

Heritage Act Acknowledgment Report

Terms of Reference

1. Description

This is a submission requirement to demonstrate that the applicant has satisfied the applicable *Ontario Heritage Act* requirements. It is the City's practice that applications under the *Ontario Heritage Act* and the *Planning Act* be considered concurrently. The purpose of this report is for the applicant to demonstrate they are meeting the requirements under the *Ontario Heritage Act*, where such a property is under the jurisdiction of the *Ontario Heritage Act*.

2. Authority To Request

Under the *Ontario Heritage Act*, a municipality has the ability to:

- Prescribe additional materials and information required for applications under Sections 33(1) and 34(1), pursuant to Sections 33(3) and 34(3) of the *Ontario Heritage Act*;
- Prescribe the required contents of an application under Section 42(1), pursuant to Section 42(2.2) of the *Ontario Heritage Act*;
- Request plans and information pursuant to Section 27(11) required as part of the 60-day notice required under Section 27(9) of the *Ontario Heritage Act*.

3. When Required

A Heritage Act Acknowledgement Report may be required for a Site Plan Control, Zoning By-law amendment, Official Plan amendment, Plan of Subdivision, or Plan of Condominium application that involves designated heritage properties or non-designated properties listed on the Heritage Register.

Under the *Ontario Heritage Act*, changes to designated heritage properties, including both individually designated properties (Part IV) and properties located within a Heritage Conservation District (Part V), require the approval of the City. An applicant must submit a Heritage Permit Application under the *Ontario Heritage Act*. After reviewing the application and determining it is complete, Heritage staff will issue an acknowledgment letter.

Similarly, owners of non-designated properties listed on the Heritage Register must provide the City with 60 days' notice of their intent to demolish or remove a building



or structure. After reviewing the notice and determining it is complete, Heritage staff will issue an acknowledgment letter.

4. Contents

The applicant will submit a Heritage Act Acknowledgment Report in support of a *Planning Act* application, which includes:

1. Confirmation of the Heritage Act Acknowledgment Letter
2. The date issued and file number of the Heritage Act Acknowledgment Letter

5. Roles and Responsibilities / Qualifications

Heritage staff will issue an acknowledgment letter for complete applications or notifications under the *Ontario Heritage Act*. The applicant will provide the Heritage Act Acknowledgment Report.

6. Submission Requirements

See Appendix A for an illustration of the information needed for a Heritage Act Acknowledgement Report.

7. Definitions / Key Terms

- **Designated Heritage Property:** a property that has been designated to be of cultural heritage value through a municipal bylaw under Part IV of the *Ontario Heritage Act* and/or properties located within a Heritage Conservation District that is designated under Part V of the *Ontario Heritage Act*.
- **Heritage Permit Application:** Under the *Ontario Heritage Act*, all alterations to designated heritage properties and to properties located within a Heritage Conservation District may require the approval of the City through a Heritage Permit.
- **Heritage Register:** The heritage register is established under the *Ontario Heritage Act*. It is a list of all properties recognized under the *Ontario Heritage Act* in the city. This includes properties designated under Part IV and Part V of the *Ontario Heritage Act* and non-designated properties listed on the Heritage Register under Section 27 of the *Ontario Heritage Act*.
- **Non-designated Properties Listed on the Heritage Register:** Section 27 (3) of the *Ontario Heritage Act* allows municipalities to list non-designated properties of cultural heritage value or interest on a municipal heritage register. Listing on a municipal heritage register provides interim protection for properties where an owner has applied for a demolition permit. If an owner wishes to demolish a

building or structure on a non-designated property listed on the heritage register, Section 27 (9) of the *Ontario Heritage Act* requires that they provide 60 days' notice, in writing, of their intent to demolish. There are no restrictions on alterations to non-designated properties listed under Section 27 of the *Ontario Heritage Act*.

- **Part IV Designated:** Under Part IV of the *Ontario Heritage Act*, City Council may recognize and protect properties of cultural heritage value or interest through individual designation. By designating properties of cultural heritage value, City Council ensures their protection for the benefit of present and future generations. A property may be worthy for individual designation if it satisfies two criteria established through Ontario Regulation 9/06.
- **Part V designated properties:** are properties located within a Heritage Conservation District. Under Part V of the *Ontario Heritage Act*, municipalities may designate a grouping of properties that are of local cultural heritage value or interest to form what is known as a Heritage Conservation District.

8. Resources / Background

- City of Ottawa [Heritage Permit Application](#) process

