



*This Heritage Control Period Administrative Policy is in effect from June 16, 2016 to June 16, 2017 and applies to the single detached dwellings within the Queen's Park neighbourhood.*

## **Background**

### Queen's Park Neighbourhood Heritage Study

On November 4, 2013, Council endorsed the work program for the Queen's Park Neighbourhood Heritage Study regarding exploring options to support heritage conservation in the Queen's Park neighbourhood. Study recommendations were provided to Council on April 25, 2016. One of the recommendations was the creation of a heritage conservation area, for which the community indicated a high level of support through the study process.

### Queen's Park Heritage Control Period

Adopted on June 15, 2016 by Council, the heritage control period (HCP), requires that all single detached dwellings within the Queen's Park neighbourhood that were constructed on or before December 31, 1966 must apply for a heritage alteration permit (HAP) in addition to any other permits if they want to demolish the building, build a new house, do any renovations to the front or sides of the outside of the building, or if they want to change the design of the roof.

Trees and other landscape elements (walls, stairs, etc) and general maintenance (e.g. roof repair) do not require a HAP. Trees are already subject to the Tree Protection and Regulation bylaw.

### Purpose of Administrative Policy

A clear policy regarding the administration of certain aspects of the bylaw would be helpful to staff and Council, as well as members of the public. The policy is intended to guide the process and recommendations that staff gives the Queen's Park Neighbourhood Heritage Study Working Group, Community Heritage Commission, the Technical Review Panel, Council, and its delegate in their consideration of heritage alteration permit applications which arise from the heritage control period.

# THE POLICY

## New Application Process

Applications made regarding a building permit for a new house or exterior work to the existing house, or for the demolition of a house that qualifies for temporary protection through the HCP bylaw would be subject to the following process<sup>1</sup>:

- A completed HAP application is submitted to the Planning Division with required documentation.
- As part of the HAP application for demolition or major exterior renovations, a heritage assessment must be conducted on the existing house by a qualified heritage professional.
- The HAP application will go before a Technical Review Panel who will evaluate the application and assess the appropriateness of the proposed house design, exterior renovation, or demolition. The Technical Review Panel is made up of Planning Division staff, members of the Queen's Park Neighbourhood Heritage Study Working Group, architectural and heritage consultants.
- Once reviewed by the Panel, the HAP application is added to the next available agenda for the CHC for their review and recommendation. The comments and recommendation of the Technical Review Panel will be forwarded as part of a report to this body. The CHC meets monthly.
- Once the recommendations from both groups are received, the application, including heritage assessment if applicable, is reviewed for consideration of approval by:
  - The Director of Development Services for all renovation HAP applications.
  - Council for all demolition or new construction HAP applications.
- The Director of Development Services has the discretion to forward any renovation HAP to Council for their consideration.
- An applicant may ask Council to reconsider any decision made by the delegate with respect to HAP applications for renovations.
- Demolition and/or building permit application review by the Building Division will not proceed unless the HAP application is approved.

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<sup>1</sup>Regular maintenance or repair work, re-roofing, interior alterations, and renovations to the rear of the house do not require a HAP, but may require a Building Permit.

## Possible Outcomes of Review Process

- Council may direct that a notice of its intention to issue a heritage alteration permit be given in the same manner as a notice of its intention to issue a development variance permit.
- If approved by the Council or their delegate, the HAP is signed, and the standard demolition and/or building permit application review by the Building Division begins.
- Council or its delegate has the right to deny a HAP if they feel it is not consistent with the principles of the heritage control period.
- If the HAP application is denied, the applicant and the Planning Division work together to find a solution where the heritage house is retained, and the allowable density proposed in the application can be achieved, or the design appropriately addresses concerns. The new HAP application would again be reviewed and go before Council, or the delegate, for consideration.
- The application could wait until the heritage control period expires on June 17<sup>th</sup>, 2017, and re-apply under the policy and regulations existing at that time.

## Review Considerations

- Each HAP application for a renovation will be assessed against existing City policy and the “Standards and Guidelines for the Conservation of Historic Places in Canada”. This is the standard document used across the country, and provides a series of first principles that heritage professionals use to assess heritage conservation projects.
- A HAP application that seeks demolition of a house will be assessed through the professional heritage assessment, recommendations of the review groups, and against the Neighbourhood Heritage Value statement that was developed over the last two and a half years by the Queen’s Park Neighbourhood Heritage Study Working Group.
- HAP applications for new construction will be assessed against the previously voluntary Queen’s Park Historic District Residential Design Guidelines.
- Council or its delegate may require a security in order to guarantee that the work is carried out according to the HAP. The amount of the security would be determined on the basis of an estimate by the applicant’s architect or design consultant of the cost that the City would incur in undertaking and completing the work.
- Council or its delegate has the authority to determine whether the HAP has been contravened and to undertake the work required to satisfy the HAP, with the cost to be recovered from the applicant through either the security or other means.