



## Heritage Permit Application

The accuracy and completeness of this application is the responsibility of the applicant.

### Location of the Subject Property

Municipal Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

### Owner(s)

Name(s): \_\_\_\_\_

Address & Postal Code: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Agent (if applicable)

Name(s): \_\_\_\_\_

Address & Postal Code: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_

Email address: \_\_\_\_\_

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### For Office Use Only

Date Received: \_\_\_\_\_ Application No: \_\_\_\_\_

Date Acknowledgement sent: \_\_\_\_\_ 90 Day Expiry Date: \_\_\_\_\_

Heritage Newmarket Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

**A. Purpose of Application**

Describe the purpose of the application, outlining the nature of your proposal including whether you are altering an existing building / structure, whether the works involve any demolition, whether new construction is proposed and any alterations to existing landscaping.

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**B. Related applications**

Does the proposal also require approvals under the Planning Act, such as a Minor Variance or Site Plan?

Yes / No (Please circle)

If yes:

1. Please acknowledge that in an effort to streamline the process, you are aware that the Heritage Permit Application, in general, should be approved first before a Minor Variance or a Site Plan Application is approved:

I acknowledge: (Please initial)

2. Please indicate any related file numbers.

**C. Details of plans and other related materials (including specifications, samples and photographs) submitted to support your application.**

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**D. Extent of alterations (including colour, material and finish)**

Item(s) to be changed	Existing	Proposed
Chimney		
Cladding		
External Doors		
Windows		
Exterior trim		
Fencing / means of enclosure		
Porch / veranda		
Roof		
Foundation Walls		
Other		
Other		
Other		

**E. Declaration & Signature**

I hereby declare that the statements made herein are, to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application.

I have reviewed the submission requirements and understand that incomplete applications may not be accepted.

I also understand that the proposal must comply with all other applicable legislation and by-laws and that other approvals, if required, must be described clearly in Section B of this application (e.g. Minor Variance, Site Plan, Building Permit e.t.c.)

I acknowledge that any change to the approved drawings, however small, must be re-submitted for approval. Failure to do this may result in work stoppage and charges and/or fines under the Ontario Heritage Act.

I acknowledge that the Town of Newmarket staff and members of Heritage Newmarket may visit the property that is the subject of this application for the purpose of evaluating the merits of the application.

I acknowledge that personal information on this form is collected under the authority of the Ontario Heritage Act and will be used to process Heritage Permit Applications and the information may also be released to the public.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Agent's Signature

\_\_\_\_\_  
Date

**F. Statutory Timeline**

I consent and agree to waive all associated statutory timelines in conjunction with this application.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Agent's Signature

\_\_\_\_\_  
Date

## **Heritage Permits**

A Heritage Permit is often required to undertake changes to properties designated under Part IV of the Ontario Heritage Act 1990, as amended (the Act). The Act provides a process to ensure that any change to a designated property does not alter it in such a way that the reasons for designation are diminished.

Any works that alter or change the appearance of the property (including its buildings, structures and important landscaping) are likely to require a Heritage Permit.

### **Examples of works that will require a Heritage Permit include:**

- Additions to an existing building or an accessory structure .
- Replacement of windows and doors.
- Change in window or door openings.
- Removal and/or installation of porches, verandas, canopies, cladding and chimneys.
- Change in trim, roofing, cladding and painting of building exterior
- Removal and / or installation of a deck, fence, gate, trellis, arbours and /or gazebos.

### **Examples of works that may not require a Heritage Permit include:**

- Routine maintenance.
- Minor repairs that do not change the appearance of the buildings, structures and/or landscaping.
- Repairs to, and replacement of eaves troughs and downspouts unless these are ornamental and integral to the heritage character and appearance of the building.

A Heritage Permit for demolition, relocation or de-designation of heritage properties are discouraged and are generally not supported by staff or Heritage Newmarket.

Each property designated under Part IV of the Ontario Heritage Act has a by-law that provides the reasons for designation and details the main heritage attributes of that property. Any alterations must be consistent with these.

A Heritage Permit Application is considered in the context of the policies in the Town of Newmarket Official Plan and the designating by-laws of individual properties. Relevant documents, including the Heritage District Plan for Lower Main Street South, and those offered by Government Agencies, such as the Federal Governments “Standards and Guidelines for the Conservation of Historic Places in Canada” are also taken into account.

### **Heritage Permit Approval Process**

Heritage Newmarket is an advisory Committee to the Council on heritage matters. It was constituted under Section 28 of the Ontario Heritage Act and makes recommendations to the Council on heritage matters, including Heritage Permit applications. Please note, Town Council makes the final decision whether or not to approve a Heritage Permit Application.

Detailed below are the processes that a Heritage Permit application generally goes through:

1.	Application received by Planning & Building Services.
2.	The Owner / Agent receives confirmation that the application is complete or receives the reasons why the application is not complete and what additional information must be submitted. The 90 day period only begins on the date the complete application is received.
3.	Application is reviewed by Staff. This may include a site visit to the property.
4.	Staff prepare a Heritage Permit Memo/Briefing and Recommendation. This is then circulated to members of Heritage Newmarket to review. Members may also wish to visit property.
5.	Application is placed on the agenda for consideration by Heritage Newmarket at their next meeting (Meetings occur once every two months).
6.	Heritage Newmarket makes a recommendation and forwards this to Council for final approval, if necessary.
7.	The Application is considered by the Town Council, within 90 days of the date of receipt and they either: <ul style="list-style-type: none"> <li>• Approve the application;</li> <li>• Approve the application subject to conditions; or</li> <li>• Refuse the application.</li> </ul>
8.	The applicant can either: <ul style="list-style-type: none"> <li>• Accept the decision;</li> <li>• Appeal the conditions to the OLT; or</li> <li>• Appeal the decision to the OLT.</li> </ul>

Under Section 33 (4) of the Ontario Heritage Act, Council shall render its decision within 90 days of the receipt of a complete Heritage Permit application. Within the 90 day period, Council must either consent to the application, consent to it subject to conditions or refuse the application.

## **Submission Requirements**

The Heritage Permit Application must be submitted in a form that provides Staff and Heritage Newmarket a clear understanding of specific details and visual representation of the proposed alterations to the historic property and the physical setting into which the changes are to occur.

### **Every Heritage Permit Application submitted must include**

- A completed application form.
- A survey plan of the property.
- A site plan of the property including front, rear and side setbacks.
- Plans, sections and elevations of the property clearly showing the existing property and how it is proposed to be changed; including changes to the roof.
- Details (including samples if necessary) of the proposed materials
- A justification for the proposed changes and how the applicant/agent considered how the heritage attributes are being affected.
- Full details of any existing and proposed doors and windows to be altered.

### **Please note**

- Applicants are strongly advised to discuss the proposed changes with Planning staff prior to submitting an application.
- A Heritage Permit approval must precede issuance of any Building Permit.
- It is in the interests of the property owner to retain licensed professionals to undertake the design and execution of projects on Heritage properties.
- Heritage Permit infractions may result in charges being laid against the owner in accordance with the Ontario Heritage Act.
- Follow up site inspections will be conducted to ensure compliance with all the requirements of the Heritage Permit approval.
- Under Section 33 (4) of the Ontario Heritage Act, Council shall render its decision within 90 days of the receipt of a complete Heritage Permit application. Within the 90 day period, Council must either consent to the application, consent to it subject to conditions or refuse the application. The 90 day period can be extended if the applicant agrees to the extension in writing with Council.

If you have any questions regarding heritage matters please contact the Planning Department at 905 953-5300 or [planning@newmarket.ca](mailto:planning@newmarket.ca).