What is the Register?

- The Register of Property of Cultural Heritage Value or Interest, also known as the “Register”.
- A heritage conservation management tool under the Ontario Heritage Act.
- An administrative record consisting of:
  - Properties designated under Parts IV and V of the Ontario Heritage Act; and,
  - Non-designated properties identified by Council as being of cultural heritage value or interest.

WHAT DOES IT MEAN TO BE A NON-DESIGNATED PROPERTY ON THE REGISTER?

- Non-designated properties on the Register are not subject to Heritage Permits.
- If changes or impacts are proposed to a Registered non-designated property as part of a development application under the Planning Act, staff may:
  - Comment on how to accommodate changes in a fashion sympathetic to the heritage character and context; and,
  - Require a Cultural Heritage Impact Assessment be prepared to assess the potential adverse effects and how they can be mitigated.
- Council must be given 60-days notice of the intention to demolish or remove any building or structure on the property. The 60-day period of interim protection allows staff the opportunity to discuss alternatives to pursue conservation options for the property including:
  - Discussions with the owner respecting retention, adaptive re-use and financial incentives;
  - Photo-documentation of the property prior to demolition; and,
  - Designation under the Ontario Heritage Act.

HOW ARE NON-DESIGNATED PROPERTIES ADDED TO THE REGISTER?

- It requires Council approval and consultation with the Hamilton Municipal Heritage Committee to add or remove a property.
- Register recommendations can originate from:
  - A request from the owner, a third party or the Hamilton Municipal Heritage Committee;
  - A development application screening;
  - A preliminary screening report for a designation request; or,
  - Ongoing inventory work.
What is the Inventory?

- The *Inventory of Buildings of Architectural and/or Historical Interest*, also known as Hamilton’s Heritage Volume 2 and the “Inventory”.
- An ongoing list of individual properties identified as being of cultural heritage value or interest.
- Used by City staff as a tool to identify when potentially significant cultural heritage resources may be impacted through the Planning process.

HOW ARE PROPERTIES ADDED TO THE INVENTORY?

- Historical inventory work conducted by volunteers and HMHC members.
- Inventory project work conducted by the City, including the Downtown Built Heritage Inventory Project (completed in 2014) and the Durand Built Heritage Inventory Project (ongoing).
- Through *Planning Act* development application screenings, such as Formal Consultations, Official Plan and Zoning By-law Amendments, Site Plans, Minor Variances and Severances.

WHAT DOES IT MEAN TO BE LISTED ON THE INVENTORY?

- Inventoried properties are not subject to Heritage Permits.
- If changes or impacts are proposed to an Inventoried property as part of a development application under the *Planning Act*, staff may:
  - Comment on how to accommodate changes in a fashion sympathetic to the heritage character and context;
  - Require that the property be thoroughly documented for archival purposes prior to demolition or removal; and,
  - Require a Cultural Heritage Impact Assessment be prepared to assess the potential adverse effects and how they can be mitigated.
What is Heritage Designation?

- Under the Ontario Heritage Act municipalities can pass by-laws to designate properties of cultural heritage value or interest as a way of recognizing a property’s value to a community.
- Designation provides a framework for managing changes appropriately to ensure the long-term protection of significant cultural heritage resources.

WHY DESIGNATE A PROPERTY?

- Recognize the importance of a property to a community.
- Identify and protect the cultural heritage value of a property.
- Encourage good stewardship and conservation.
- Promote knowledge and understanding about the property and the development of the community.

HOW ARE PROPERTIES DESIGNATED UNDER THE ONTARIO HERITAGE ACT?

- By-laws are passed by Council that define the heritage value and attributes of a property.
- Initiated by request of Council, Hamilton Municipal Heritage Committee, owners and/or a third party.
- Part IV designations under the Ontario Heritage Act consist of individual properties deemed by municipal By-law to have cultural heritage value or interest.
- Part V designations under the Ontario Heritage Act comprise an area or grouping of properties, known as a Heritage Conservation District, designated by a single municipal By-law.

WHAT DOES IT MEAN TO BE A DESIGNATED HERITAGE PROPERTY?

- Municipalities manage the physical changes to designated properties through the Heritage Permit process.
- Eligible for grant and loan programs to facilitate eligible conservation and restoration work.
What are Heritage Permits?

- A means for managing physical changes to designated heritage properties.
- Ensure proposed changes do not adversely impact the identified heritage value and attributes of designated properties.

WHEN IS A HERITAGE PERMIT REQUIRED?

- **Part IV Designated:** When there is any potential impact to the Heritage Attributes as listed in the designation By-law (post-2005), or to the identified heritage value in the reasons for designation (pre-2005).
- **Part V Designated:** Each Heritage Conservation District has a Plan that identifies guidelines for alterations to the exterior of the buildings and to the landscape. Alterations to the interior do not require a heritage permit (unless also designated under Part IV with interior heritage attributes).

HOW ARE HERITAGE PERMITS PROCESSED?

- There is no cost to apply for a Heritage Permit.
- Heritage Permit Review Subcommittee of Hamilton Municipal Heritage Committee reviews all applications to provide advice and recommendations. They:
  - Meet monthly; and,
  - Work collaboratively with applicants to achieve agreeable solutions.
- Decisions are required in 90 days, but most permits are issued within a month.
- Alterations to designated properties may be approved by Director of Planning and Chief Planner (*Delegated Authority of Council through the City’s Delegated Authority By-law*).
- In the event of a recommendation to deny an application, that recommendation must go to Council for final decision.
- Demolition and the erection of structures cannot be delegated and require a Council decision.
Heritage Designation Process

Designation Initiated

Preliminary staff screening property meets one or more of the Ontario Heritage Act (OHA) criteria

(Yes)

Staff Report and Preliminary Screening to PC and Council for direction and prioritization

(No)

Property does not move forward and person/body that initiated request

(No)

Denial. Request does not move

High place on current work plan

Medium place on work plan in 4-8 years

Low place on work plan in 9-11 years

Property placed on Register after consultation with HMHC

Full cultural heritage assessment prepared (full screening with City criteria and OHA criteria)

Assessment reviewed by Inventory and Research Working Group

HMHC consider staff assessment

HMHC provides advice to PC via staff report and recommendation

Staff Report, Cultural Heritage Assessment, Draft By-law and Statement of Cultural Heritage Value forwarded to PC for consideration

Council makes decision on the proposed designation

(Yes)

Proposed designation approved and Notice of Intention to Designate served and advertised

(Yes)

Designation By-law passed and registered on Title

(Yes)

Proposed designation denied

Objection received within 30 days

Proposed designation referred to Conservation

CRB hearing and report

Council considers CRB report and recommendations

Notice of Withdrawal