

## Municipal Heritage Designation Process

### 1. Identification of significant heritage resource and Statement of Significance

- Evaluation of the property and documentation of its heritage value; and
- Definition of the character defining elements of the heritage resource.

Note: Typically, designation is limited to the building's exterior. Although the interior may have features with heritage merit, flexibility is recommended for adaptive reuse of the building.

### 2. Designation Process Initiated

[The Heritage Property Act](#) does not require the property owner's permission to file the Notice of Intention to Designate or for City Council to pass the bylaw to designate the property. The property owner, the City or another group could initiate the designation process.

### 3. Report Process

A report is prepared by Administration for the Municipal Heritage Advisory Committee, which is subsequently referred to the Standing Policy Committee on Planning, Development and Community Services (Committee), and then to City Council.

If the desire is to pursue designation, the following recommendation to City Council is provided:

- a. That the City Solicitor be requested to prepare and bring forward a bylaw to designate the property as a Municipal Heritage Property under the provisions of *The Heritage Property Act (Act), with designation of particular elements identified;*
- b. That the General Manager, Community Services Division, be requested to prepare the required notices for advertising the proposed designation; and
- c. That \$2,500 be allocated from the Heritage Reserve for supply and installation of a recognition plaque for the property.

### 4. Approval Process

If designation as a Municipal Heritage Property is approved to proceed by City Council, the designation will be advertised in accordance with the provisions in *The Heritage Property Act*, which requires that the Notice of Intention to Designate be advertised at least 30 days prior to the public hearing.

Note: Under the current procedure, City Council authorizes the advertisement of the proposed heritage designation. Following this approval, the City Solicitor's Office and Community Services Division complete a number of steps required within [The Heritage Property Act](#). This includes the preparation of the notice of intention, drafting of the designation bylaw and advertisement of the proposed designation and public hearing.

A public hearing is advertised and held.

An objection to the designation can be made, with proper notice. As a result of an objection, City Council can withdraw the designation bylaw or refer it to the Heritage Property Review Board.

**If There is an Objection:**

Anyone (not just the owner) may serve City Council with an objection to the heritage designation of a property. The objection must be served at least three days prior to the meeting where council considers and votes on the designation bylaw (*Act*, Section 13(2)).

- If Council chooses not to withdraw the bylaw in response, it must refer the matter to the Saskatchewan Heritage Property Review Board (*Act*, Section 13(3)).
- At this point, the hearing is on hold. Second and third readings are not held until the City receives a report back from the Heritage Property Review Board.
- The Heritage Property Review Board is convened for an advertised public hearing and consideration of the matter [*Act*, Section 14].
- At the hearing of the Heritage Property Review Board, there are opportunities for the City to speak, the objector to speak, the City to rebut and also for others to speak.
- The Heritage Property Review Board usually produces and distributes a report with recommendations within 30 days of the hearing [*Act*, Section 15].
- When City Council receives and considers the report of the Heritage Property Review Board, it may either pass the designation bylaw (the objection and Heritage Property Review Board report notwithstanding), modify it or withdraw it [*Act*, Section 16(l)].
- If the bylaw is modified in such a way that the property is removed from the bylaw or the bylaw is withdrawn, the Notice of Intention must be discharged at the Land Titles Office and the owners, registrar and the party who objected must be notified [*Act*, Sections 16(2) and 16(3)].