

# APPLICATION FOR HERITAGE PERMIT

The Corporation of the Town of Whitby – Planning Department  
575 Rossland Road East, Whitby Ontario, L1N 2M8  
Telephone: 905-430-4306 ~ Facsimile: 905-668-7812



## ***PLEASE READ THE ENTIRE APPLICATION FORM PRIOR TO COMPLETING***

### **GENERAL INFORMATION AND PROCEDURES**

The attached application is to be used by persons or public bodies as an application for a Heritage Permit. In the application, "subject land(s)" means the land(s) that is the subject of this application. This application and any attached supporting documentation, contains information collected and maintained specifically for the purpose of creating a record available to the general public and is open to inspection by any person during normal office hours. Personal information on this application is collected under the authority of the *Municipal Act*, as amended, and the *Ontario Heritage Act* as amended, and will be used in the processing of the application for a Heritage Permit. Questions regarding this collection should be directed to: **Director of Planning, Planning Department, Town of Whitby, 575 Rossland Road East, Whitby, Ontario, L1N 2M8 (Telephone 905-430-4306).**

#### **1. Heritage Permits:**

A Heritage Permit is required to undertake changes to properties designated under the *Ontario Heritage Act*. Properties are either designated individually under Part IV of the *Act* or are designated within a Heritage Conservation District under Part V of the *Act*. **A designated property is defined in the Act as real property, and the buildings and structures on the real property.**

All non-controversial or compliant Heritage Permits can be reviewed and approved by the Planning Department.

There is no fee for a Heritage Permit.

#### **2. Type of Work Requiring a Heritage Permit:**

The *Ontario Heritage Act* outlines the process by which to ensure that any changes to a designated property do not alter the property in such a way that the reasons for designation are diminished. Internal changes to a building on a designated property do not require a Heritage Permit if the alterations do not affect the external appearance of the designated property. An exception to this is if an individually designated property has a designation by-law which outlines specific interior elements to be preserved.

Any work undertaken that alters or changes the appearance of the property and the buildings and structures on the property requires a Heritage Permit, including:

- All additions and alterations to structures on the property
- Demolition of structures on the property
- All new construction
- Landscaping and/or alteration of the property

At the discretion of the Director of Planning typical projects requiring a Heritage Permit may include the following.

#### ***A Heritage Permit is required for:***

- New or different wall cladding or roof treatment
- Painting
- Masonry cleaning and repointing
- New or different windows or doors
- Changes to architectural decorations (i.e. verandas, trim, soffits, fascia, etc.)
- Front yard patios, lamp installations, awnings, skylights

- Mechanical equipment
- Structural repairs that affect the external appearance
- Fences
- New or increased parking areas
- New chimneys
- Changes to Commercial Signage Panel Message
- Tree or major vegetation removal (not traditional gardening activities)

**A Heritage Permit is NOT required for:**

- General repairs to weatherstripping, eavestroughs, roofs, chimneys, fences, existing cladding
- Repair of broken window panes to original specifications

### 3. Heritage Guidelines

In general, alterations to a heritage property must have regard for:

- The individual designation by-law or the district guidelines
- The heritage attributes of the property or the district
- Role and character of the property
- Architectural style and the period in which the structure was built
- Appropriate scale and massing
- Streetscape, vistas, vegetation and trees that define the presence and location of the property
- Preference for restoration of features and details instead of replacement
- Preference for restoration of doors, windows and trim instead of replacement
- Compatibility in material, style and colour of existing architectural components

In general, any new building on a designated property must have regard for:

- Contextual scale, massing, character, architectural style, setbacks and building height of the original structure and/or the heritage fabric within the district
- Impact on the streetscape and the visual properties of the neighbourhood
- The use of wood windows, doors and trim compatible with existing heritage buildings in the neighbourhood
- Landscaping that reflects the heritage character of the neighbourhood and/or the property

### 4. Heritage Permit Approval Process:

The applicant is encouraged to discuss their proposed work with the Planning Department prior to submitting an application. Once the Heritage Permit has been submitted, staff will circulate the application and receive comments from LACAC Heritage Whitby (the Municipal Heritage Committee of Council). A Heritage Permit approval by staff or Council **must** precede any other approval, including those related to Building Permits, Site Plan and Committee of Adjustment.

**Under Section 33 (4) and Section 42 (4) of the Ontario Heritage Act, a decision shall be made within 90 days once the applicant has received a notice of receipt from the Municipality that the Heritage Permit Application has been deemed complete. Within the 90 day period, either consents to the application, consents subject to terms and conditions or refusal of the application will be made. The 90 day period can be extended if the applicant agrees to do so in writing to the Director of Planning.**

All work proposed in an approved Heritage Permit Application must be completed by the applicant within two years of the approval by staff or by Council.

### 5. Appeal Process:

**Applicant either:**

Accepts Decision

**OR**

Accepts Conditions  
OR  
Appeals conditions to  
the CRB/OMB\*

**OR**

Accepts Refusal  
OR  
Appeals decision to the  
CRB/OMB\*

\* CRB – Conservation Review Board / OMB – Ontario Municipal Board

**6. For further information please contact:**

**Town of Whitby Planning Department:**

Telephone: 905-430-4306

Fax 905-668-7812

Email: [planning@whitby.ca](mailto:planning@whitby.ca)