

Part 3 - Implementation



8.0 ADMINISTRATION OF THE DISTRICT

8.1 Overview

Once Council has adopted the boundary and the Plan for the Heritage District and any appeals have been heard by the Ontario Municipal Board, a variety of measures are necessary to ensure the successful implementation of the District. These include:

- a) an application review process that is simple, efficient, and fair;
- b) a review body to provide advice on proposed alterations, new construction, demolitions in the District;
- c) the availability of the policies and guidelines for use by the public;
- d) the availability of financial assistance to assist in conservation initiatives;
- e) public awareness of the District concept, its objects, and its boundaries; and
- f) a mechanism to review and, if necessary, amend the District's policies and procedures.

8.2 Required Permits

The designation of a Heritage Conservation District invokes Section 42 of the Ontario Heritage Act, which states:

"Erection, demolition, etc. 42. (1) No owner of a property situated in a heritage conservation district that has been designated by a municipality under this Part (Part V) shall do any of the following, unless the owner obtains a permit from the municipality to do so:

1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.
2. Erect, demolish, or remove any building or structure on the property or permit the erection, demolition, or removal of such a building or structure.

Exception (2)

Despite the subsection (1), the owner of a property situated in a designated heritage conservation district may, without obtaining a permit from the municipality, carry out such minor alterations of classes of alterations as are described in the heritage conservation district plan in accordance with clause 41.1 (5) (e) to any part of the property in respect of which a permit would otherwise be required under subsection (1)."

The classes of minor work exempted from the permit requirement are stated in Section 8.3.1.1.

8.2.1 Demolition Control

Recent amendments to the Ontario Heritage Act Allow Council to prohibit the demolition of a structure designated under the Act. All properties within a heritage conservation district are considered to be designated.

- Council will prevent the demolition of heritage buildings within the District.

8.2.2 Heritage Easements

A Heritage Easement Agreement requires the owner of a heritage building to secure approvals for any changes or alterations, reasonably maintain the structure to prevent any deterioration, and retain insurance on the building in an amount equal to its replacement.

- A Heritage Easement Agreement should be considered for major redevelopment projects in the District which involve the incorporation and restoration of a heritage building.

8.2.3 Council Approval

Notwithstanding the policies and guidelines contained in this HCD Plan, Council may consider and approve different options and alternatives.

8.3 Streamlining the Process

In order to streamline and simplify procedures for permit applications and their review, the permit requirements for work in the district have been divided into classes, corresponding to the scale of the work being proposed, and have been integrated into the permit process for building and development.

Important! Owners are encouraged to discuss their proposed work with Cultural Services Staff at the earliest stages to determine what will be required. Minor work that is exempted from the requirement for a Heritage Permit in Section 8.3.1.1 of this Plan, may require a Heritage Permit Clearance Letter from Cultural Services, to verify that the proposed work is exempted. See section 8.3.1.1. below.

The classes of Heritage Permit are:

- **Heritage Permit**, for minor work that does not require a building permit;
- **Heritage Permit with the Building Permit**, for work that requires a building permit;
- **Heritage Permit with Site Plan Approval**, for work that requires planning approval.

The processes for these classes are described in Sections 8.3.1 through 8.3.3, below.

There will be no fees charged for Heritage Permits. Fees for Building Permits and Site Plan Approvals will be the same as for respective non-heritage applications.

In addition, Cultural Services will review applications for zoning amendments and applications to the Committee of Adjustment, for Minor Variances and Consents to Sever, or Convey Property in the District. These are not Heritage Permits, but are a service to applicants, allowing them to be aware of heritage issues prior to making an application for a Building Permit or (Heritage Permit).

Refer to Section 8.7 for checklists for applications in the various classes.

In addition, Council may delegate authority for review and approval of smaller scale non-controversial Heritage Permits to City staff and/or Heritage Vaughan. Such delegated reviews and approvals are to be reported to Council. If outstanding issues in an application cannot be resolved, Council would review the application, inviting deputations from the applicant prior to its decision.

These arrangements should minimize the time required for issuing Heritage Permits. Applications for Building Permits or Site Plan Review will be circulated for heritage review in the same way they are already circulated for planning, zoning, and other approvals.

In most cases, when Policies and Guidelines of the Heritage Plan are followed, there will be little or no delay.

Pre-Review

To speed and simplify the permit process for all scales of work, applicants should become aware of the requirements for the work they propose to undertake. Cultural Services staff can give advice on the type of permit required, and provide guidance on interpreting Heritage Policies and Guidelines. Additional advice can be obtained from Heritage Vaughan, which may also be able to assist in historical and technical research.

The City may require the applicant to engage a heritage consultant to provide advice to both the City and the applicant at the review stage. This may be appropriate for larger developments.

8.3.1 The Heritage Permit

The following list identifies some of the types of projects which

require a Heritage Permit:

- new or different cladding materials for both walls and roofs;
- repair and restoration of original elements;
- painting; or exterior structure
- new or different windows or doors; new storm doors or new storm windows
- changes or removal of architectural decoration or features;
- introduction of skylights or awnings;
- masonry cleaning;
- new or extended fences;
- new or increased parking areas;
- patios located in the front yard;
- permanent lamp installations;
- television satellite dishes that can be viewed from the streetscape;
- mechanical equipment that can be viewed from the streetscape;
- planting or removal of trees in the public right-of way;
- hard landscaping such as retaining walls, rock gardens, hard surfaced pathways, visible from the public domain;
- all above-ground public works.

The list is not complete and any undertaking should be discussed with Cultural Services staff. In addition, applicants are requested to confirm their projects with the Building Standards Department to ensure that a Building Permit is not required. There is no fee for a Heritage Permit.

8.3.1.1 Exemptions

In keeping with Section 6.2.7 of this Plan, a Heritage Permit is not required for the following projects:

- any interior work, unless the interior is identified in a Part IV Designation;
- repair to roof, eavestroughs, chimneys; re-roofing using appropriate materials listed in Section 6.2;
- caulking, window repair, weatherstripping, installation of existing storm doors and storm windows;
- minor installations, including lighting and flagpoles;
- fencing, patios, small satellite dishes, garden and tool sheds, gazebos, dog houses and other small outbuildings that do not require a Building Permit and are not visible from the public domain;
- planting and removal of trees smaller than 200mm caliper, and any other vegetation on private property;
- extension of residential parking pads other than in front or flankage yards;
- ramps and railings to facilitate accessibility and gates installed for child safety provided they are not visible from the public domain;
- temporary installations, such as basketball nets, planters, statues and seasonal decorations;
- Repair of utilities and public works.

Before performing such projects, it is encouraged that you confirm with Cultural Services staff, that the work you are planning to undertake is in an exempted class.

8.3.1.2 Heritage Permit Process

The procedure to be followed has been created to streamline and minimize the time and effort needed by the applicant to gain this approval. Council may delegate the approval of non-controversial Heritage Permits to Cultural Services staff.

Applicant:

- Confirms with Building Standards whether a Building Permit is required.
- Conducts and pre-reviews project with Cultural Services Staff.
- Sends a letter describing the project to Cultural Services.

Cultural Services:

- Reviews application and forwards to Heritage Vaughan for further review.
- Provides Heritage Vaughan with regular summaries of its actions and all applications.

Heritage Vaughan:

- Reviews forwarded applications, and either approves permit or refuses permit with comments.
- Informs Council, in its regular minutes, of Cultural Services and Heritage Vaughan actions on all applications, and forwards applications and reports to Council where outstanding issues cannot be resolved.

8.3.2 Heritage Permit with Building Permit

The Ontario Building Code requires that owners obtain a Building Permit for any work that involves structural changes, change of use, or change in occupancy loads. Types of projects requiring a Building Permit include:

- new construction or structural repairs to porches, chimneys, roofs, walls, etc.;
- demolition;
- commercial signage;
- chimneys;
- porches;
- additions to buildings (may also require site plan approval);
- new building construction (may also require site plan approval).

8.3.2.1 Heritage Permit with Building Permit Process

The City of Vaughan Building Standards Department requires that applicants for Building Permits or Demolition Permits must

provide all necessary clearances from other departments, including Cultural Services, before the application process can begin.

A Heritage Permit Approval is required for all Demolition Permits or Building Permits within a Heritage Conservation District.

There is no fee for a Heritage Clearance Letter or Heritage Permit.

Applicant:

- Confirms with Building Standards staff that a building permit is required. Confirms with development Planning Staff whether or not Site Plan Approval is required.
- Arranges for a pre-review with Cultural Services staff to confirm whether the proposed work requires a Heritage Clearance Letter or a Heritage Permit.
- Obtains Heritage Clearance letter, or completes Heritage Permit application, if required. See application checklists in Section 8.8, below.

Cultural Services:

- Review heritage aspects of the project.
- Forwards to Heritage Vaughan with recommendations for further review.
- Provides Heritage Vaughan with regular summaries of its actions on all applications.

Heritage Vaughan:

- Reviews forwarded applications, and either approves permit or refuses permit with comments.
- Informs Council, in its regular minutes, of Cultural Services and Heritage Vaughan actions on all applications and forwards applications and reports to Council where outstanding issues cannot be resolved.

8.3.3 Heritage Permit with Site Plan Approval

Site Plan Approval is required, in addition to a Building Permit, for larger projects in the municipality. Generally, this will apply to new development and significant additions or alterations. Planning Staff can advise applicants when this approval is required. Requirements include detailed building plans and elevations, site plan, and landscape plan. Larger developments may require other supporting documents such as traffic impact studies, storm water management plans, and so on. In the District, the application is handled like an ordinary Site Plan Approval, with the addition of a heritage review. City Planning Staff has been delegated the authority to approve small projects and minor amendments to existing site plan agreements. More complex Site Plan Approvals are always sent to Council for final decision.

8.3.3.1 Heritage Permit with Site Plan Approval Process

The ordinary process for Heritage Permits with Site Plan Approvals is outlined below:

Applicant

- Confirms with Planning Department Staff that Site Plan Approval is required.
- Arranges for a Pre-review discussion with Cultural Services and Policy Planning and Development Planning Staff.
- Applies for Site Plan Approval, describing the work to be performed. All Site Plan Approval applications in the District will be forwarded to Cultural Services.
- (See Application Checklist in Section 8.9.3, below.)

Planning/Urban Design:

- Reviews application and provides comment.

Cultural Services:

- Reviews site plan applications for compliance with the Heritage Conservation District Plan, forwards comments to the Development Planning Department, and presents the comments to Heritage Vaughan for further review. When a Heritage Permit application is received by Cultural Services, they review and forward to Heritage Vaughan for approval.
- Provides Heritage Vaughan with regular summaries of its actions on all applications.

Heritage Vaughan:

- Reviews forwarded application and either approves Heritage Permit, with or without conditions or refuses Permit with comments.
- Forwards decisions, actions, and comments of Cultural Services Staff and/or Heritage Vaughan to Planning Department for inclusion in its report to Council on the application.

Council:

- Acts on Development Review Application on the basis of the Planning Department Report.

8.3.4 Review of Zoning Amendment and Committee of Adjustment Applications

Zoning Amendment and Committee of Adjustment applications do not deal with buildings or structures, per se, but with Zoning By-law issues, under the Planning Act. As such, they don't require a Heritage Permit. However, they are steps on the way to future construction. It's obviously inefficient, for both applicants

and the Committee, to deal with a proposal that will run afoul of District Policies and Guidelines when it subsequently moves to the Site Plan Approval and Building Permit stage. For example, later revision of plans to comply with the District Plan might call for other Variances than those originally applied for.

For these reasons, applications for Zoning Amendments and Minor Variances and Consents to sever or convey at the Committee of Adjustment will be reviewed for compliance with the District Plan. Formally, these are comments to the Committee of Adjustment. Pre-review discussions with Cultural Services Staff, described above for the various classes of Heritage Permits, are also a part of the application process for these applications. This allows applicants to be aware of heritage concerns, at the earliest possible stage of a project.

8.3.4.1 Process for Review of Zoning Amendment and Committee of Adjustment Applications

The ordinary process for this review is outlined below:

Applicant:

- Arranges for a pre-review discussion with Development Planning, and Cultural Services Staff.
- Completes standard application forms for permissions sought. All applications in the District will be circulated to Cultural Services.

Cultural Services:

- Reviews heritage aspects of application, and comments to Council or Committee of Adjustment.

8.4 Application Checklists

The following checklists are provided to assist applicants in obtaining permits, and to assist staff in conducting pre-review and evaluating the applications.

8.4.1 Heritage Permit Checklist

For minor work, not ordinarily requiring a Building Permit:

- Inspect the property description in the Record of the District's Built Form. Make note of any comments that indicate needed maintenance and repair. Proper maintenance and repair is the primary means of protecting the heritage character of the District. Applicants are strongly encouraged to include necessary maintenance tasks at the first opportunity.
- Show results of any historical research. For example: provide a chip of original paint, if possible, when repainting;

or provide copies of historic drawings or photographs when replacing or restoring elements such as windows, signs, and awnings.

- Read and understand any required technical material. For example: obtain a copy of the relevant Preservation Brief document.
- Read and understand the relevant Policies and Guidelines in this Plan.
- In the case of more substantial work under a Heritage Permit, provide drawings that demonstrate compliance with the Policies and Guidelines of this plan and with other by-laws, such as the Sign By-Law. For a sign and storefront work, provide elevations at a minimum scale of 1:25, and details and profiles at a suitable large scale.
- For removal of a tree 200mm standard caliper or larger, the applicant must submit a report by a professional arborist, including species, size, and condition of the tree, and a conservation plan proposing replacement tree or trees.

8.4.2 Heritage Permit with Building Permit Checklist

For additions, renovations, and restoration:

- Inspect the property description in the Record of the District's Built Form. Make note of any comments that indicated needed maintenance and repair. Proper maintenance and repair are the primary means of protecting the heritage character of the District. Applicants are strongly encouraged to include necessary maintenance tasks at the first opportunity. Also make note of comments that indicate steps that could be taken to restore heritage features or to remove unsympathetic later work.
- Show results of any historical research. For example: provide copies of historic drawings or photographs, or show results of investigation of conditions underlying unsympathetic later work.
- Read and understand any required technical material.

For new construction, additions, renovation and restoration:

- Provide all documents ordinarily required for a building permit. These should include, as applicable for the scale of the work: outline specifications and drawing notes, indicating all materials visible from the exterior; elevations of all sides at a minimum scale of 1:50; elevations of storefronts at a minimum scale of 1:25; details and profiles, at a suitable scale, of cornices, signage and storefront elements, railings, trim, soffits and fascias, fences; an eye-level perspective, including adjacent buildings, for corner properties or free-standing buildings; a site plan showing building location, fencing, and planting. Elevations and perspectives should be "rendered" so that coursing, projecting elements, textures and fancy work are truly

represented. Vertical dimensions should refer to those of adjacent buildings for alignment of horizontal elements

For projects requiring Site Plan Approval, include copies of approved drawings for the Site Plan Approval process.

8.4.3 Heritage Permit with Site Plan Review Checklist

- Read and understand the relevant Policies and Guidelines in this Plan.
- Provide all documents ordinarily required for a Site Plan Approval. These should include: site plan, at a scale suitable to the size of the property, showing location of the building(s) and buildings on adjacent properties, fencing, planting, sidewalk and driveway paving, and porches, decks, and other exterior elements; elevations of all sides, at a scale suitable to the size of the project, and including adjacent properties; an eye-level perspective, including adjacent buildings, for corner properties or free-standing buildings; outline specifications and drawing notes should indicate all materials visible from the exterior. Elevations and perspectives should be "rendered" so that coursing, projecting elements, textures, and fancy work are truly represented.
- Provide photographs of adjacent buildings for comparison with elevations and perspectives. Provide photographs of nearby heritage buildings of a similar type, to demonstrate the architectural sympathy of the proposed building.

8.5 Resolving Issues and Appeals

The phrase "if outstanding issues cannot be resolved" appears in each of the heritage review processes listed above. The City is committed to making all reasonable efforts to resolve issues arising in the permit process, consistent with heritage policies and guidelines. And it is further committed to providing historical and technical assistance to applicants in preparing applications that will meet the requirements of the District Plan. Good faith on the part of applicants and reviewers should result in a resolution process that is conversational rather than confrontational. It may be useful to hold on-site discussions with applicants regarding design and details. The inspection of physical conditions is extremely valuable in assessing what level of restoration should be reasonably expected, and to what extent the work will affect the heritage character of the streetscape. The City may require the applicant to engage a heritage consultant to provide assistance in resolving issues.

If issues remain unresolved and are forwarded for action by Council, deputations from the applicant and his representatives will be invited before a Council decision is taken. Council may also request testimony from City Staff or Heritage Vaughan, in addition to the reports which it will have received on the matter, as outlined above.

The submission of an application for a heritage permit that is subject to site plan control shall include a letter prepared by a licensed architect who is a professional member of the Canadian Association of Heritage Professional Consultants (CAPHC), confirming that the proposed development conforms to the intent of the Policies and Design Guidelines of this Plan. At the discretion of the Cultural Services Staff, the applicant may also be required to have the proposed building design and the site plan application prepared by the same architect.

If Council decides to deny an application for a permit under the *Heritage Act*, the applicant may make a final appeal to the Ontario Municipal Board, as described in Section 44 of the Act. The Board has the authority to deny the appeal, or grant it, with or without such conditions and terms as the Board may direct.

8.6 Financial Incentives for Conservation

8.6.1 Tax Measures

Recent provisional legislation allows municipalities to enact property tax abatement for properties designated under Part IV and Part V of the *Heritage Act*. The City should evaluate this legislation to determine if it can be usefully applied to the District.

8.6.2 Grants and Loans

Other municipalities have found that modest grants or loans are very effective in encouraging repair and restoration of heritage attributes. The variety of programs includes outright grants, simple loans, and loans that are forgivable over time on a pro-rated basis until the sale of the property. Usually these incentives are 50% matching funds up to a fixed level of \$10,000 or \$20,000. The City should evaluate some of the programs in other municipalities to determine if such a program could be usefully applied to the District.

8.7 Public Awareness

Vaughan's Official Plan recognizes the importance of the preservation of heritage character in Woodbridge. A successful Heritage District requires public awareness and participation, and a variety of steps should or might be taken to ensure the ongoing effectiveness of the District Plan. Among these are the following:

- Under Section 41.10.1 of the Ontario Heritage Act, the City Clerk must ensure that a copy of the Heritage Conservation District Designating By-law is registered at the appropriate land registry office.
- All City Staff whose work could potentially impact the District should be informed of The Boundary, Policies, and Guidelines for the District. This should include not only departments that administer the District or do physical work in it, but also departments that are involved in the promotion of the City, planning for special events, and so on.
- All property owners and tenants in the District should receive notice of the District designation and be given the opportunity to review or purchase copies of the District Study and Plan. The requirements for Heritage Permits should be explained in the notice.
- Heritage Vaughan should consider putting notices on vacant premises so that prospective tenants will be aware of the existence of the District and the need to inquire about requirements for any work on the premises.
- Copies of the Plan and Study should be sent to Heritage Vaughan, the B.I.A., the Historical Society, and other groups interested in heritage and town planning.
- Copies of the Plan and Study should be placed in all the major branches of the Vaughan Public Library for public reference and should be offered for sale to the public.
- Consideration should be given to physical demarcation of the District with Public Works. Street signs in the District might include a "Heritage District" tag. "Gateway" devices might reinforce the identity of the District.
- A system for marking heritage buildings should be instituted. The existing heritage plaque program for Part IV designations should be continued. Incised or engraved pavers in the sidewalk would be a simple and inexpensive way to mark other heritage buildings in the District, without involving private property.

8.8 Plan Renewal

The Village of Woodbridge District Plan refers to the past, but it is a plan for the future. The Plan recognizes that, while the

future may to some extent be foreseen, it cannot be foretold, and that plans require ongoing review to meet changing conditions. The long-term success of the Heritage District depends on the continued renewal of this Plan, which should be reviewed over a ten year cycle as buildings age and time distances us from present values.

Over time, information regarding the contributing heritage resources within the District should continue to be added to the inventory for the purpose of achieving as complete an assessment as possible.

8.8.1 Reviewing Bodies

Section 8.3, provides for a role in the review of Heritage Permit Applications by the Cultural Services Division and Heritage Vaughan. In addition, depending on the scale and scope of proposed work, both bodies may be delegated powers of approval of applications. It is important that these bodies thoroughly understand Part V of the Ontario Heritage Act, and the Policies and Guidelines in this Plan, and that everyone involved works from the basis of the same understanding.

It is recommended that the City organize an orientation session for members of the reviewing bodies, to review the act and this Study and Plan in proper detail. It is also recommended that similar sessions be held again, when the personnel turn-over of a reviewing body reaches 50%, and after any substantial amendments to the Plan, as described in Section 8.8.3, below.

8.8.2 Regular Review

The District Plan should be reviewed regularly by the City Staff in consultation with Heritage Vaughan, to ensure that the Boundary, Policies, Guidelines, and administrative methods remain effective and suitable for changing conditions.

8.8.3 Amendments

The policies and guidelines of this Plan may be amended by by-law after consultation, amendment circulation to potentially impacted parties, and public notice. Minor administrative and technical changes to the Plan may be implemented by a resolution of Council.

8.9 Enforcement

The City will enforce the requirements of the District Plan using the regulatory provisions of the Ontario Heritage Act, the Planning Act, the Building Code Act, and the Municipal Act.

8.10 Additional Recommendations for Improvements

8.10.1 Community Improvement Area

Once a Community Improvement Plan policy is contained within the City's Official Plan, the City may review heritage conservation districts and other areas to ascertain what improvements may be made to enhance their appearance and implement such improvements as feasible.

Once a Community Improvement Plan Area is approved as part of an Official Plan Amendment, a number of tools to facilitate restoration, including grants and loans, may be utilized.

8.10.2 Comprehensive Streetscape Master Plan

A detailed streetscape master plan should be undertaken to describe a comprehensive and coordinated approach to all of the streetscape elements mentioned in Section 6.7 Urban Design, including:

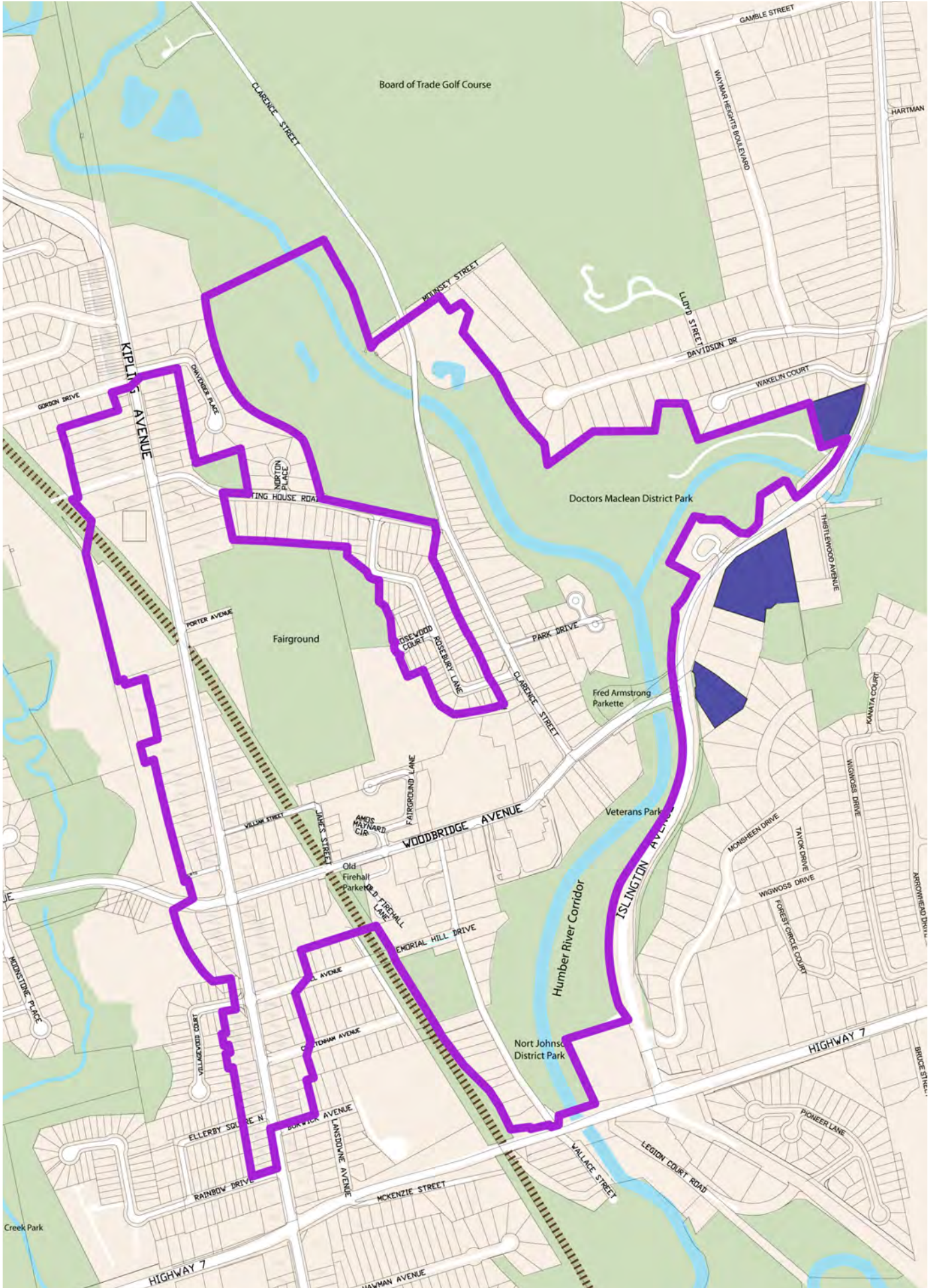
- street furniture
- pedestrian amenities
- street trees and landscaping
- signage
- street lighting
- parking
- bridges

In addition, a costing and implementation plan should be undertaken.

These initiatives should build on the streetscape master plan and costing done through the Kipling Avenue Area Study, in order to complete the work for the balance of the Woodbridge Heritage District Study Area.

8.10.3 Landscape, Views and Natural Features Inventory

The inventory that is part of this Plan identifies mainly contributing heritage building resources. A further inventory of all the landscapes, views, and natural features should be documented in the same inventory process in order to ensure that they are not put at risk of being lost or compromised over time.



Schedule 20: Properties Recommended for a Part IV Study