

## The Process of Designation

### Step 1: Identification & Evaluation

- property is suggested for designation (by owner, MMHC or others).
- MMHC researches property according to criteria, prepares a statement of 'Cultural Heritage Value' describing attributes and identifying particular features that should be protected, then presents findings to council.

### Step 2: Providing Notice

- Council notifies the owner and the Ontario Heritage Trust and publishes an 'Intent to Designate' notice in the local paper.
- within 30 days after this publication date, the owner or anyone else may object in writing to the Town Clerk.

- if no objection, Council may pass by-law designating property.

- If there is an objection, a hearing of the provincial Conservation Review Board determines validity of objection and makes recommendation to Council.

- Council withdraws 'Intent to Designate'.

- Council proceeds.

### Step 3: Passing and Registering Heritage Designation By-law

- notice of by-law is given to the owner and OHT and published in local paper.
- copies of by-law, statement of 'Cultural Heritage Value' and description of heritage attributes are registered on title at Land Registry Office.

## Altering a Designated Property

**Step 1: Application to MMHC:** supplying all relevant information in detail.

**Step 2: Review:** Council has 90 days to consult with Municipal and Marine Heritage Committee.

**Step 3: Decision by Council:** within 90 days.

**Step 4: Appeal Process:** If Council refuses alteration, owner can adjust plans or appeal to Conservation Review Board which will hold a hearing and make recommendations to Council. Council makes final decision.

### Acceptable Alterations

The purpose of the committee is to manage change not prevent it. Buildings need to be adapted to new uses in order to remain viable alternatives to new construction. Proposed alterations that do not compromise the heritage attributes identified in the statement of Cultural Heritage Value would usually meet with approval. Most alterations to the interior and to those exterior portions of a building not specified in the statement of Cultural Heritage Value, would be approved.

## Demolishing a Designated Property

**Step 1: Application to Council:** requesting permit to demolish or remove structure.

**Step 2: Review:** Council has 90 days to consult with MMHC.

**Step 3: Decision by Council:**

a) If Council **consents** or makes no decision within 90 days, a demolition permit may be issued subject to any other regulations covering demolition in general.

b) If Council **refuses**, no demolition or removal may take place subject to an appeal to the OMB or subject to any future application to demolish.

*(Ontario Heritage Act amendment Bill 60, April 2005)*

Council and MMHC may consider ways of working with the owner in order to conserve the property including:

- discussing the heritage value with the owner.
- exploring ideas about how the building might contribute to a proposed future use of the site.
- suggesting alternative uses for the building.
- providing an opportunity to sell the building to the town or another buyer who will conserve it.

## Demolishing a Non-Designated Property

Owners of non-designated properties listed on the Municipal Register as having potential heritage value are required to inform the MMHC, and therefore Council, of any intent to demolish the building. This is to give Council a maximum of 60 days in which to consider the heritage value of the property. There are no other obligations on Listed or Potentially Significant properties.