

Attachment 1

Items identified for consideration:

1. Removal of Section 18 of the *Act*, *Consideration by municipality of application to alter or demolish:*

This section allows a registered municipal heritage property owner to complete an alteration or demolition which may be contrary to a decision of a municipal council provided that a three-year waiting period has passed since the formal application was made.

- Section 17 of the *Act* provides authority to municipal council to consider application to alter or demolish a registered municipal heritage property.
 - Should municipal council not approve the application, Section 18 of the *Act* provides the property owner authority to alter or demolish their registered municipal heritage property without council's approval in accordance with Section 18(3).
 - It has been suggested that the removal of Section 18 from the *Act* would better steward registered municipal heritage properties while maintaining the opportunity to consider applications to alter or demolish a registered municipal heritage property by its municipal council under Section 17.
- 2. New provision proposed to provide authority to the municipality to put in place a pause for a period of time for specific types of development, site specific, while a conservation plan and conservation by-law documents are being prepared for a proposed heritage conservation district (HCD) or cultural landscape (CL). The municipality would be provided the authority to put the provision in place for up to one year.**

- Section 19 of the *Heritage Property Act (Act)* provides for the opportunity for a municipality to consider a proposed HCD for part of a municipality.
- Sections 6 and 7 of the *Heritage Conservation District Regulations* require the municipal council to adopt a public participation program and the development of background studies to support the rationale for heritage conservation measures and its specific boundaries for Minister's consideration.
 - Should Minister not require additional information, the municipality can then initiate the public process to prepare the conservation plan and conservation bylaw documents for the proposed HCD.
- While the municipality completes public participation to better support the preparation of the conservation plan and conservation bylaw documents for the proposed HCD, it has been suggested that municipalities may wish to have the authority to put in place a pause on specific types of development, site specific, for up to one year.

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Items identified for consideration

- It has been suggested that a new provision of the *Act* be developed that would allow, by bylaw, a municipality to suspend specific types of development for up to one year, while the conservation plan and conservation by-law documents for the proposed HCD or CL are being prepared.
 - Other jurisdictions, including Ontario, British Columbia, Manitoba, Quebec and the City of Winnipeg (by-law), provide through legislation similar provisions while an area is under consideration for a proposed HCD.