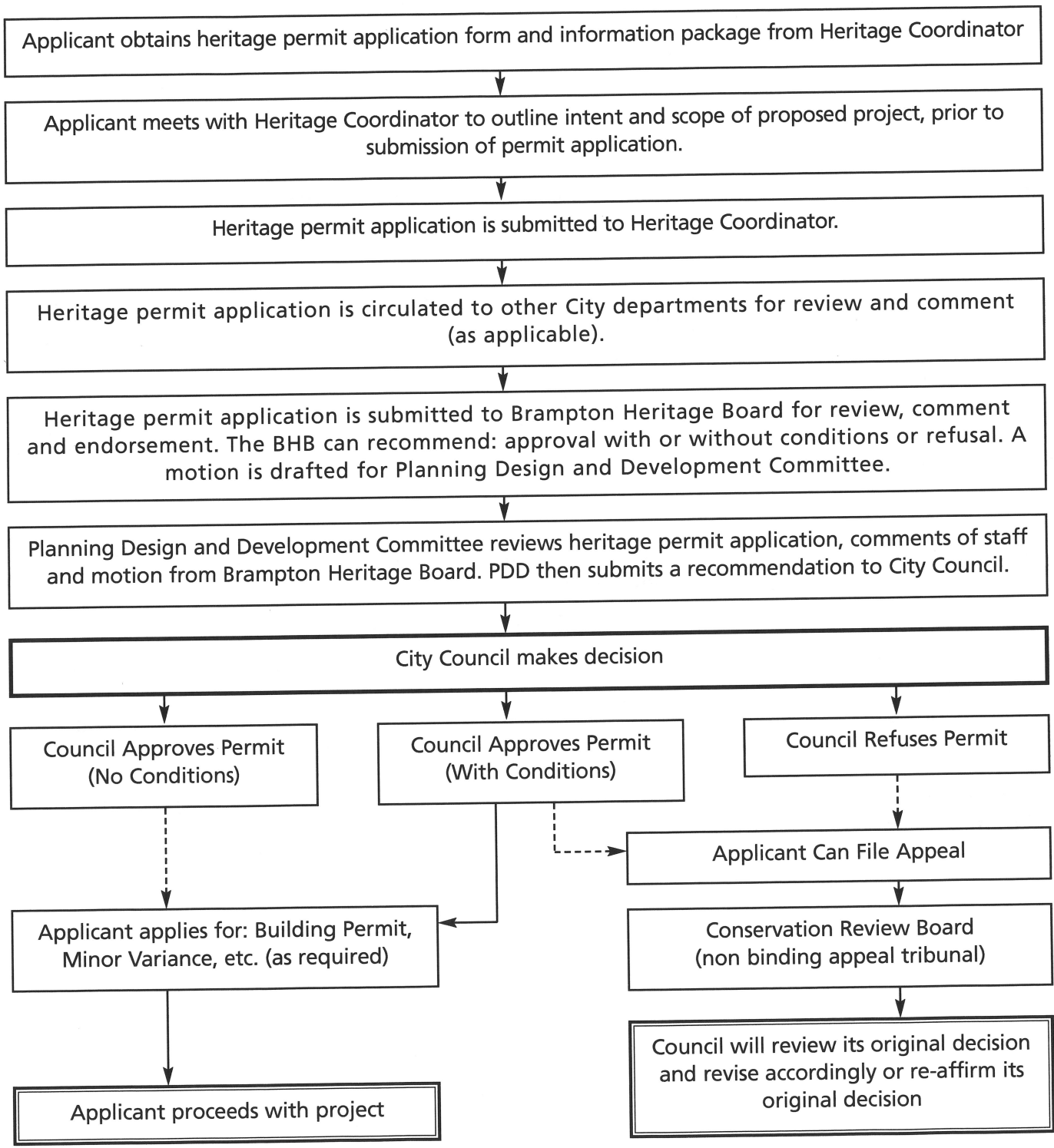
The BHB comments and recommendations are forwarded to PDD and City Council - either through a motion in the minutes or in a follow-up staff report.

Role of Planning, Design and Development Committee and City Council:

The Planning Design and Development Committee (PDD) and City Council will consider the permit application on its merits factoring in the comments and recommendations of staff and the Brampton Heritage Board.

HERITAGE PERMIT APPLICATIONS

PART IV DESIGNATIONS - PROCESS FLOW



Summary of Supporting Documents Required According to Type of Project:

In some cases a few photographs may be sufficient to support a permit application.

If a larger project is proposed, more supporting material is required. The following list outlines what supporting documentation is generally required by type of project:

Major Repair, Upgrade or Larger-scale Maintenance Projects (e.g. replacement of windows)

- i) Photographs
- ii) Outline and samples of materials or products to be used
- iii) Brief description of work specifications and techniques to be applied

Additions and Construction of New Buildings

- i) Photographs
- ii) Site plan
- iii) Plans and elevations of existing structure - "as built"
- iv) Plans and elevations of proposed work
- v) Outline and samples of materials to be used
- vi) Description of construction specifications

Major Alterations

- i) Photographs.
- ii) Outline and samples of materials or products to be used
- iii) Description of work specifications and techniques to be applied
- iv) Outline and samples of materials to be used

Exterior and Interior Restorations (i.e. replicating or revealing lost heritage elements)

- vii) Detail photographs of all features and attributes to be restored
- viii) Brief description of restoration techniques to be applied
- ix) Outline and samples of materials to be used (e.g. mortar mixes)
- x) Copies of historical photographs or references used to document features being restored
- xi) Description of construction specifications

Relocation of an Existing Structure

- i) Photographs
- ii) Current registered survey
- iii) Site plan
- iv) Plans and elevations documenting existing structure

Land Division

- i) Photographs
- ii) Current registered survey
- iii) Site plan and subdivision

Also, ensure that the massing and height of new additions do not overshadow the heritage portions of the building. Additions should appear smaller and subordinate to the original or early portions of the building. Ideally, they should be located to the rear of the heritage portion of the building.

6. REVERSIBILITY:

Whenever possible, alterations should be executed in such that they could be reversed later and returned to original conditions. This conserves earlier building design and technique. For example, when a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.

7. LEGIBILITY:

New work should be distinguishable from old. 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 slavishly attempting to duplicate. Strive for complimentary additions not replicas of the existing building.

8. MAINTENANCE:

With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.

PART TWO - HERITAGE PERMIT APPLICATION:

HERITAGE PERMIT APPLICATION FORM

In accordance with the Ontario Heritage Act a heritage permit must be issued by City Council for all proposals to erect, remove or alter the exterior of buildings, structures or other features described as heritage attributes within the scope of a heritage designation by-law.

City staff and the Brampton Heritage Board review all applications and then submit them to City Council for approval.

City Council has the authority under the Ontario Heritage Act to approve any heritage application either with or without conditions or to refuse the permit application entirely.

Please provide the following information (type or print)

X A. REGISTERED OWNER

NAME OF REGISTERED OWNER(S) 2585876 ONTARIO INC.

TELEPHONE NO. HOME (905) 453-3883 BUSINESS: (905) 866-4983 FAX: (905) 453-2882

E-MAIL ADDRESS: CAREPROPERTYMANAGER@GMAIL.COM

MAILING ADDRESS: 249 Main Street North
Brampton Ontario L6X1N3

X B. AGENT

(Note: Full name & address of agent acting on behalf of applicant; e.g. architect, consultant, contractor, etc)

NAME OF AGENT(S) _____

TELEPHONE NO. HOME () BUSINESS: () FAX: ()

E-MAIL ADDRESS: _____

MAILING ADDRESS: _____

Note: Unless otherwise requested, all communications will be sent to the registered owner of the property.

X **E. DESCRIPTION OF WORKS**

(Please briefly describe the proposed works as they fit within one or more of the categories below; note the specific features that would be affected. Use separate sheets as required; attach appropriate supporting documentation; point form is acceptable):

Rehabilitation and/or Preventative Conservation Measures (e.g. repointing masonry; note which heritage attributes and features would be impacted and where, materials to be used, specifications and techniques):

Repair and restore interior decorative architectural archway above main stair

Refinish ~~oak~~ wood main stair

X **Major Alterations, Additions and/or New Construction** (note which attributes to be impacted, location of work, materials to be used, specifications and techniques):

X **Restoration** (i.e. replicating or revealing lost elements and features; note which attributes to be impacted and where, materials to be used, specifications and techniques):

Restoration of two medallions on main floor living rooms.

X **H. CHECKLIST OF REQUIRED INFORMATION SUBMITTED**

(Check all that apply)

- REGISTERED SURVEY
- SITE PLAN (showing all buildings and vegetation on the property)
- EXISTING PLANS & ELEVATIONS - AS BUILT
- PROPOSED PLANS & ELEVATIONS
- PHOTOGRAPHS
- MATERIAL SAMPLES, BROCHURES, ETC
- CONSTRUCTION SPECIFICATION DETAILS

X **I. AUTHORIZATION / DECLARATION**

I HEREBY DECLARE THAT THE STATEMENTS MADE HEREIN ARE, TO THE BEST OF MY BELIEF AND KNOWLEDGE, A TRUE AND COMPLETE PRESENTATION OF THE PROPOSED APPLICATION.

I UNDERSTAND THAT THIS HERITAGE PERMIT DOES NOT CONSTITUTE A BUILDING PERMIT PURSUANT TO THE ONTARIO BUILDING CODE.

I ALSO HEREBY AGREE TO ALLOW THE APPROPRIATE STAFF OF THE CITY OF BRAMPTON TO ENTER THE SUBJECT PROPERTY IN ORDER TO FULLY ASSESS THE SCOPE AND MERITS OF THE APPLICATION.

(Property entry, if required, will be organized with the applicant or agent prior to entry)

X *Esther Doid*
Signature of Applicant or Authorized Agent

X *January 4th 2023*
Date of Submission

Heritage Permit applications are submitted to the Planning, Design and Development Department, 3rd Floor Counter, Brampton City Hall,

The personal information on this form is collected under the authority of the *Ontario Heritage Act*, RSO 1990. The information will be used to process the Heritage Permit Application. Questions about the collection of personal information should be directed to the Heritage Coordinator, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, 905-874-3825.

APPENDIX - HERITAGE REVIEWS IN LAND USE PLANNING PROCESS

Brampton Heritage - Land Use Planning

Policy Context:

Ontario Heritage Act (2005):

The Act provides statutory protection for designated heritage properties including demolition control, enforcement provisions, minimum property standards, etc.

Section 33 of the Ontario Heritage Act states:

"No owner of property designated... shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes... unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration."

Stronger City of Toronto for a Stronger Ontario Act, 2006:

This new piece of legislation contains certain provisions affecting all municipalities.

The Act amends Ontario Heritage Act; introduces additional statutory protection across Ontario; requires owners of listed properties to give a municipality at least 60 days notice of the owner's intention to demolish or remove a building or structure on the property.

Ontario Planning Act:

Section 2 of the Planning Act declares that the "conservation of features of significant architectural, cultural, historical, archaeological or scientific interest" is a Provincial Interest. Municipal councils, local boards, planning boards and the Ontario Municipal Board shall have regard for this interests as they carry out their responsibilities under the Act.

Provincial Policy Statements - PPS (2005):

The Provincial Policy Statement (PPS, 2005) is the framework for broad, integrated and long term planning. It provides policy direction to municipalities and approval authorities that make decisions on land use planning matters.

All decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statements.

Section 2.6 sets out the cultural heritage and archaeology policies. The two policies most pertinent are:

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

Heritage Considerations Within Land Use Planning Process:

1. Receive notification from Planning and Building staff of proposed development applications, building and demolition permit applications, site plan applications, minor variance applications, informal proposals; (Communication protocols are critical).
2. Circulate information on known heritage resources within subject and adjacent lands to all parties (i.e. City staff, landowner, consultants, etc).
3. Field assessment of the subject lands:
 - documenting all heritage resources including cultural landscapes and other contextual features, natural heritage elements, areas of archaeological potential, standing structures not previously listed or designated, etc.
4. Where necessary, call for heritage impact assessment by qualified heritage consultant affiliated with the Canadian Association of Professional Heritage Consultants (CAPHC).
5. Where necessary, call for archaeological assessment by licensed archaeologist if archaeological potential is apparent.
6. Propose strategies for mitigation tailored to the cultural heritage significance of any affected resources - build consensus; (This seems out of context – maybe additional explanation is needed?)

Mitigation can include:

- retention or partial retention (e.g. front façades);
- adaptive reuse;
- heritage designation - as condition of approval;
- heritage conservation easements;
- cost sharing agreements;
- letters of credit;
- archaeological assessments;
- documentation;
- relocation and adaptive reuse;
- salvage;
- site security measures;
- preventative and long term conservation plans;
- sensitive site avoidance measures.

7. Review and provide comments to City staff upon submission of studies, draft guidelines, heritage impact reports, etc.
8. Provide comments on recommended mitigation.
9. Formalize mitigation measures through conditions in agreements.
10. Brief Brampton Heritage Board and Planning, Design and Development Committee as required.

APPENDIX - HERITAGE PERMIT APPLICATIONS - STAFF CHECKLIST

1. Significance of the Heritage Property	Yes	No	N/A
i) Is the current property a prominent local landmark?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Do the proposed changes compliment or contribute to the character of the surrounding streetscape or neighbourhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Will the proposed changes be visible from the street or other nearby public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Does the property hold provincial or national significance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Architectural Heritage Attributes			
i) Is the current building considered to be a good example of a particular style of architecture (e.g. Gothic Revival)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Have the possible impacts on existing architectural heritage attributes been sufficiently considered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Have measures been taken to protect or avoid impacts to existing architectural heritage attributes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Have sufficient measures been taken with plans and designs to ensure compatibility between new and old?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v) Are any existing architectural heritage attributes being replaced? If so, are these replacement features appropriate, both visually and functionally with the existing structure?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
vi) Has the applicant provided justification for the alteration, removal or replacement of existing architectural heritage attributes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
vii) Do the proposed works effectively compliment the existing building and its architectural heritage attributes in massing, material(s) composition, design, texture and colour?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Windows, Doors, Porches	Yes	No	N/A
i) Are original windows and doors being retained where possible?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Are new windows, if any, consistent in size, shape, configuration, materials, opening and placement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Are new doors, if any, consistent in size, shape, configuration, materials, opening and placement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Is the design of the new porch or verandahs, if any, compatible with the character of the existing heritage building(s) and/or surrounding building stock?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roofs			
i) Is the roofline, roof details and roof pitch consistent with the existing heritage building? (Every effort should be made to respect the predominant roof line and to minimize the impacts.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Are proposed roof vents, solar panels, skylights, dormers and satellite dishes located inconspicuously away from public view and in a manner that does not damage important heritage attributes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Overall Scale			
i) Is the scale and size of the proposed alteration/addition in keeping with the prevailing character and massing of the existing heritage building(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Is the alteration/addition in keeping with the building heights and scale found on adjacent properties and with the immediate streetscape or neighbourhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Do upper storey additions compliment the height and roof profile of existing rooflines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

