



Heritage Permit Guide & Application

The Norfolk County Heritage Permit Application Guide is a tool to assist applicants in submitting sufficient information so their application may be deemed complete and processed as quickly and efficiently as possible.

For more information contact:

Director, Heritage and Culture
519-426-5870, ext. 1347
norfolkheritage@norfolkcounty.ca

1. What is a Heritage Permit?

A Heritage Permit is required to undertake alterations to properties designated under the *Ontario Heritage Act*, R.S.O. 1990. Properties are either designated individually under Part IV or designated within a heritage conservation district under Part V of the *Act*. Properties listed as non-designated in Norfolk County's *Municipal Register of Cultural Heritage Properties* (Heritage Register) only require a heritage permit for demolition or removal.

The Province of Ontario, through the *Ontario Heritage Act*, has enacted legislation to assist its citizens with the protection and conservation of cultural heritage resources.

Once properties are designated under the *Ontario Heritage Act*, Norfolk County is authorized to manage physical change to the cultural heritage resources as a means of conservation protection. The principal tool is the Heritage Permit Application process. Site-specific applications are reviewed by Heritage and Culture staff and the Norfolk Heritage Committee to determine if proposed changes may impact the reasons for designation and the significant protected heritage attributes.

According to the *Ontario Heritage Act*, no owner of a designated property 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 municipality and receives written consent. Written consent must be received prior to altering the designated property. This consent is obtained through the approval of a Heritage Permit Application.

As a general rule, the preferred alterations to heritage properties are those that repair rather than replace original heritage attributes, and those that do not permanently damage cultural heritage resources and their heritage attributes. Where replacement of materials or new construction is necessary, these should be compatible with the original. Reversibility is also preferable as this allows for the future reinstatement of heritage attributes.

2. When is a Heritage Permit Application required and why?

Under the *Ontario Heritage Act*, R.S.O. 1990, any new construction or “alteration” of a property designated under Part IV of the *Act* (individually designated property) or a property designated under Part V of the *Act* (heritage conservation district) requires the approval of a Heritage Permit Application.

A Heritage Permit Application is required prior to any alteration of a designated property that is likely to result in the loss, removal, obstruction, replacement, damage or destruction of one or more heritage features on the property. In addition, the approval of a Heritage Permit Application is required for any demolition of a property designated under Part IV or V of the *Act*.

The *Norfolk County Official Plan* references Cultural Heritage in Section 5.7 of the *Plan*. Paragraph 5.7.1 reads, “It is important to conserve the County’s cultural heritage resources, including buildings, structures, monuments, and areas of unique or rare settlement composition, streetscape, landscape and archaeological resources of cultural heritage value or interest. It is the intent of the County to support these conservation efforts for the benefit of the community.”

Examples of work that may require a Heritage Permit Application include:

- All new construction including new additions to existing structures and new independent structures such as garages, sheds, porches, decks and steps
- Alteration, addition, removal or replacement of windows, doors, porches, verandahs, chimneys, cladding, roofing material, trim and other exterior details of a structure
- Demolition of a structure or part of a structure
- Change in paint colour of exterior elements of a structure
- Change in trim, cladding, door or window colour(s) or painting of masonry
- Change in siding, soffit, fascia or roofing material
- Removal and/or installation of cladding and chimneys
- Repointing of brick
- New signage
- Hard landscaping such as the alteration, addition, removal or replacement of patios, fences, gates, trellises, arbours, gazebos, retaining walls and walkways

Note: Heritage Permit Application requirements differ between individually designated properties (Part IV) and those designated as part of a heritage conservation district (Part V). To obtain a copy of the designating bylaw for an individually designated property or a heritage conservation district, please contact the Heritage and Culture Department at (519) 426-5870 or at norfolkheritage@norfolkcounty.ca.

3. When is a Heritage Permit Application not required?



A Heritage Permit Application is not required for routine maintenance and minor repairs that do not change the appearance or material of a structure on the property. In addition, interior changes to a building on a designated property do not require a Heritage Permit Application if the alterations do not affect the external appearance of the designated property. The exception to this is if an individually designated property has a designation bylaw which identifies interior elements. If an applicant is unsure whether interior elements are designated, please review the designation report or reach out to the Heritage and Culture Department for assistance.

Examples of work that may not require a heritage permit include:

- Re-roofing in material and colour similar to existing material and colour
- Re-painting of architectural elements in the same colour
- Repairs to, and replacement of eavestroughs and downspouts unless these are integral to the heritage character and appearance of the building
- Soft landscape work (ie. plantings)

Please contact Heritage and Culture staff directly to confirm if your specific project requires the approval of a Heritage Permit.

4. What is the criteria used to evaluate the proposed work?

There are 120 properties in Norfolk County that are individually designated under Part IV of the *Ontario Heritage Act* and each of these properties has a designating bylaw as well as a Criteria for Designation Report or a Statement of Cultural Heritage Value or Interest.

Heritage Permit Applications are reviewed with the consideration of these Council-approved designation bylaws and/or the heritage conservation district plan and guidelines.

The Heritage Permit Application must demonstrate how the proposed work (e.g. alteration, new construction or demolition) is consistent with the designating bylaw for individual properties (Part IV) or the heritage conservation district plan for properties within a HCD (Part V).

In addition, the Heritage Permit Application must demonstrate how the proposed work is consistent with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* (available at <http://www.historicplaces.ca/en/pages/standards-normes.aspx>).

4.1 Additional Evaluation Criteria

The following guiding principles are used to assess proposed alterations to heritage properties. These guidelines are based on the Ontario Ministry of Culture's principles of conservation for heritage properties.

Do not base restorations solely on conjecture. Conservation work should be based on historic documentation and/or historical precedents using archival photographs, drawings, physical evidence and historical references.

Do not move buildings unless there is no other means to save them. Site is an integral component of a building.

Repair and conserve existing materials and finishes rather than replacing them, except where absolutely necessary. Minimal intervention maintains the historical integrity and true character of the resource and is often less expensive.

Repair with like material whenever possible.

Do not restore to one period at the expense of another period. Do not destroy later additions in order to restore the house to a single time period, except when a later addition is uncomplimentary or inappropriate historically.

Massing and height of new additions should not overwhelm the heritage portions of the building. Additions should appear smaller and subordinate to the historic portions of the building and should ideally be located to the rear.

Whenever possible, alterations should be executed in a way that they could be reversed later to return the building to its original condition.

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

With continuous care and upkeep, future restoration will not be necessary and the high costs of conservation projects can be avoided.

5. What information is required with a Heritage Permit Application?

The information required may vary with each application. The information provided through the application process ensures that Heritage and Culture staff, and where required the Norfolk Heritage Committee, understand the specific details of any proposed alteration in order to make an informed recommendation on the application.

An incomplete application cannot be processed and the official Notice of Receipt (as required under the *Ontario Heritage Act*) will not be issued until all of the required documents have been submitted. Failure to provide a complete application may result in deferral by Heritage and Culture staff in order to secure additional information, which may delay final approval. At minimum, the following information is required:

Heritage Permit Application Form

A complete original copy of the Heritage Permit Application Form, including the owner's signature.

Written Description

The applicant must provide a complete written description of all proposed work. The description should complement drawings, detailed construction plans, photos and any sketches or supporting information submitted with the application. The written description must include a list of all proposed work and the details of all proposed work including, but not limited to, proposed colours, materials, sizes, etc.

Construction and Elevation Drawings

Along with construction elevation drawings (drawn to scale), the applicant may also, but not in lieu of, submit a sketch of the proposed work made over a photograph.

Drawings must be drawn to scale and include:

- a) Overall dimensions
- b) Site plan depicting the location of existing buildings and the location of any proposed new building or addition to a building.
- c) Elevation plan for each elevation of the building
- d) Floor plans (these will be used for internal review purposes only and will not be made available to the general public)
- e) Specific sizes of building elements of interest (signs, windows, awnings, etc.)
- f) Detailed information including trim, siding, mouldings, etc., including size and profiles
- g) Building materials to be used (must also be included in the written description)
- h) Construction methods and means of attachment (must also be included in written description).

Some of the above components may be scoped or waived at the discretion of Heritage and Culture staff following discussion with the applicant.

Photographs

Photographs of the building including general photos of the property, the streetscape in which the property is located, facing streetscape and, if the property is located at an intersection, all four corners. Photos of the specific areas that may be affected by the proposed alteration, new construction, or demolition must be included.

Digital copies of all drawings and photographs, along with hard copies submitted with the application, are encouraged.

Samples

It is recommended that applicants provide physical and/or visual samples of materials proposed to be used. This may include a sample of the windows, brick, siding, roofing material, as well as paint chips to identify proposed paint colours.

Other Required Information

In some circumstances, Heritage and Culture staff may require additional information, such as a Cultural Heritage Resource Impact Assessment or Cultural Heritage Resource Conservation Plan, to support the heritage permit application. The requirement for additional information will be identified through pre-consultation and to satisfy the policies of Norfolk County's *Official Plan* and the *Provincial Policy Statement (2020)*. Pre-consultation with Heritage and Culture staff before formal submission of a heritage permit application is strongly encouraged.

6. Specific requirements for new construction, alterations and additions to designated property.

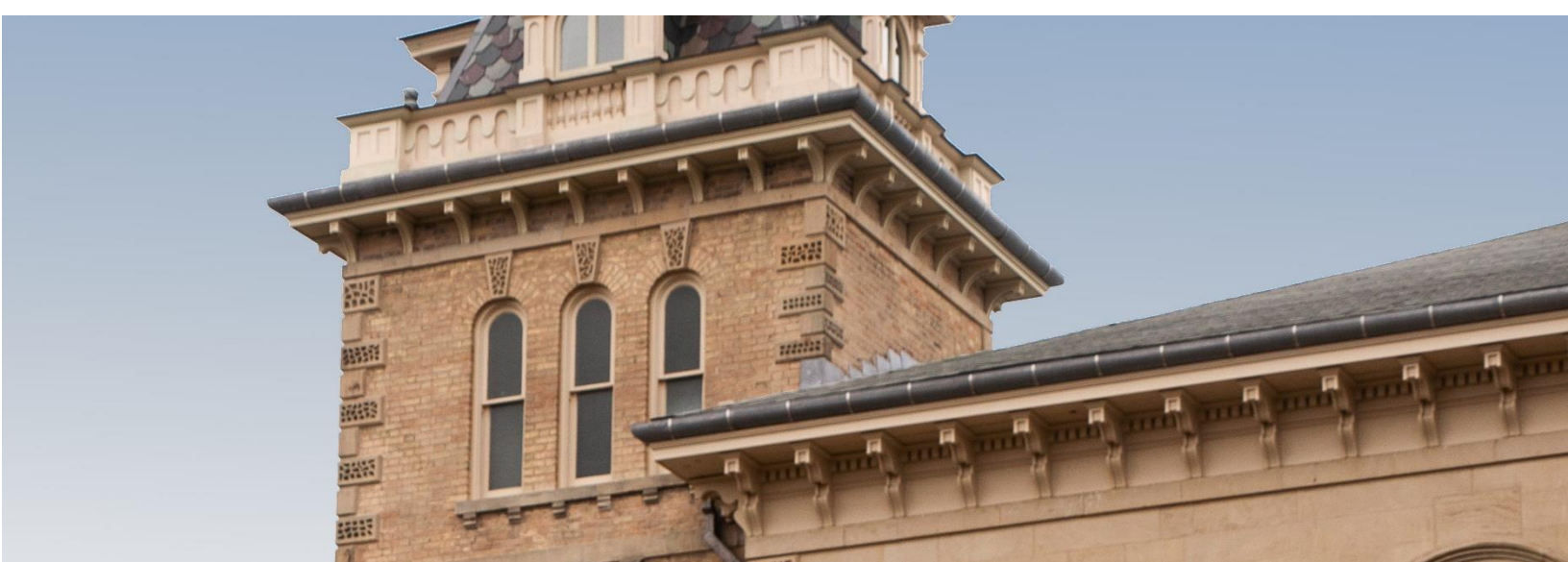
Information presented in the Heritage Permit Application should indicate an understanding of the reasons for designation and the heritage attributes of the designated property and, if applicable, the surrounding area, including the following:

Setting

1. positioning of the heritage building or structure on the property;
2. lot size related to building size; and,
3. streetscape (relationship to other properties and structures on the street).

Building Details

1. Proportion and massing
2. Roof type and shape
3. Materials and detailing
4. Windows and doors
 - Style
 - Proportions
 - Frequency or placement
5. Relationship of the heritage building to other buildings on the lot and to the streetscape.



Heritage Attributes

The following applies where a Heritage Permit Application includes work on heritage attributes:

Windows and Doors

The applicant should consider in order of priority:

1. Repairing or retrofitting the existing units
2. Replacing the units with new units matching the originals in material, design, proportion and colour
3. Replacing the units with new units that are generally in keeping with the original units

If historic window units are proposed to be replaced, the application should include the following:

- Description of the condition of the existing units
- Reasons for replacing the units
- Description of the proposed new units

If approval to replace historic window units is given, the following action should be considered:

- A sample of the removed window should be stored on site in case a future owner wishes to construct a replica of the original
- The masonry opening and/or door framing should not be disturbed; and,
- Exterior trim should match the original.

Roofing

The application should include:

1. Description of proposed roofing material to be applied
2. If there is a request to install a different roofing material, the applicant may wish to investigate what the original material may have been.

Masonry Work

The application should include:

1. Description of the proposed work, materials (type/style of brick or stone, type of mortar mix, etc.) and methods of repair and application
2. Outline the reasons for the work.

Signage

The application should include:

1. General written description of the proposed signage to be installed
2. A scale drawing of the signage with dimensions, materials, methods of construction, colours and means of attachment (the means of attachment should be arranged to anchor into joints between historic masonry units or into wood building elements)
3. type of illumination, if applicable.

Awnings

The application should include:

1. A sketch view of the proposed awning – perhaps over a photo
2. A scale drawing of the awning on the building with dimensions, materials, operating mechanism, method of construction, colours and means of attachment (the means of attachment should be arranged to anchor into joints between masonry units or perhaps into wooden building elements)
3. Type of illumination, if applicable.

7. Specific requirements for demolition

Information presented in the Heritage Permit Application should describe the existing conditions, including the existing setting and heritage attributes of the designated property and the surrounding area, specifically as they relate to the building proposed for demolition. The heritage permit application should provide a detailed rationale for the demolition, including an assessment of the current condition of the building, and a cost comparison identifying the difference in cost to repair and restore the building versus cost to demolish and construct a new building.

8. Building Codes and other Bylaws

It is the applicant's responsibility to ensure compliance with all other applicable legislation, regulations and bylaws. These items include the *Ontario Building Code*, the *Ontario Fire Code*, and the Norfolk County's Zoning Bylaw and Property Standards Bylaw.

9. How do I proceed with submitting my Heritage Permit Application?

- a) Heritage and Culture staff are available to meet with applicants to review all documentation prior to formal submission.
- b) Applicants undertaking work on their property are subject to all applicable policies and regulations.
- c) A heritage permit approval should precede any other approval, including those related to building permits, site plan and minor variances. Other known required permit or approval processes should be identified at the time of the submission of the Heritage Permit Application.

- d) It may be in the interest of a heritage property owner to retain a licensed heritage professional to undertake the design and execution of projects on heritage properties.
- e) Heritage and Culture staff upon the submission of a complete application, including the owner's signature and all supporting documentation will issue a Notice of Receipt, as required by the *Ontario Heritage Act*, to the applicant within 60 days of the application being served on the municipality.
- f) Heritage and Culture staff and the Norfolk Heritage Committee will review all complete Heritage Permit Applications.
- g) Heritage and Culture staff will prepare a report for all Heritage Permit Applications considered by the Norfolk Heritage Committee. This report based on good conservation practice, guiding principles and evaluation criteria, or, the policies and guidelines in the heritage conservation district plan will be presented to the Norfolk Heritage Committee.
- h) Preparation of the staff report may require a site inspection. Representatives of the Norfolk Heritage Committee can attend site inspections. During a site visit, photographs of the property may be taken for the purpose of evaluating the application. Heritage and Culture staff will arrange for the site visit in advance with the property owner or agent.
- i) Staff report circulated to Norfolk Heritage Committee and to applicant prior to meeting.
- j) Norfolk Heritage Committee meetings are held eight (8) times/year on the fourth Monday of the month. Meeting schedule can be found at https://www.norfolkcounty.ca/council_meetings/
- k) Heritage Permit Application is considered at Norfolk Heritage Committee meeting. Staff present report and recommendations to Committee. Applicants are encouraged to attend the Norfolk Heritage Committee meeting in order to provide clarification and answer questions as required. If applicant does not attend the Norfolk Heritage Committee meeting it may result in a deferral in order to secure additional information, which would delay consideration of the Heritage Permit Application.
- l) A final decision of Council will be forthcoming with 90 days of issuing the Notice of Receipt. If a decision is not forthcoming within 90 days of its submission, it shall be deemed to have consented to the application, unless the applicant and Heritage and Culture staff mutually agree upon a longer decision period and an extension is granted.

m) Staff report with recommendation and Norfolk Heritage Committee recommendation are forwarded to Council for final decision. Council may:

1. Approve the Heritage Permit Application;
2. Approve the Heritage Permit Application with Terms and Conditions; or,
3. Refuse the Heritage Permit Application.

mi) Within 30 days of receiving Notice of Council's decision, the applicant may appeal the decision and/or the terms and conditions to the Ontario Land Tribunal (OLT)

mii) A Heritage Permit infraction may result in charges laid against the owner in accordance with provisions of the *Ontario Heritage Act*.

miii) Follow up site inspections will be conducted to ensure compliance with drawings as submitted and approved.

10. What can I do if my Heritage Permit Application is denied?

Heritage and Culture staff and the Norfolk Heritage Committee endeavour to come to solutions for every Heritage Permit Application submitted. Discussions with the applicant and revisions usually result in successful applications.

However, if the municipality refuses your application and you choose not to resolve the issue with a revised application, you have the option of appealing the decision to the Ontario Land Tribunal (OLT).



Heritage Permit Application

Date Received:	Accepted by:	Application Number:
		HPA-2024-

This application should be used by those persons owning property designated under Part IV or within a Heritage Conservation District designated under Part V of the Ontario Heritage Act within the Corporation of Norfolk County.

Section A: Property Information	
Municipal Address:	
Legal Description (if known):	
Building/Structure Type: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional	
Heritage Designation: <input type="checkbox"/> Part IV (Individual) <input type="checkbox"/> Part V (Heritage Conservation District)	
Is the property subject to a Heritage Easement or Agreement? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Section B: Applicant Information	
Property Owner Name:	Applicant or Agent (if different than owner):
Mailing Address:	Mailing Address:
Daytime Tel:	Daytime Tel:
Fax:	Fax:
Email:	Email:
Section C: Summary of Work Proposed	
1) What kind of work is being proposed?	<input type="checkbox"/> Alteration or Addition to Building <input type="checkbox"/> New Construction <input type="checkbox"/> Demolition <input type="checkbox"/> Exterior <input type="checkbox"/> Interior <input type="checkbox"/> Relocation <input type="checkbox"/> Signage
2) Describe the work to be undertaken. Attach drawings, site plans, specifications, photographs, and other documents as needed to illustrate the project. Provide such detail as materials to be used, measurements, paint colours, decorative details, whether any original building fabric is to be removed or replaced, etc. Use additional pages as required. Requirements will depend on the scale of the project.	

3) Explain the reasons for undertaking the alterations and describe how the proposal conforms to the Part IV individual designation by-law or the Part V Heritage Conservation District Plan design guidelines. Attach additional page(s) if needed.

4) **Review of the Norfolk County's Heritage Permit Application Submission Guidelines.**

Describe why it is necessary to undertake the proposed work:

Describe how the proposal is consistent with the Part IV individual designating by-law or the Part V Heritage Conservation District Plan:

Describe how the proposal is consistent with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* (www.historicplaces.ca/en/pages/standards-normes.aspx):

5) If known, please state whether the proposed work will also require any of the following. Check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Minor Variance | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Community Improvement Plan Application |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Conservation Authority Permit |

Proposed Works:

a) Expected start date: _____ Expected completion date: _____

b) Have you discussed this work with Heritage and Culture staff? Yes No

If yes, who did you speak to? _____

c) Have you discussed this work with Building Department Staff? Yes No

If yes, who did you speak to? _____

d) Have you applied for a Building Permit for this work? Yes No

e) Other related building or Planning Applications: Application Number: _____

The undersigned acknowledges that all of the statements contained in documents filed in support of this application shall be deemed part of this application. The undersigned acknowledges that receipt of this application by the Norfolk County Heritage and Culture Department does not guarantee it to be a 'complete' application. The undersigned acknowledges that the Council of Norfolk County shall determine whether the information submitted forms a complete application. Further review of the application will be undertaken and the owner or agent may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted. Once the application is deemed to be fully complete, the application will be processed and, if necessary, scheduled for the next available Norfolk Heritage Committee and Council meeting. Submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including taking photographs, which are necessary for the evaluation of this application. The undersigned acknowledges that where an agent has been identified, the municipality is authorized but not required to contact this person in lieu of the owner and this person is authorized to act on behalf of the owner for all matters respecting the application. The undersigned agrees that the proposed work shall be done in accordance with this application and understands that the approval of this application under the *Ontario Heritage Act* shall not be a waiver of any of the provisions of any by-law of the Corporation of Norfolk County or legislation including but not limited to the requirements of the Building Code and the Zoning By-law. The undersigned acknowledges that in the event this application is approved, any departure from the conditions imposed by the Council of Norfolk County or from the plans or specifications approved by the Council of Norfolk County is prohibited and could result in a fine being imposed or imprisonment as provided for under the *Ontario Heritage Act*.

Owner Signature

Date

Print Full Name

The personal information on this form is collected under the legal authority of Section 33(2), Section 42(2), and Section 42(2.2) of the Ontario Heritage Act. The information will be used for the purposes of administering the Heritage Permit Application and ensuring appropriate service of notice of receipt under Section 33(3) and Section 42(3) of the Ontario Heritage Act. If you have any questions about this collection of personal information, please contact the Manager of Legislative and Information Services, Norfolk County (519-426-5870, ext. 1261).

STAFF USE ONLY:

Application Number: _____

Application Received: _____

Application Complete: _____

Notice of Receipt: _____

Notice of Decision: _____

90-Day Expiry Date: _____

Contact: Director, Heritage and Culture

 109 Norfolk Street,
 Simcoe ON N3Y2W3

 519-428-5870 x 1347
 norfolkheritage@norfolkcounty.ca