

MUNICIPAL HERITAGE PROPERTY DESIGNATION



Saskatchewan
Ministry of
Tourism, Parks,
Culture and Sport



Canada's
Historic Places

Lieux patrimoniaux
du Canada

THE HISTORIC PLACES INITIATIVE

In 2001, the Government of Canada, in partnership with the provinces and territories, implemented the Historic Places Initiative (HPI), a nation-wide program to help recognize and conserve Canada's historic places.

HPI features two key tools. The Canadian Register of Historic Places is an online listing of formally recognized historic places across Canada. When completed, the Canadian Register will feature detailed information on over 17,000 historic places, including more than 800 from Saskatchewan. The *Standards and Guidelines for the Conservation of Historic Places in Canada*, is a national benchmark of conservation principles and practices that provides sound, practical advice on heritage conservation to help ensure historic places have on-going uses in their communities.

The Historic Places Initiative is also generating new research on the benefits of heritage conservation and how the reuse of historic places contributes to the economic, social and environmental viability of our country.

For more information on the Canadian Register of Historic Places, the *Standards and Guidelines*, and heritage conservation activity across Canada, go to the Historic Places Initiative website at: www.historicplaces.ca.



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COVER:

ST. JOHN THE BAPTIST UKRAINIAN GREEK CATHOLIC CHURCH, RM OF GRANT

Government of Saskatchewan, Bisson, 2004

MUNICIPAL HERITAGE PROPERTY DESIGNATION

This guide was published by the Heritage Resources Branch of the Ministry of Tourism, Parks, Culture and Sport. It outlines the key steps involved in Municipal Heritage Property designation under *The Heritage Property Act*, answers common questions about designation, and offers suggestions on how to make designation and heritage property management as easy as possible.

This booklet is one in a series of guides designed to help communities recognize, protect, conserve, and promote their historic places. The guides are intended for municipal councils and staff, heritage committees, and other organizations or individuals that want to learn more about heritage conservation in Saskatchewan.



MONUMENT, RM OF BUCHANAN

Government of Saskatchewan, Thome, 2005

Our heritage is what we value from the past and what we preserve for future generations. It reflects our collective history, defines the places where we live and work, and gives communities their unique identity.

Recognizing and protecting places that have heritage value is an important part of planning for the future. By retaining heritage buildings, structures, and landscapes, we not only retain the character of our communities, we also contribute to their social, economic, and environmental sustainability.



BUTTON BARN, RM OF GLEN BAIN

Government of Saskatchewan, Robertson, 2007

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120 1ST STREET EAST, MEADOW LAKE
Government of Saskatchewan, Quiring, 2006

INTRODUCTION TO MUNICIPAL HERITAGE PROPERTY DESIGNATION

DID YOU KNOW?

Saskatchewan municipalities have designated over 700 heritage properties since 1980.

Saskatchewan Register of Heritage Property
www.tpcs.gov.sk.ca/heritage

Canadian Register of Historic Places
www.historicplaces.ca

The Heritage Property Act provides for the preservation, interpretation, and development of heritage resources in Saskatchewan. Any building, structure, or site that is significant for its cultural, historical, architectural, environmental, archaeological, palaeontological, scientific, or aesthetic value may be designated as heritage property.

This enabling legislation empowers municipal governments to designate, by bylaw, places as Municipal Heritage Property. Municipalities play a key role in recognizing, protecting, conserving, and promoting heritage in their communities.

WHAT DESIGNATION DOES:

- Publicly and formally RECOGNIZES a property's heritage value.

A property's heritage value is formally recognized in the community through public notice and a designation bylaw. Once designated, the property is further recognized by its listing on both the **Saskatchewan Register of Heritage Property** and the **Canadian Register of Historic Places**.

- Legally PROTECTS the property's heritage value.

A heritage interest is registered on the property's title, which protects it from unauthorized changes and unauthorized demolition. The municipality ensures that any proposed alterations or changes will not significantly impact the heritage value and character-defining elements of the property.

- Encourages GOOD STEWARDSHIP.

Historic places are community assets that benefit everyone. Careful and responsible management of these assets can provide social, economic, and environmental benefits to communities, and creates a lasting legacy for the future.

- Makes a property eligible for FINANCIAL ASSISTANCE.

A property must be designated to be eligible for cost-shared heritage conservation grants from the Saskatchewan Heritage Foundation. In most cases, designation is also an eligibility requirement for financial incentives offered by municipalities.

DESIGNATION DOES NOT:

- restrict the use or ownership of a property;
- require it to become a museum;
- require it to be frozen in time;
- require it to be restored to its original purpose;
- obligate the owner to open it to the public.



THERE'S NOTHING WRONG WITH CHANGE...

...as long as it is sensitive change. On-going use of heritage buildings is important to their long-term viability. A heritage building that's being used is a heritage building that's being saved. This may mean continuing to use the building as it was originally intended, or adapting the property to a new, contemporary use. What is important is that the heritage elements that make the property significant are maintained and incorporated into the new use.

Properties change over time. Designation works to protect and conserve heritage character-defining elements while accommodating change.

PRINCE ALBERT TOWN HALL/OPERA HOUSE, PRINCE ALBERT

Government of Saskatchewan, Flaman, 2006

HOW TO DESIGNATE MUNICIPAL HERITAGE PROPERTY

THE PROPERTY OWNER

It is good practice to contact the property owner prior to serving them with the notice of intention to designate, especially if they did not initiate the designation request. This courtesy gives the owner an opportunity to discuss the matter and to be made aware of the benefits and implications of designation.

REMEMBER...

Council must consult with its Municipal Heritage Advisory Committee if established.

ROYAL CANADIAN LEGION, REGINA
Government of Saskatchewan, Herrington, 2005

STEP 1: INITIATING THE PROCESS

Any person, community group, or other interested party can ask their municipal council to consider a property for Municipal Heritage Property designation. A council, municipal administration, or Municipal Heritage Advisory Committee (if established) may also initiate a designation.

Before proceeding, it is important to understand the heritage value of the property and why it should be designated. This will inform the reasons for designation on the notice of intention to designate [Step 2] and on the designation bylaw [Step 3].

STEP 2: PREPARING AND SERVING THE NOTICE OF INTENTION TO DESIGNATE

The notice of intention gives public notice of a municipality's intention to designate a Municipal Heritage Property. Public notice provides for a period of public review and allows any objections to the proposed designation to be heard.



A notice of intention includes:

- the legal description of all property to be included in the bylaw;
- the civic address, if applicable; and
- the reasons for designation [see page 9].

As part of the public notification process, the notice of intention must be:

- served on the property owner(s);
- published in a local newspaper;
- registered as an interest in the Land Titles Registry against all parcels of land included in the proposed designation; and
- sent to the Heritage Resources Branch, Ministry of Tourism, Parks, Culture and Sport.

Once registered on title, the notice of intention grants the property all the protections of designation for 120 days.

STEP 3: PASSING AND REGISTERING THE DESIGNATION BYLAW

Following the date of the last service, publication, or registration of the notice of intention, a minimum 30-day waiting period is required before passing the designation bylaw. Provided no formal objections have been received during this waiting period, council may then vote on and pass a bylaw to designate Municipal Heritage Property.

The bylaw must contain:

- the legal description of all property included in the bylaw;
- the civic address, if applicable; and
- the reasons for designation [see page 9].

ONLINE DOCUMENTS:

Sample designation documents and a checklist are available in PDF format on our website. You can download these and print them for your convenience.

[www.tpcs.gov.sk.ca/
designation](http://www.tpcs.gov.sk.ca/designation)

**ADMINISTRATORS:
DON'T FORGET...**

...to register the interests on the title(s). The registered interest protects the heritage property from unauthorized changes and unauthorized demolition.

If the interest does not appear on the title, the designation is not considered legally valid. It will not be listed on the Saskatchewan Register of Heritage Property, and may not be eligible for funding from the Saskatchewan Heritage Foundation.

Once the bylaw is passed, council must:

- serve a notice of designation on all property owners;
- register an interest in the Land Titles Registry against all parcels of land included in the proposed designation; and
- serve a certified copy of the bylaw to the Heritage Resources Branch.

**STEP 4: LISTING THE PROPERTY
IN THE MUNICIPAL REGISTER**

The municipality must keep a register of its municipally designated property. The register must include:

- the legal description of each property;
- the civic address, if applicable;
- the name and address of the registered property owner(s); and
- the reasons for designation.



THIRTEENTH STREET TERRACE
City of Saskatoon, Szalasznjy, 2005

REASONS FOR DESIGNATION

A designation bylaw should clearly and fully describe why the historic place is being designated. Clearly articulated reasons for designation will: a) explain for the public record why the property is valued; and b) help the municipality regulate future alterations to the property.

The reasons for designation should speak to why the property is valued by the community. Questions to consider when thinking about a property's heritage value might include:

- Is it associated with important people or events in the community's history?
- Does it represent an important theme in the community's social, political, economic, or industrial past?
- Was it an important community gathering place?
- Is it important for cultural or spiritual reasons?
- Is it important for architectural or aesthetic reasons?
- Was it the first of its kind?
- Does its age or rarity contribute to its heritage value?

Clearly-stated reasons for designation will also help a municipality make objective decisions about proposed changes to the property. For example, St. John the Baptist Ukrainian Greek Catholic Church [see front cover] was designated a Municipal Heritage Property for its association with the local Ukrainian community, its status as the oldest building in the community and its distinctive architectural style. Because the bylaw lists clear reasons for designation, council is better able to determine the physical features which should be closely regulated in order to protect these heritage values. In this case, the building's cruciform layout, onion-shaped domes, stained glass windows, and belfry are some of the character-defining elements that council should consider when approving proposed changes to the building.

TERMS

Heritage Value:

The aesthetic, historic, cultural, social or spiritual significance for past, present or future generations.

Character-Defining Element:

The materials, forms, location, spatial configurations, uses, and cultural associations or meanings that contribute to the heritage value of a historic place and which must be retained in order to preserve its heritage value.

OBJECTIONS TO DESIGNATION

Heritage property designation is a public process. The 30-day waiting period between the notice of intention and the designation bylaw is an essential part of the process that allows objections to be heard. Formal objections, although rare, typically arise because of misunderstandings about what designation means. A notice of intention that clearly articulates what is being designated and why will help avoid public objections and even build community support.

Anyone who formally objects to a proposed designation must serve council with clear reasons for the objection at least three days before council votes on the designation bylaw.

If council receives an objection, it must either:

- refer the matter to the Saskatchewan Heritage Property Review Board for a public hearing; or
- withdraw the proposed bylaw.

Prior to deciding between these two options, council is encouraged to work with the parties to try to reach consensus on any issues. Heritage Resources Branch officials are available to offer assistance or advice in this process.



*CRIPPLED CREEK CROSSING SITE,
RM OF GRAVELBOURG*
Government of Saskatchewan, Thomas, 2004

REGULATING MUNICIPAL HERITAGE PROPERTY

Conserving a property's heritage value means protecting and retaining its character-defining elements. Proposed alterations to the property that affect these physical elements must be approved by council.

The *Standards and Guidelines for the Conservation of Historic Places in Canada* is a key resource that will help local authorities determine if proposed alterations to a heritage property are appropriate. The nationally recognized *Standards and Guidelines* provide sound, practical advice, including “recommended” and “not recommended” approaches to heritage conservation, and help take the guess work out of heritage property regulation.

Under both *The Heritage Property Act* and the *Planning and Development Act, 2007*, municipalities can also support the heritage value of a designated property by controlling building and streetscape elements of neighbouring properties. For example, encouraging façade design, signage, lighting, landscaping, or other development that is complementary to the form, materials, and look of the designated property will help contribute to an overall sense of place.

DID YOU KNOW?

Council can delegate its regulatory responsibilities to a council committee, to its administration, or to its Municipal Heritage Advisory Committee.

WEBSITE LINKS

NOTE

The information in this guide is a summary of the designation process outlined in *The Heritage Property Act*; it is not a substitute for the legislation or legal advice. Please consult the legislation (available from the Queen's Printer) for further details on designation procedures.

Ministry of Tourism, Parks, Culture and Sport
www.tpcs.gov.sk.ca

Heritage Resources Branch
www.tpcs.gov.sk.ca/heritage

Saskatchewan Heritage Foundation
www.tpcs.gov.sk.ca/SHF

Ministry of Municipal Affairs
www.municipal.gov.sk.ca

Information Services Corporation
www.isc.ca

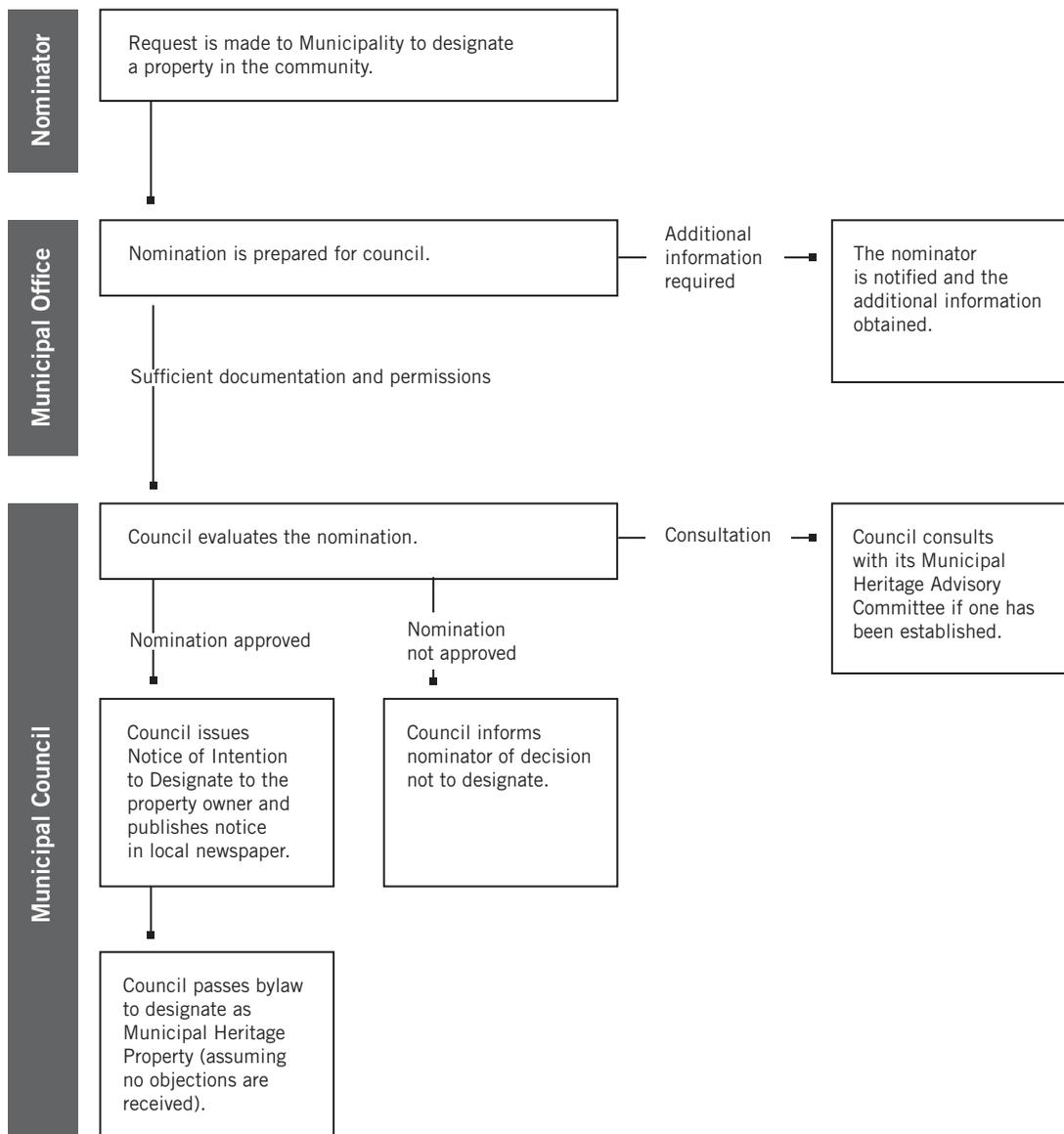
Historic Places Initiative
www.historicplaces.ca

FOR FURTHER INFORMATION:

Please contact:

Municipal Designations Advisor
Heritage Resources Branch
Ministry of Tourism, Parks, Culture and Sport
9th Floor – 1919 Saskatchewan Drive
Regina, SK S4P 4H2
Phone: (306) 787-2817

Municipal Heritage Property Designation Process



Municipal Heritage Property designation enables communities to recognize and protect local heritage. Conserving historic places creates a lasting legacy for the benefit and enjoyment of future generations.

