

4. Implementation

Heritage Permit Application and Approval Process

What Type of Change or Alteration Requires a Heritage Permit?

In a Heritage Conservation District the Ontario Heritage Act states that no person, including the municipality, can erect, demolish or remove any building without the permission of Council. A permit is also required for additions and alteration to the exterior of any existing building. This permit process is in place to ensure that the heritage character of the District is protected.

Typically, with any application for a Building Permit, or any other application requiring municipal approval within the District, a separate Heritage Permit approval will occur.

When uncertain whether a Heritage Permit is required for proposed work, the property owner can contact the Toronto Historical Board for assistance. The Heritage Permits will be reviewed and approved using the General Guidelines for the East Annex Heritage Conservation District.

A municipal Heritage Permit will be required for the following aspects of work:

- the erection, demolition or removal of any building or structure;
- structural alterations to the exterior of an existing building, including the repair or rebuilding of front porches and steps;
- non-structural alterations to the exterior of an existing building, including:

new or different cladding materials (wall or roof);
masonry cleaning, or painting;
new or different doors or windows;
changes to exterior architectural decoration or detail;
awnings and signs; and
mechanical equipment, including exposed air-conditioning units, or metal chimneys;

- any heritage grant application;
- work which affects the character of the streetscape, including:
 - front yard landscaping included with applications for front yard parking;
 - street tree removal, installation or replacement; and
 - municipal street improvements.

Work not requiring a Permit

For other work which does not affect the heritage character of the area a municipal Heritage Permit will not be required. This work includes:

- any interior work, unless it affects the external appearance;
- repair of existing exterior materials (roof repair, chimney repair);
- installation of storm doors, windows, caulking, sealants or weatherstripping;
- painting and paint colours on exterior wood, stucco or metal finishes (unless application is made for a heritage grant).

How does the Toronto Historical Board notify City Council on Heritage Permits it has reviewed?

Permits issued for alterations which don't affect heritage attributes are approved and issued by THB staff followed by a report to the Board. This allows for efficient issuance of permits and is the process currently in place at the Toronto Historical Board. The list of approved permits will be reported to the Neighbourhoods Committee and Council.

Permits for alterations which affect the heritage attributes would go to the Board for consideration and recommendation to Council.

How does Public Input into the Heritage Permit Process occur?

1. Minor alterations which do not affect heritage attributes will not require public input. A permit will be issued and the permit will be similar in appearance to a building permit, and will be displayed on the site during the work.
2. Alterations which require Development Review or Committee of Adjustment would go through the planning process. The planning process has public consultation built in and it is reasonable to use this formal process rather than create a new one. With an Heritage Conservation District the Toronto Historical Board comments and can refuse the application, if need be, on the grounds of not conforming to the District guidelines. The Board reports to Land Use and Council as it already does with Part IV's in similar situations.

How will the process work?

The proposed process for permit approval is recommended for the following reasons:

- it can be used for other Districts if need be
- simplicity and speed in processing applications
- on major alterations, interested residents may be involved
- the Board would review only the major/complex applications, insuring efficient use of Board time.

Heritage Permit Process

Heritage Permits requiring Committee of Adjustment and development review will follow the planning process.

Step 1

The property owner or agent is encouraged to first review the East Annex district plan guidelines. At this time the property owner is also encouraged to discuss their plans with THB staff. THB staff can explain what documentation is required, clarify any concerns regarding the permit process, and advise that other approvals might be required and where to get them. Application forms would be made available at the THB and the Buildings and Inspections Department.

Step 2

Formal submission of the heritage permit application should be made through the Buildings and Inspections Department.

Step 3

The Buildings and Inspections Department would acknowledge receipt of the application in writing with copies to the THB, and any other appropriate agency.

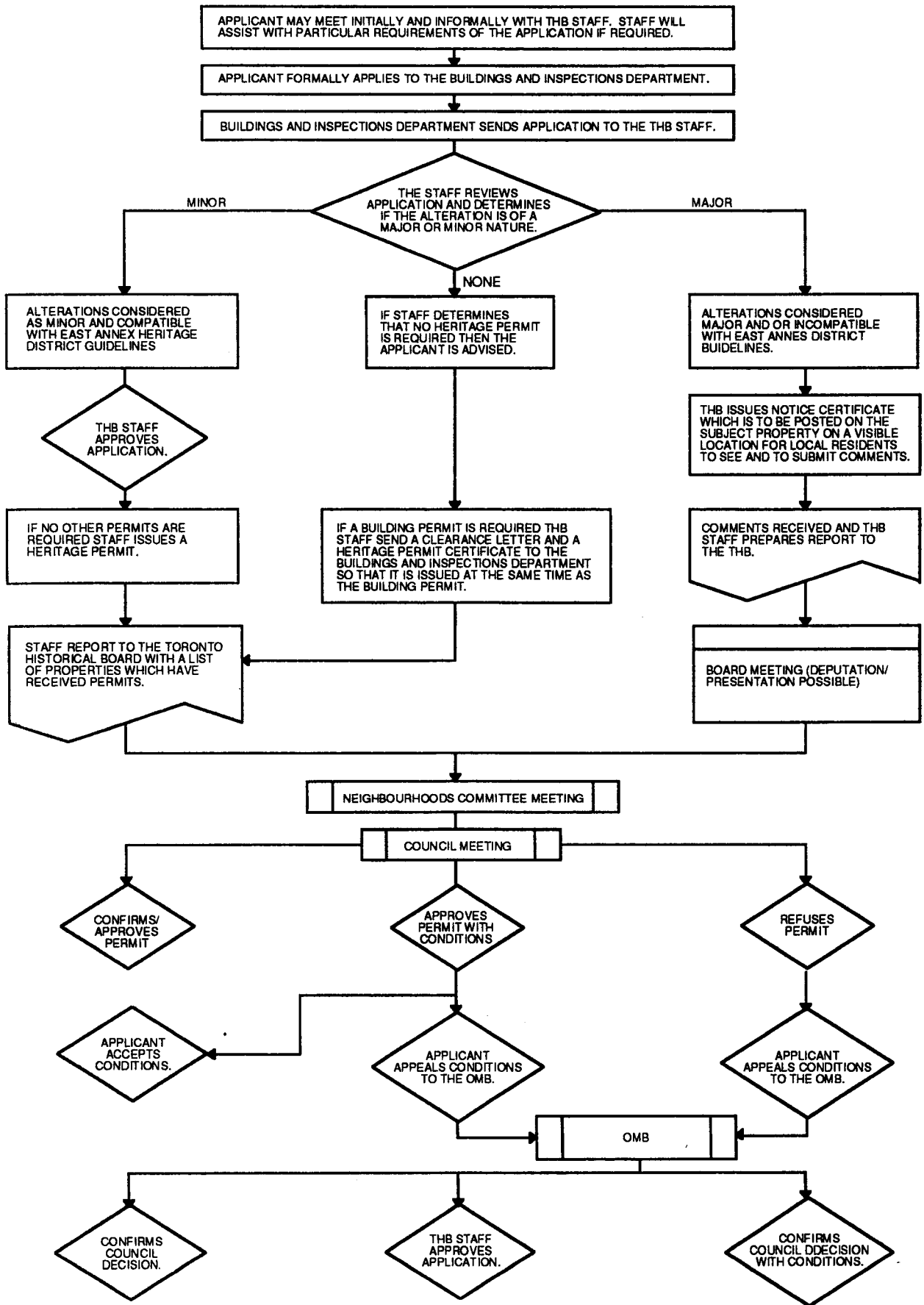
Step 4

The Buildings and Inspections Department forwards the application to the THB, Buildings and Inspections, and Planning and Development.

Step 5

THB staff reviews the application looking for compliance with the East Annex district plan guidelines and also determines whether the alteration affects the heritage attributes or is considered as major in nature. It is expected that alterations requiring building permits, Committee of Adjustment and/or development review will be reviewed by the appropriate City Departments in tandem with the THB review.

EAST ANNEX HERITAGE DISTRICT PERMIT PROCESS



Step 6a

If the alteration does not impact on the heritage attributes or is considered minor and does not require other City departments approval, staff could approve the application.

If a building permit is not required then THB staff would issue the heritage permit and it would be posted so it would be visible from the street.

Should a building permit be required, then the THB staff sends a clearance letter with a heritage permit to the Buildings and Inspections so that both permits are issued at the same time.

THB Staff would then report to the Board a list of properties which have received staff approval; Neighbourhoods and Council would be informed through the usual reporting process.

Step 6b

In this case, the alteration will affect the heritage attributes as described in the East Annex district plan guidelines. The alteration would be considered as major in nature but would not require any development approvals and in some cases would not require a building permit (i.e. replacement of windows, changing the roofing materials etc.). The THB staff would determine whether the alteration is major.

Staff would negotiate with the owner to use appropriate materials, forms, and techniques as outlined in the East Annex district plan guidelines. If staff and the property owner cannot reach a resolution then the application would be presented to the Board.

Should the permit application require Board involvement then the following process would be applied;

At the Board meeting, the property owner and other departments, for and against, would be given an opportunity to discuss their application directly with the Board. The staff report would be made available.

Step 7

The Board will make its recommendations and report to Neighbourhoods and Council in the usual manner. The property owner is able to make a presentation to the Neighbourhoods Committee.

Step 8

Council can approve the permit, approve the permit with conditions or refuse the permit.

Step 9

Where Council adopts the permit with conditions or refuses the permit the property owner can appeal to the OMB.

Step 10

Should the property owner appeal the Council decision to the OMB, the OMB would hold a hearing. The OMB can decide to approve the permit, approve the permit with conditions, or refuse the permit. The OMB decision is final.