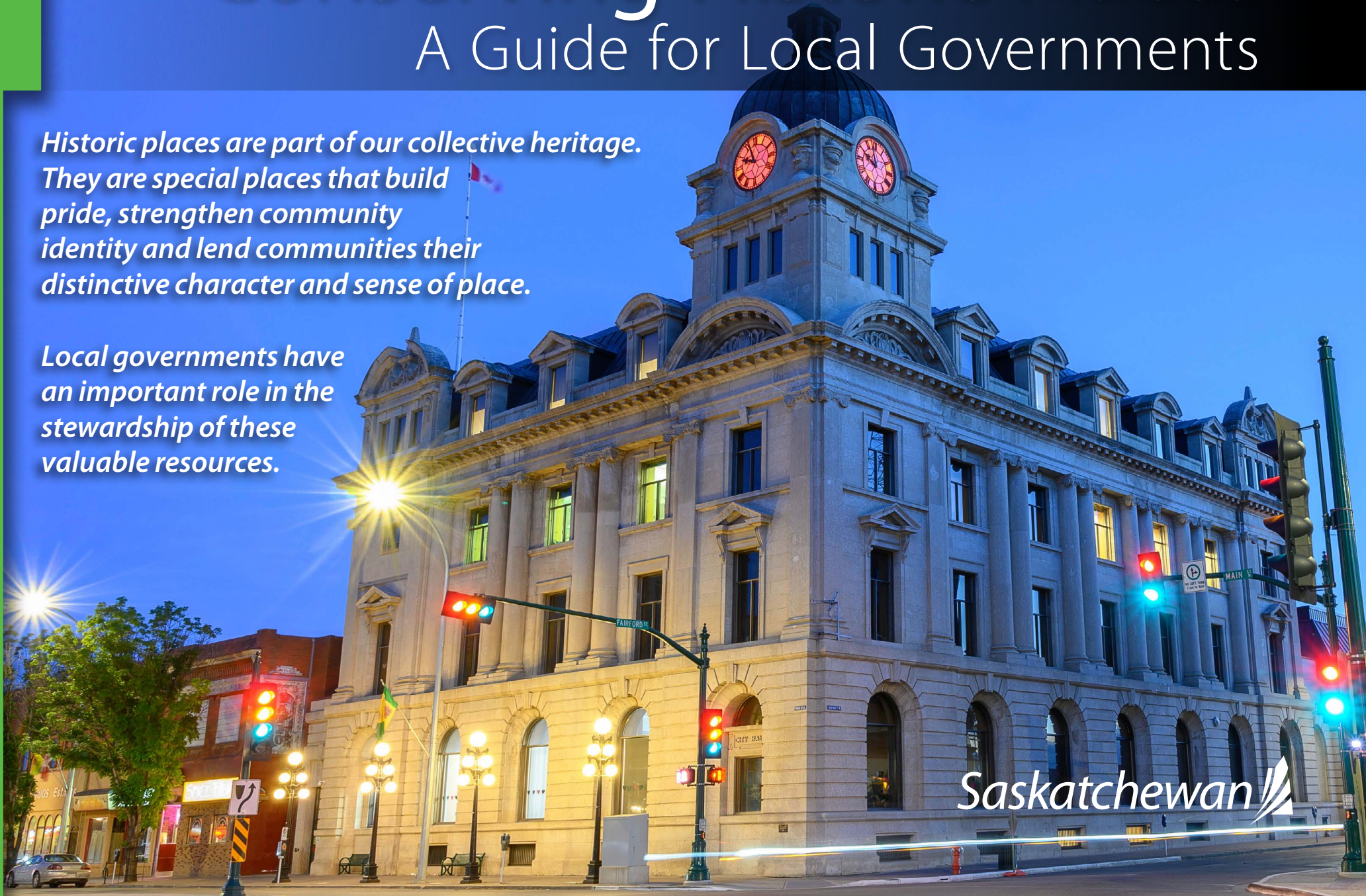


Conserving Historic Places

A Guide for Local Governments

Historic places are part of our collective heritage. They are special places that build pride, strengthen community identity and lend communities their distinctive character and sense of place.

Local governments have an important role in the stewardship of these valuable resources.



Saskatchewan

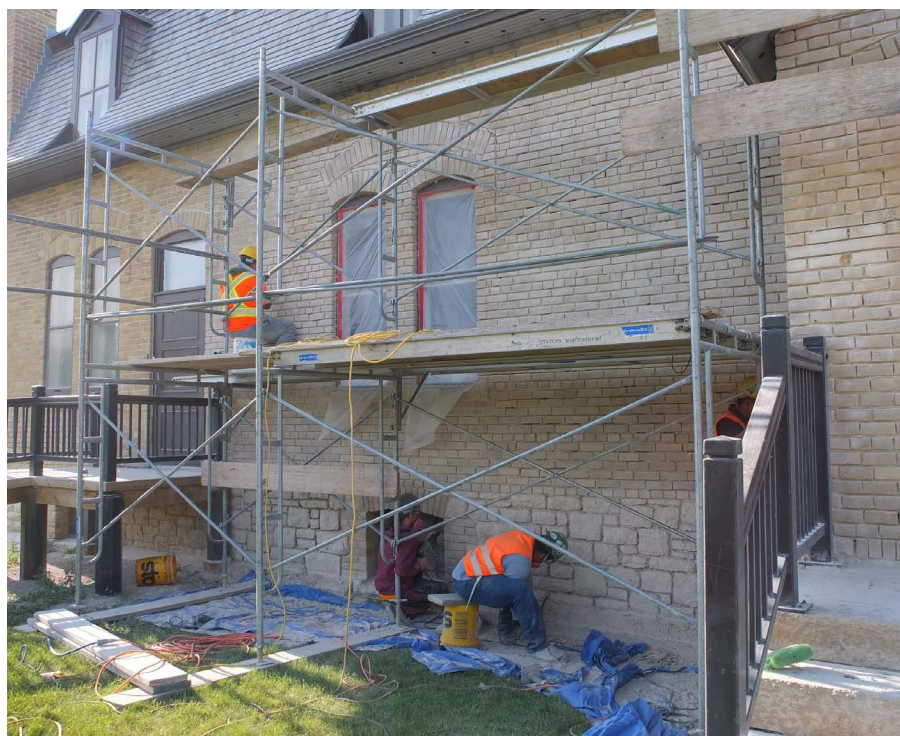
Conserving Historic Places

A Guide for Local Governments

The information and advice provided in this guide is intended to help local governments build effective heritage programs. The guide should be used for information purposes only, and should not be relied upon as a substitute for specialized professional or legal advice.

Cover Photo: Moose Jaw city hall

Back Cover Photo: A Municipal Heritage Property in the RM of Lumsden - Kennell Anglican Church



Heritage Conservation creates jobs and stimulates the economy.

Photo Credit: Government of Saskatchewan, 2022

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Introduction

The Benefits of Conserving Historic Places

Historic places contribute to social, economic and environmental wellbeing. They should be thought of as community assets that present opportunities as well as responsibilities for local governments. The benefits of conserving historic places include:

Social Benefits

- Historic places are sources of pride and expressions of community identity.
- Well-maintained historic neighbourhoods enhance community attractiveness and livability.
- Historic places are often important venues for social and cultural activities.
- Heritage buildings can be adapted to meet community needs for such things as housing or affordable workspace for community organizations.
- Involvement in heritage activities encourages people to become active, engaged citizens.
- Preserving historic places that tell the stories of underrepresented groups contributes to inclusion and social justice.

Economic Benefits

- Giving historic buildings new life raises property values and increases the local tax base.
- Conserving historic places creates jobs and generates economic activity.
- Some historic places are popular tourist attractions.
- A community's historic character can be an effective branding and marketing tool.

Environmental Benefits

- Extending the useful life of historic buildings means less demolition waste is sent to landfills, less energy and fewer materials are needed for new construction, and less CO2 is emitted by demolition and construction activity.
- Revitalizing historic neighbourhoods reduces the need to develop and service new land, a key objective of Smart Growth.

Few assets have as much potential as historic places to contribute to such a broad range of community goals. With their planning and regulatory authority, and their familiarity with community issues and aspirations, municipal governments are well-positioned to be leaders in conserving and developing these valuable resources.

The Role of Local Government

There are several things municipalities can do to conserve and develop their historic places:

- Have a community planning framework that is supportive of heritage conservation.
- Compile an inventory of local historic places to provide the knowledge base needed for good planning.
- Become familiar with conservation tools provided by *The Heritage Property Act* and other legislation.
- Provide incentives to encourage investment in heritage properties.
- Use heritage buildings and other historic places for municipal purposes.
- Create public awareness of heritage benefits.
- Promote and market the community's historic places.

This guide provides a detailed discussion of these various strategies and tools. Used together, they constitute a comprehensive set of heritage programs that will help municipalities make the most of their historic places.



Reusing heritage buildings avoids the environmental impacts of demolition and new construction – Plus Stuff Junction building in Melfort.

Photo Credit: Government of Saskatchewan, 2019

“The greenest building is the one that already exists”

Heritage Conservation

Historic Places and Heritage Value

Historic places help us understand the past. Whether they are buildings or other structures, whole neighbourhoods, landscape features or archaeological sites, historic places teach us about the people, events and forces that shaped our communities. The importance we attach to places because of their ability to tell stories about the past is known as **heritage value**.

Understanding heritage value is the key to good heritage conservation practice. If we know why a historic place is valued by the community, we can identify and protect the features of the place that embody and express that value. Features that are critical to a historic place's heritage value are called **character-defining elements**.

What is Heritage Conservation?

Heritage conservation refers to the things that are done to safeguard the character-defining elements of a historic place in order to retain its heritage value and extend its physical life. Heritage conservation can consist of **preservation, rehabilitation, restoration**, or some combination these three "treatments."

Preservation consists of protecting and stabilizing a historic place and its character-defining elements. It includes routine maintenance and minor repairs that prevent deterioration and the need for major repair or replacement of character-defining elements. Preservation is the least intrusive conservation treatment and is usually applied when a historic place is essentially intact and no changes are needed to facilitate its use.

Rehabilitation involves making changes to a historic place so that it can continue to be used, either for its original purpose or for a compatible new use. Rehabilitation includes repairs, alterations and/or additions that respect and protect the historic place's character-defining elements and heritage value.

Restoration returns a historic place to the way it appeared at a particular time in the past. This is the most intrusive conservation treatment since it requires removal of elements that are not from the desired historical period. Restoration is most commonly used when a historic building is being used to illustrate and interpret a past way of life.



*The **heritage value** of Shiloh Baptist Church in the RM of Eldon lies in its association with Saskatchewan's only African American farming settlement, and in its ability to illustrate the importance of the church in African American communities. Its **character-defining elements** include the church building's simple form; square-hewed, dove tailed log walls; hip roof and wood shingles; its interior assembly space and handcrafted benches made from planks and peeled logs; and its location on its original site on a hedge-bordered parcel of undeveloped land.*

Photo Credit: Government of Saskatchewan, 2019

Although restoring a historic place to its former state is sometimes the goal, most conservation projects are aimed at adapting a historic place for continued use. Heritage conservation is not about keeping historic places frozen in time. Rather, it is a process

of managing change so that they can continue to have a viable use, while still retaining their heritage value. Finding a use for a historic place that is compatible with its heritage value and making any needed changes is called **adaptive reuse**.

Relevant Legislation

A number of provincial Acts enable or affect heritage conservation at the municipal level.

The Heritage Property Act is Saskatchewan's primary legislation for the protection, enhancement and promotion of historic places. This legislation empowers municipalities to designate historic places as Municipal Heritage Property, to regulate the alteration and demolition of heritage property, to financially support heritage initiatives, and to undertake a variety of other actions to recognize, protect and promote historic places.

The Planning and Development Act, 2007 enables municipalities to manage local land use and development. Under provisions of this Act, municipalities can set long-term policy goals for their historic places and implement zoning regulations to protect and enhance the heritage character of their communities.

The Conservation Easements Act is well-suited for protecting historic places in rural settings.

The Municipalities Act, The Cities Act and The Northern Municipalities Act, 2010 establish the legal framework for municipal governance and provide municipal councils with the authority to pass bylaws and administer taxes.

Provisions of **The Construction Codes Act** ensure the safety and accessibility of buildings, but can pose challenges for the adaptive reuse of heritage buildings.

Federally, provisions of the *Income Tax Act* enhance the ability of municipalities to raise revenue for heritage purposes.

These various legislative tools will be discussed in more detail in subsequent sections of the guide.



The **adaptive reuse** of the Pharmacy Building in Arcola involved rehabilitation of the deteriorated brick walls and foundation, as well as preservation of the relatively intact windows and façade elements.

Photo Credit: Government of Saskatchewan, 2019

Did you know?

- ✓ Copies of provincial Acts and Regulations can be downloaded from [Publications Saskatchewan](#).



Creating a Supportive Policy and Planning Framework

Heritage should be an integral part of municipal planning. Addressing heritage in official planning documents recognizes historic places as community development assets and demonstrates a commitment to responsible heritage stewardship. It also ensures that municipal heritage programs will support, and be compatible with, the municipality's long-term development goals and strategies.

Official Community Plan

The *Planning and Development Act, 2007* requires Official Community Plans (OCPs) to be consistent with the heritage and culture *Statement of Provincial Interest*. To meet this requirement, an OCP should include a heritage section that sets out the municipality's objectives and policies for the conservation and use of its historic places. Some municipalities create a standalone heritage policy if they do not have an OCP, or wish to supplement the heritage content of their OCP.

An OCP should acknowledge that historic places benefit the community, and that the local government has responsibilities and authorities for their protection, development and use. Beyond that, the level of policy detail will depend on the nature and capacity of the municipality, as well as the interests and priorities of community residents. Examples of municipal heritage policy that supports the conservation and use of historic places include policies for such things as:

- reviewing proposed developments for their potential impact on historic places;
- creating an inventory of local historic places;



Involving community members in the planning process builds support for the plan and ensures that it meets community needs.

Photo Credit: Government of Saskatchewan, 2018

- establishing criteria and procedures for designating municipal heritage property;
- supporting the adaptive reuse of historic buildings;
- providing municipal heritage incentives and support programs;
- prioritizing historic buildings for use as municipal facilities; or
- using historic places to achieve objectives in areas such as housing, economic development and environmental sustainability.

Including heritage in the municipality's OCP will help to ensure that decisions involving historic places are consistent, transparent, and aligned with community goals and values. It is also proactive. Having clear, explicit policy on heritage and development provides direction for council, municipal staff and developers when making land-use decisions, and helps to avoid eleventh hour conflicts between historic places and new development.

Municipal Heritage Plan

A municipal heritage plan provides a road-map for implementing the municipality's heritage policies. It would typically include:

- an explanation of the plan's purpose and goals;
- an overview of the municipality's history and its heritage resources;
- a description of the municipality's existing and planned heritage programs;
- an action plan that identifies short and medium-term objectives, and sets priorities and timelines;
- performance measures; and
- provisions for periodic review and evaluation of the plan.

It will be helpful if the plan includes some objectives that can be achieved within a reasonable time-frame with available resources. Starting with smaller, manageable projects will build experience

and confidence, and demonstrate the benefits of conserving historic places.

Developing municipal heritage policy and plans should be a participatory, inclusive exercise that draws on the knowledge of community residents and takes into account the values, concerns and aspirations of all of the community's various groups. A public process will help to achieve consensus on goals and objectives, provide justification for expending municipal resources on heritage conservation, and give people a sense of ownership for the policies and plans that are developed.

Other Municipal Plans

Some municipalities have created municipal cultural plans. This form of planning enables a municipality to identify its cultural assets, and to think strategically about how those assets can be used to achieve community development goals. Historic places are important cultural assets, and should be considered in any comprehensive cultural plan.

Some municipalities are also developing sustainability plans. Because the preservation and ongoing use of historic places supports the economic, environmental, social and cultural pillars of community sustainability, heritage conservation should be considered an important part of sustainability planning.

Heritage Inventories

Effective heritage planning requires a good understanding of the historic places that exist in the municipality. Compiling a heritage inventory will help municipal officials develop the knowledge base needed for informed decision-making.

A heritage inventory is a catalogue of a community's historic places that provides information about their location, physical characteristics, age, ownership and uses. A key piece of information for each historic place in the inventory is an explanation of its heritage value, usually provided in the form of a Statement of Significance.

Knowing what historic places are found in the municipality and understanding why they are valued by the community will help municipal officials:

- streamline the land development review process by identifying potential conflicts between new development and historic places;
- identify historic places that deserve special protection and recognition, such as designation under *The Heritage Property Act*;
- identify opportunities for adaptive reuse of heritage buildings;
- develop the tourism and economic potential of the municipality's historic places;
- determine eligibility for municipal heritage incentives; and
- plan and prioritize heritage projects more effectively.



Historic places instill pride and shape our sense of community identity – Maple Creek Historic District gateway.

Photo Credit: Government of Saskatchewan, 2019

As well as being an indispensable planning tool, a heritage inventory is also a useful resource for educational and promotional initiatives. Public participation in creating an inventory also raises heritage awareness and builds community support for heritage conservation.

Detailed advice for compiling a heritage inventory can be found in the Heritage Conservation Branch publication, [*Developing Your Heritage Inventory: A Guide For Communities*](#).

Heritage conservation makes important contributions to domains of wellbeing and community development that are articulated in the [*Saskatchewan Index of Wellbeing*](#) and the [*United Nations Sustainable Development Goals*](#).



Protecting and Regulating Historic Places

Measures that protect historic places and prevent the loss of their heritage value are an essential part of any successful heritage program. In addition to protecting historic places from outright demolition, it is important to prevent the deterioration of their character-defining elements due to inadequate maintenance or inappropriate renovations. Municipal governments have the legal authority, the regulatory tools, and the responsibility to ensure the protection and long-term conservation of their communities' historic places.

Tools Provided by *The Heritage Property Act*

Heritage Property Designation

Designation under *The Heritage Property Act* (the Act) is the primary legal tool for protecting historic places in Saskatchewan. Historic places that are provincially significant can be designated as Provincial Heritage Property by ministerial order. Any changes that might affect the character-defining elements and heritage value of a provincial heritage property require prior review and approval by the minister responsible for the Act.

Part III of the Act gives municipal governments broad powers to protect and develop historic places, including the ability to designate locally significant places as Municipal Heritage Property. When a property has been municipally designated, council's approval is required for any alterations that could affect its character-defining elements. Municipal designation is an appropriate tool to use when council wants to have an official role in the recognition and protection of historic places that are valued by community residents.

Designation nominations can be put forward by council, a property owner or any other interested party. While, technically, a property can be designated against an owner's wishes, it is rarely done in practice.

To proceed with a designation, council issues a public notice of its intention (NOI) to designate and registers an interest based on the NOI against the property's land title. The NOI should include the name of the property, its location and the reasons for the proposed designation. If no objections are raised, council then passes a designation bylaw, serves a notice of designation on the owner and registers an interest based on the notice of designation against the title. The Act requires the municipality to maintain a register of its designated properties, which must include the legal description and civic address of each property, the owner's name and address and the reasons for the designation.

One of the most important parts of the designation process is a well-written bylaw.

Did you know?

Heritage Alteration Approvals

Alterations that might affect a designated property's character-defining elements require prior review and approval by council. The approval process can be similar to the municipality's building permit system. Developing a standardized application form will make it easier for property owners to submit the required information and facilitate council's review of the proposed work.

Maintenance Standards

Municipalities have authority under *The Heritage Property Act* to ensure that the character-defining elements of designated properties do not deteriorate due to lack of maintenance. Publishing maintenance standards will help property owners know what is required and under what circumstances maintenance or repair orders will be issued. It is recommended that the municipality conduct periodic inspections to monitor the condition of their designated properties.



A Municipal Heritage Property in the Town of Maple Creek.

Photo Credit: Government of Saskatchewan, 2019

The Act requires the designation bylaw to contain the property's legal description, civic address if applicable, and the reasons for the designation. The reasons for designation should clearly explain why the property has heritage value for the community. This information will help council when making future regulatory decisions concerning proposed changes to the property. It is also useful when preparing educational and promotional materials for designated properties.

In addition to the authority to regulate alterations, council has powers of inspection and can issue orders for the maintenance and repair of designated properties. If an owner does not comply with a repair order, the municipality can perform the needed work and register an

interest based on the costs incurred against the property's title.

Further municipal powers for preserving the heritage character of designated properties include the authority to control street, sidewalk, lighting, signage and landscape design, and to install interpretive plaques.

The Act also allows municipalities to make rules regarding criteria and procedures for designation beyond what is required by the Act. For example, council might specify that owners' consent is required, or that properties meet a minimum age requirement, or that designation requests must be supported by written research reports or other documentation, such as a Statement of Significance.

Heritage Property Designation

What it does:

- ✓ Legally protects a historic place's heritage value.
- ✓ Publicly recognizes a historic place's heritage value.
- ✓ Encourages stewardship and good conservation practices.
- ✓ Makes properties eligible for listing on provincial and national heritage registers.
- ✓ Confers eligibility to apply for grants from the Saskatchewan Heritage Foundation.

What it does not do:

- ✓ Restrict the use of the property.
- ✓ Require the property to be restored to its original condition.
- ✓ Prevent any changes from being made to the property.
- ✓ Restrict the sale of the property.
- ✓ Require that the property be open to the public.
- ✓ Make the municipality responsible for upkeep and maintenance.

More detailed information about designation can be found in the Heritage Conservation Branch publication, [Municipal Heritage Property Designation](#).

Municipal Heritage Conservation Districts

To date, heritage designations in Saskatchewan are almost exclusively designations of individual properties. *The Heritage Property Act* also has provisions for designating larger areas as Municipal Heritage Conservation Districts (MHCD). This is a useful tool for protecting historic neighbourhoods, commercial districts or rural landscapes where heritage value lies in an area's overall character, rather than in individual buildings or other features.

The process for designating an MHCD is similar to designating an individual property, although it can be more time-consuming and administratively challenging due to the number of properties and property owners involved. There is also more expense, since an interest based on a Heritage Conservation District Notice has to be registered against title for every parcel in the proposed district. Unlike individual designations, however, there is no requirement to register a second interest based on a notice of designation.

The municipality has authority to regulate property alterations, demolition and new development in an MHCD. As with individual designations, it is important to have a clear, detailed designation bylaw that describes the district's heritage value and character-defining elements.

Besides individual buildings, such things as the scale and spatial arrangement of the buildings, landscapes and open spaces, street patterns and views might be character-defining elements that contribute to the heritage value of an MHCD.

The municipality should have written guidelines to help officials and property owners determine what changes and new development are appropriate for the district. The guidelines should specify what alterations to existing properties are allowed, provide guidance for the design of infill development and describe what minor changes can be made without seeking municipal approval.

Public consultation is an important part of the designation process for an MHCD. To be successful, the designation will need the support of the district's property owners and the community at large. Public meetings should be held to explain the purpose and benefits of the designation, and to clarify the policies and guidelines that will be used to manage the district. It is especially important to address concerns property owners may have about possible loss of control over their property or the effect of the designation on property values.

In provinces where they are more common, district designations have been well received by property owners. By maintaining the overall quality of the district and ensuring that properties do not become rundown or derelict, a district designation protects everyone's property values. Studies show that property values are best protected and property

owner satisfaction is highest in heritage districts that are carefully and consistently regulated.

Denial of Permits and Stop Orders

The Heritage Property Act gives council the authority to deny alteration or demolition permits for any property for up to 60 days so that it can consider designating the affected property. A mayor or reeve is also able to issue stop orders, for up to 60 days, where anyone is engaged in an activity that could damage or result in the destruction of any heritage property in the municipality. The temporary stop order is intended to give council time to salvage or document the endangered property, to consider alternatives to its destruction, or to designate it.

Council, by bylaw, can delegate its authority to approve heritage property alterations to their administration, to their Municipal Heritage Advisory Committee, or to another committee of council. Council cannot delegate authority to approve the demolition of a designated property.

Council's approval is needed to demolish a municipally designated heritage property. A demolition can be approved without first repealing the designation. However, this approach does not provide the opportunity for public comment that is available through the repeal process.

Covenants and Easements

The Heritage Property Act enables municipalities to enter into covenant and easement agreements for the purpose of protecting heritage property. These are voluntary legal agreements between the municipality and a property owner that specify the responsibilities of the parties with respect to the conservation of a historic place. Covenant and easement agreements are registered as interests that run with title, ensuring that future owners are bound by their terms.

Covenants and easements are flexible tools that can be useful when council wishes to protect a historic place, but does not feel that designation is appropriate. A

covenant or easement agreement can be more straightforward to execute than a designation, and can be more specific in what is required of the parties.

Because they are private arrangements, covenant and easement agreements do not give a historic place the same public recognition that comes with designation. In addition, a historic place protected by this method might not be eligible for Saskatchewan Heritage Foundation conservation grants, or for listing on provincial and national heritage registers. Moreover, a future council could discharge the municipality's interest in the property without public consultation.

Tools Provided by *The Planning and Development Act, 2007*

The Planning and Development Act, 2007 includes several special zoning provisions that can be used to protect neighbourhood character and facilitate the adaptive reuse of historic buildings. To use these tools, a municipality must have an OCP in place that contains policy and guidelines for their use. A municipality's ability to acquire dedicated lands provides council with another tool for protecting historic places.

Zoning

Architectural control districts enable council to exercise a degree of control over the architectural detail of buildings in a specified area. This is also an important tool for ensuring that new development in a historic neighbourhood is compatible with the neighbourhood's heritage character. This tool can only enforce design standards where a development permit is required (i.e. for new buildings, major rehabilitations, or a change of use or intensity of use). Alterations that are not technically "developments," but with potential to detract from a property's historic character, cannot be controlled.

Direct control districts provide the ability to exert much greater control over the details of a development. This form of zoning is most often used to realize the objectives set out in a concept plan for a specific land assembly or redevelopment area. Direct control districts have sometimes been used to enforce compatible development in a heritage area, but because they are highly prescriptive and cumbersome to administer, they are not often used for this purpose.

Demolition control districts enable council to exert control over the demolition of residential buildings. To establish a demolition control district, a municipality must have building and maintenance bylaws in place in addition to the necessary provisions in its OCP. This could be a tool for protecting residential buildings in historic neighbourhoods.



A Municipal Heritage Property in the Village of Abernethy – Knox United Church.

Photo Credit: Government of Saskatchewan, 2022

Discretionary use provisions in a zoning bylaw allow council to decide, on a case-by-case basis, if a class of use is appropriate for particular locations in a district. For example, the zoning bylaw might specify bed and breakfasts as a discretionary use in a single-family residential district. This could allow the conversion of a historic home for bed and breakfast use. As another example, second-storey dwellings might be specified as a discretionary use in a commercial district. This would create opportunities for converting historic commercial buildings for mixed business-residential use. While a discretionary use approval can facilitate the reuse of a heritage building, it does not ensure its preservation or control the treatment of its character-defining elements.

Contract zoning enables council to enter into agreements to rezone parcels of land to carry out specific developments on a case-by-case basis, subject to terms and conditions. For example, a parcel in an industrial district might be rezoned commercial to allow the conversion of a former historic workshop to a licensed restaurant. Under terms of the zoning contract, only this use would be permitted. Other uses normally permitted in a commercial district, such as a retail store or office, would not be allowed for this property. The architectural detail of the building cannot be controlled as a condition of the zoning contract.

Exception to development standards is a type of bonus zoning that relaxes zoning regulations in return for the developer providing certain services, facilities or amenities specified in the zoning bylaw. For example, someone developing a housing project on a former school site might be allowed higher density than the zoning bylaw permits in return for retaining and rehabilitating the historic school building that sits on the property.

Parking provisions in a zoning bylaw specify how many off-street parking spaces must be provided for different uses of property. At council's discretion, the municipality can accept payment in lieu of the required



Whitmore Warehouse – A Municipal Heritage Property in Regina. Discretionary use provisions in the zoning bylaw enabled this warehouse in a light industrial district to be converted for residential use.

Photo Credit: Government of Saskatchewan, 2022

parking. Parking requirements can be an obstacle to the adaptive reuse of heritage buildings. For example, converting a warehouse to multifamily residential use could require several additional off-street parking stalls, or, where this is not feasible, a substantial payment in lieu. To facilitate the reuse of historic buildings, a municipality could include provisions in its zoning bylaw that allow for relaxation of parking requirements for this type of development.

Zoning or Designation?

Using zoning tools to protect a historic district is sometimes seen as an alternative to a district designation under *The Heritage Property Act*. While zoning can, to a certain extent, be used to maintain the character of a historic neighbourhood, it does not provide council with the same scope of authority to protect an area's character-defining elements as would designation as a municipal heritage conservation district. In some cases, it may be appropriate to

use the planning and heritage legislation together. For example, an architectural control district could help to ensure that new development is in keeping with the character of a historic area, while the area's important heritage buildings are protected through individual designations under *The Heritage Property Act*.

Dedicated Lands

Dedicated lands include **municipal reserve** and **environmental reserve**. These are parcels that are created out of new subdivisions and given to the municipality to be used for public amenities. Municipal reserve can be used for parks and natural areas, recreation areas, schools, public buildings, facilities for charitable organizations, or agricultural purposes. At its discretion, a municipality could choose to limit development in a municipal reserve in order to protect historic places.

If some of the land in a proposed subdivision is environmentally or heritage sensitive, there may be a requirement to dedicate that portion as environmental reserve. Environmental reserve dedicated to protect heritage resources could be used as a public park, but must otherwise be left in its natural state.

Tools Provided By *The Conservation Easements Act*

Municipal governments are qualified to hold easements under *The Conservation Easements Act*. This legislation was developed primarily to preserve natural areas, but can also be used to protect historic places.

When a property owner grants a conservation easement to a qualified holder, the owner agrees to restrict activities that would harm the affected property's heritage resources (or environmentally sensitive features, as the case may be). They retain ownership of the parcel and the right to use it for any other activities. The easement holder has the right to inspect the property and to undertake any conservation practices that are specified in the easement agreement. Because the grant of a conservation easement is treated as a charitable donation, the property owner may be entitled to a tax benefit.

Conservation easement agreements are registered as interests on title and bind future owners to their terms. Since these agreements can be in perpetuity, they can be an effective tool for securing long-term protection of historic places. This type of agreement is best suited to protecting land-based heritage resources, such as archaeological sites and cultural landscapes.

The Construction Codes Act

The Construction Codes Act replaced *The Uniform Building and Accessibility Standards Act* in 2022. Its intent is to ensure that buildings are occupied safely and are accessible to people with disabilities. This legislation authorizes the adoption of the National Building Code of Canada (NBC) as Saskatchewan's building and accessibility standards, and gives municipalities responsibility for enforcing building codes.

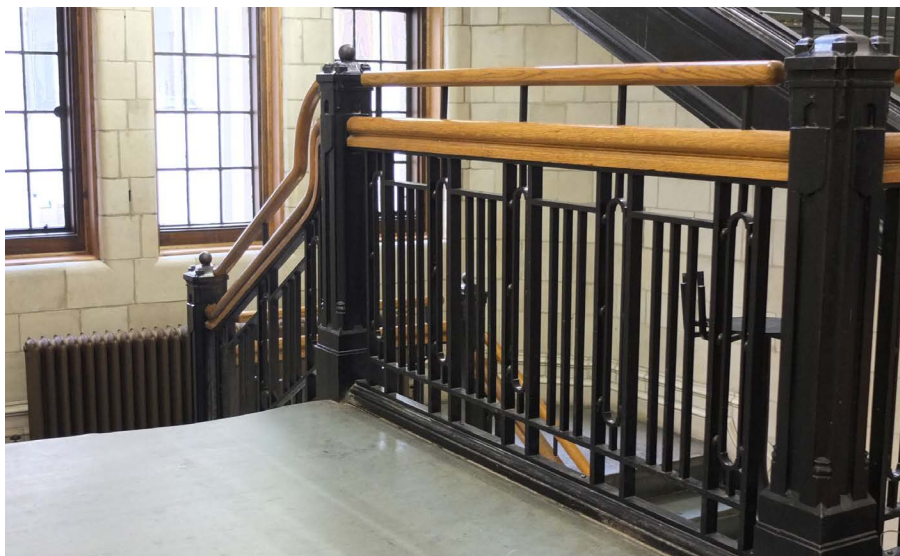
Although the NBC was primarily conceived as a tool for regulating new construction, it is also applied to substantial renovations and, sometimes, to changes in use. Because older buildings were built to different design standards, satisfying code requirements can be a challenge when rehabilitating heritage buildings. Providing barrier free access, fire separations and other safety and accessibility features is often difficult without damaging a heritage building's character-defining elements.

Fortunately, the NBC is an objective-based code that allows for "alternative solutions" for meeting code requirements. This means that different design approaches can be used to comply with a code requirement, as long as the stated safety or accessibility objective is met.

Alternative solutions provide flexibility for satisfying code requirements in heritage rehabilitations. For example, timber floors in a historic building might not meet code for noncombustible construction. Installing a protective layer of gypsum board could be an acceptable alternative solution if it prevented ignition of the timber floor for a

length of time equal to the fire resistance rating required for the floor assembly. As another example, installation of a sprinkler system might meet this same objective.

Municipal authorities and their building officials should be familiar with the alternative solution approach to code compliance and how it can be applied in heritage rehabilitations. This will help to ensure that their communities' heritage buildings can be adapted for new uses without compromising either their heritage value or public safety.



The height of the handrail was raised to meet today's code without significant impact to the historic balustrade.

Photo Credit: Government of Saskatchewan, 2018



Installing a modern push bar matching the colour and finish of this historic door met code for safe egress.

Photo Credit: Government of Saskatchewan, 2021

Decision-Making Tools

Although most municipal officials do not have technical training in heritage conservation, there are tools available that will help them make heritage-related decisions.

Statement of Significance

A “Statement of Significance” (SOS) is a concise one- to two-page document that describes a historic place, explains its heritage value and identifies its character-defining elements. This information is essential for effective management and regulation of historic places.

Some municipalities require an SOS to be provided when a historic place is nominated for municipal designation. This gives council a clearer understanding of the place’s significance and helps them determine whether designation would be appropriate.

The content of an SOS can be incorporated into a designation bylaw. When the bylaw clearly explains a designated property’s heritage value and identifies its character-defining elements, it is easier for council to decide whether proposed alterations to the property should be allowed.

Statements of Significance can also be a first step in developing a conservation plan for municipally owned historic places, or for developing a management plan and design guidelines for a heritage district. An SOS is also a source of information for creating promotional and educational resources for historic places.

As well as being a useful tool for municipal officials, an SOS also provides guidance for owners, occupants, builders, designers or anyone else who may be using, managing or making alterations to a historic place.

Standards and Guidelines for the Conservation of Historic Places in Canada

This manual, which is based on internationally accepted conservation practices, provides practical advice for

conserving, using and regulating historic places. The “Standards” are fundamental conservation principles that should be followed in all conservation projects. The “Guidelines” are detailed recommendations for conserving particular elements of a historic place. Used in conjunction with the Statement of Significance, the Standards and Guidelines support decision-making that respects the character-defining elements and heritage value of historic places.

For municipal officials, the Standards and Guidelines are an indispensable tool for such tasks as:

- regulating alterations to designated heritage property;
- developing conservation plans for historic places;
- setting eligibility requirements for municipal incentives and monitoring compliance; and
- regulating code compliance in heritage rehabilitations.

The Heritage Conservation Branch, the Saskatchewan Heritage Foundation and some municipalities have adopted the Standards and Guidelines as their official guide for conservation and funding-related decisions. If the Standards and Guidelines have been adopted as a municipal decision-making tool, they should be referenced as such in the municipality’s OCP and heritage plan.

The Standards and Guidelines for the Conservation of Historic Places in Canada take the guesswork out of decisions that affect historic places. Anyone who owns, uses, manages or regulates historic places will find this document to be a valuable decision-making tool.

An SOS is structured in three parts:

1. Description

Conveys a picture of the historic place and its setting in two or three sentences.

2. Heritage Value

A few paragraphs that explain why the property is valued by the community. It is not meant to be a detailed history of the place. Rather, it focuses on value. Historical facts are important only to the extent that they support the value statement(s).

3. Character-Defining Elements

The elements of a historic place that must be retained in order to protect its heritage value. Character-defining elements can include materials, forms, location, spatial configurations and, sometimes, uses.

Guide to Writing Statements of Significance



Municipal Heritage Advisory Committees

The Heritage Property Act enables municipalities to establish a Municipal Heritage Advisory Committee (MHAC). Created by bylaw pursuant to Section 10 of the Act, these are volunteer bodies composed of a minimum of three members appointed by council. Two or more municipalities can form a joint MHAC.

An MHAC provides expertise and makes recommendations to council on heritage matters. Having an MHAC also ensures that a broad range of public opinion is considered when council makes heritage-related decisions.

An MHAC's terms of reference should be included in the establishing bylaw, and address such things as the committee's purpose and roles, its size, procedures for appointing members, term lengths, meeting schedule, resources to be made available for the committee's work, and the committee's reporting procedures.

Per *The Heritage Property Act*, council must consult with its MHAC prior to passing, amending or repealing a bylaw to designate municipal heritage property. The MHAC must also be consulted before council renders a decision on an owner's application to demolish a designated property.

Other possible roles for an MHAC include:

- helping council review applications to alter designated properties;
- assisting with municipal heritage planning;
- organizing projects, such as a heritage inventory or community heritage celebration;
- advising property owners on appropriate conservation practices;
- assisting with the development of educational and promotional materials;
- representing heritage interests on other municipal committees and planning bodies; and
- establishing links with community organizations and individuals to promote heritage benefits and to identify opportunities for the adaptive reuse of historic buildings.

To fulfill its role, it is recommended that, collectively, the MHAC membership:

- has knowledge of community history;
- has heritage conservation experience;
- has technical expertise in architecture, construction or engineering;
- can advise in areas such as research, planning, marketing and law;
- represents the cultural diversity of the community; and
- represents a cross-section of community interests, such as business, culture, recreation, education, social development and environmental.



The Ambroz Blacksmith Shop, a municipally and provincially designated heritage property in the Town of Mossbank.

Photo Credit: Government of Saskatchewan, 2004

Supporting Heritage Conservation

In addition to the “sticks” of regulation that keep property owners and others from doing things that detract from the heritage value of historic places, effective heritage programs also include “carrots” that encourage good conservation practices.

Financial incentives and other forms of municipal assistance can make the preservation and rehabilitation of historic buildings more viable for property owners and developers, which benefits the community as a whole. Rather than a cost to the municipality, such measures can be viewed as investments that pay dividends in the form of increased construction activity, rejuvenated neighbourhoods and higher property values and tax assessments.

Financial Incentives

The Heritage Property Act gives municipalities authority to make allocations for heritage in annual budgets and to provide grants, loans or tax relief to any person or organization to support heritage activities. *The Municipalities Act*, *The Cities Act*, and *The Northern Municipalities Act, 2010* set terms and conditions for making loans and abating taxes that may affect a municipality’s ability to provide financial incentives for heritage purposes. A municipality should seek legal counsel before implementing any financial incentive program.

Tax-Based Incentives

Property tax abatements in the form of reductions, deferrals and exemptions are proven tools for encouraging the

conservation of historic buildings. Tax increment financing is another tax-based tool that can be used for heritage purposes.

Property tax reductions that offset the cost of rehabilitating a heritage building are a commonly used municipal tax incentive. Typically, the amount of the reduction is calculated as a percentage of the cost of the rehabilitation, then applied against the property’s tax bill, usually spread over a number of years.

Property tax deferrals mitigate the disincentive of an increased assessment that results from rehabilitating a heritage property. So that owners are not unduly penalized for improving their property, the municipality freezes their property tax at the pre-rehabilitation level for a fixed term, or phases in the increase over a number of years.

Property tax exemptions, either partial or full, can be granted to individual heritage properties or to a class of property (e.g., owner-occupied historic residences). The exemption could be permanent or for a set term. The recipient of a property tax exemption normally enters into an agreement with the municipality to maintain their property to an acceptable standard.

Tax increment financing is a tax program for encouraging investment and development in targeted areas of a municipality. Under these programs, incremental property tax revenues resulting from improvements in the target area are placed in a reserve fund. This money is then used to fund public works improvements in the area, or to provide financial assistance for developing property in the area. This tool could be structured to support investment in a historic neighbourhood.

Grants and Loans

Financial support for heritage projects can be provided directly through municipal grants and loans. This type of incentive is useful for non-taxpaying properties and usually most impactful for smaller-scale projects.

Fee Waivers

Waiving or reducing municipal fees for development permits and approvals is another important type of financial incentive. This can be a significant incentive for developers, especially for large projects, where fees can be substantial. Fee waivers are appealing to the recipients because the benefit is realized early in the development process, in contrast to tax-based incentives that may be spread over several years.

Tax incentives and fee waivers have the advantage of not requiring a cash outlay by the municipality, although they do result in foregone revenue, as well as having administrative costs. In the long run, however, the municipality realizes a return in the form of revitalized properties that ultimately pay taxes on higher assessments. Providing incentives to encourage the rehabilitation and reuse of heritage buildings can also help a municipality achieve other objectives, such as the creation of affordable housing, neighbourhood revitalization and brownfield redevelopment.

Eligibility and Compliance

Whatever form of financial incentive is provided, the municipality will need to establish an application process and eligibility criteria. In many incentive programs, properties must be designated to be eligible for support. Most programs limit support to specific types of work, such as exterior rehabilitation or structural repairs.

Work funded under an incentive program must meet acceptable conservation standards. The *Standards and Guidelines for the Conservation of Historic Places in Canada* is a useful tool for setting standards and monitoring the quality of the work. An incentive program also needs provisions to ensure the ongoing conservation of funded properties. If a property that has received an incentive is not protected by a designation, the municipality can enter into a legal agreement with the owner that provides for the ongoing protection of the property’s character-defining elements.

To protect the financial interests of the municipality, incentive agreements should include stipulations for paying back benefits in the event of noncompliance with the program’s terms and conditions.

Municipal Heritage Funds

Some municipalities finance their incentive programs and other heritage activities through a dedicated heritage fund. Capital for a heritage fund can be raised from municipal revenues, donations or various fundraising activities. Municipal heritage

funds have the potential to become fully or partially self-sustaining from returns on investments and interest on loans provided by the fund.

As “qualified donees” under the federal *Income Tax Act*, municipalities can issue tax receipts for charitable gifts, enhancing their ability to attract donations for heritage purposes. Municipal officials should be familiar with tax rules so they can advise potential donors of the benefits of supporting the municipality’s heritage initiatives through charitable donations.

Administrative Incentives

Speeding up processing times for development permits and approvals can represent significant savings for developers. For large developments, where holding costs account for a significant portion of the project cost, this is often a more meaningful incentive than a grant or tax holiday. Expediting the approval process by assigning dedicated staff to handle applications and fast-tracking project reviews will save developers time and money, making heritage development a more attractive business proposition.

It is also important that the municipality’s approval system for heritage projects is consistent, predictable and easily understood. Regulatory clarity and certainty will make developers feel more comfortable about investing in rehabilitation projects.

In-kind Assistance

A municipality can also support heritage conservation by providing a variety of relatively low-cost services. Such in-kind assistance is especially helpful for smaller scale and volunteer-driven projects. Some examples of useful services include:

- use of municipal office space and equipment;
- worksite clean-up;
- project coordination and management services;
- fundraising assistance, project accounting and bookkeeping;
- access to municipal staff who can advise on heritage matters;
- access to heritage guides, manuals and other conservation resources;
- salvage and recycling programs for historic building materials; and
- access to municipal records for research purposes.

Staff Training and Resources

Delivering successful heritage programs will be much easier if municipal staff have some basic heritage training. Minimally, staff should be familiar with *The Heritage Property Act*, the *Standards and Guidelines for the Conservation of Historic Places in Canada* and use of the Statement of Significance.

Keeping a set of reference materials readily at hand will also be helpful. These should include copies of *The Heritage Property Act* and the *Standards and Guidelines*, along with the municipality’s heritage bylaws and relevant policy and planning documents. Guidance for heritage matters should also be provided in the municipality’s government procedures manual.

Contact the Heritage Conservation Branch for information about heritage training opportunities.

Direct Investment

Local governments can support heritage conservation through a commitment to use historic buildings for municipal purposes. A municipal “heritage first” policy for building occupancy demonstrates the viability of reusing historic buildings and encourages private investment in heritage rehabilitation by expanding the market for this type of property.

Municipal investment can also be directed to public works in historic neighbourhoods. Upgrading streets and sidewalks and installing complementary signage, lighting and street furnishings enhances the quality of older neighbourhoods and adds to their appeal as places to live, work, visit and invest.

Density Bonuses

Density bonuses compensate owners of heritage properties for lost development potential. Where a parcel of land cannot be developed to its highest allowed density due to the presence of a historic building, these programs enable the owner to transfer the unused density to another development in return for agreeing to conserve the historic building. The development receiving the density bonus could be on the same site as the historic building, or at another location. Some versions of these programs allow the unused density to be sold to a third party. These programs are viable only in property markets where there is demand for higher density developments, typically in urban centres with buoyant economies.

Community Relations

Building community support for heritage conservation, establishing good working relations with property owners, and promoting and marketing the community's historic places are essential components of successful municipal heritage programs.

Building Support

Public education is key to building support for the municipality's heritage programs. If people are made aware of the many ways in which heritage conservation benefits their community, they will be more likely to appreciate the value of historic places and to support the municipality's heritage initiatives. The community should be kept

well-informed regarding the municipality's heritage policies, plans and, especially, its heritage success stories.

Some communication tools that can be used to promote heritage awareness include:

- social media and a heritage section on the municipal website;
- brochures, newsletters and local newspapers; and
- public meetings, information forums and open houses.

The municipality's communications strategy should include heritage messages that explain how conserving historic

places can benefit specific groups, such as the business community, the construction industry, tourism operators, housing authorities and environmental organizations.

Creating opportunities for public participation is another effective way to build support for heritage conservation. Involvement in hands-on projects such as creating a local heritage inventory or rehabilitating a historic building stimulates interest, gets people involved and demonstrates some tangible results of heritage conservation. Projects like these are also excellent opportunities for engaging schools and youth.

A heritage awards program is a high-visibility, cost-effective way to increase heritage awareness and to encourage and reward good conservation practices. Heritage awards are typically given in categories such as restoration, adaptive reuse and sensitive in-fill. Awards can also recognize notable achievements by individuals or organizations in promoting and supporting heritage conservation in the community.

In all of the municipality's heritage projects, promotions and communications, it is important to be inclusive and respectful of the community's diversity.

Municipal Website

A heritage section on the municipality's website can serve as a "one-stop shop" for a wide variety of heritage information. Examples of content include:

- ✓ A discussion of the benefits of heritage conservation.
- ✓ Information about the municipality's heritage policies, with links to the municipality's planning documents.
- ✓ An explanation of the municipal designation process.
- ✓ Information about municipal heritage incentives and support programs.
- ✓ Conservation manuals and other technical resources.
- ✓ Links to external sources of heritage information, such as the Heritage Conservation Branch's website.
- ✓ Announcements of community heritage projects and events.
- ✓ A link to the municipality's heritage inventory.
- ✓ A virtual tour of local historic places.
- ✓ Information about the municipality's heritage awards program.
- ✓ A feedback form for public comment and suggestions.



Vibank Convent - A municipally owned Municipal Heritage Property that houses the Village office, library and daycare, and rent-paying commercial tenants.

Photo Credit: Jeanette Schaeffer, 2009

Property Owner Relations

While the whole community benefits from the conservation of its historic places, much of the responsibility and cost falls to individual property owners. It is important, therefore, to address owners' concerns and to help them reconcile their goals for their property with desired heritage outcomes.

It is especially important to alleviate concerns about heritage property designation. Owners sometimes resist designation because of fears it will prevent them from making changes to their property. Owners need to be reassured that designation is meant to protect only the character-defining elements of a heritage property. Other changes are permissible, and often needed to ensure a property's ongoing viability.

Owners may also be concerned that designation will lower their property's resale value. In fact, numerous studies show that designated heritage properties perform as well as, or better than, non-designated properties in the real estate market.

The character-defining elements that are essential to a property's heritage value are often the same elements that make the property attractive to potential buyers. By guaranteeing the long-term preservation of these special features, designation can protect and even enhance a property's market value.

Guides

The Saskatchewan Heritage Foundation has published a series of guides that provide practical advice for maintaining and repairing various components of historic buildings:

[*Saskatchewan Heritage Foundation Guides*](#)



Municipal officials should also ensure that property owners are aware of the advantages of designation, such as:

- eligibility to apply for Saskatchewan Heritage Foundation conservation grants;
- eligibility for municipal incentives, where they exist;
- access to conservation advice from the Heritage Conservation Branch;
- eligibility for promotion on the Saskatchewan Register of Heritage Property and the Canadian Register of Historic Places (of particular benefit to commercial properties);
- assurance that the features that contribute to their property's unique character and value will be protected in the long-term; and
- the pride of owning a property that is held in high esteem by the community.

Other things a municipality can do to help owners be good stewards of their heritage property include:

- providing owners with a Statement of Significance that explains their property's heritage value and identifies its character-defining elements;
- helping owners understand what changes are, or are not, appropriate for their property;
- providing access to guides on topics such as designation, the approval process for heritage property alterations, available incentives and support, good building maintenance practices, and energy upgrades for historic buildings;
- ensuring that municipal staff have sufficient training to provide basic conservation advice;
- knowing when property owners should be referred for further advice and assistance to the Heritage Conservation Branch or contractors with heritage expertise; and
- setting a good example by being a model steward of municipally owned heritage properties.

Municipalities will likely find that a focus on cooperative relations with owners, along with appropriate incentives and supports, will produce better heritage outcomes than regulation and enforcement alone. When property owners become familiar with the conservation process and can see its benefits, they usually become more open to measures that affect their property, and more supportive of heritage conservation generally.

Marketing and Promotion

Well-cared-for historic places enrich community life and contribute to a community's image as a desirable place to visit, live or operate a business. Effective marketing and promotion will increase awareness and appreciation of a municipality's historic places and enhance their value as economic and community development assets.

The Internet and social media are primary sources of information for travel planning and other community-related research. Engaging heritage messages on the municipal website and social media platforms are effective tools for highlighting a municipality's cultural heritage and its historic places.

Other promotional tools and heritage products that might be developed by the municipality, possibly in partnership with other community stakeholders, include:

- interpretive plaques, exhibits and displays;
- guided, self-directed and virtual tours;
- promotional brochures, flyers, posters;
- placements in newspapers, tourism guides and special interest publications;
- community celebrations and events, such as heritage fairs, historical reenactments or heritage-themed drama productions and art exhibits;
- “Doors Open” events that give people access to historic buildings not normally open to the public;
- workshops and lectures;
- public archaeological projects; and
- youth heritage fairs and other programming for students.

The municipality could also partner with local business owners to develop and promote the community’s heritage character, and to co-market its historic places with other local attractions, events, products and services. When promoting and marketing historic places, be sure to consider the following:

- Care must be taken to ensure that visitation and interpretive activities do not damage historic places or detract from their long-term sustainability.
- Some historic places may be culturally sensitive. Ensure that all interested parties have been consulted before implementing any promotions or interpretive programming.
- A community heritage inventory, Statements of Significance and the local Municipal Heritage Advisory Committee are useful resources for developing professional-quality heritage products.

- Volunteers and community organizations can provide valuable expertise and assistance.
- Hands-on, interactive activities are effective tools for promoting engagement with historic places.
- Focusing on authenticity in interpretive programming will enhance the educational value of the community’s historic places and provide the high quality experience that heritage tourists expect.
- Heritage Week, normally celebrated in the third week of February, and Canada Historic Places Days in July are good times for staging community heritage events.

Municipal Heritage Info

Some municipalities have posted their heritage inventories or virtual heritage tours on their websites:

- ✓ [Gravelbourg Interactive Heritage Tour](#)
- ✓ [Humboldt’s Historic Sites](#)
- ✓ [Saskatoon Heritage Register](#)



The adaptive reuse of Regina’s Union Station as a casino and entertainment centre has created employment and contributed to downtown revitalization.

Photo Credit: Government of Saskatchewan, Fehr, 2004

Measuring Progress

Effective heritage programs cannot be static since circumstances change and new opportunities and challenges arise. Therefore, a municipality's heritage programs should be reviewed periodically to identify what is working well and to see where adjustments need to be made.

As a first step, refer back to the municipal heritage plan and ask questions such as:

- Are the plan's goals and objectives being met?
- Is the plan on schedule?
- If objectives are not being met or are behind schedule, what obstacles have been encountered? What can be done to overcome them?
- Are all of the plan's goals and objectives still relevant?
- Have any new goals or objectives been identified?
- Have funding strategies and budgetary allocations for heritage activities been adequate? If not, how can shortfalls be remedied?

Specific components of the municipality's heritage programs should be examined. For example:

- Has the zoning bylaw been effective in protecting the community's heritage character and encouraging adaptive reuse? Are any amendments needed?
- Has a community heritage inventory been compiled and is it being kept up to date?

- Has the municipality implemented a heritage-first policy for building occupancy? Are there further opportunities to use historic places for municipal purposes?
- Are municipal heritage incentives achieving their objectives? Is a cost-benefit analysis needed to measure the amount of investment being leveraged by the incentives?
- Have the tools provided by *The Heritage Property Act* and other legislation been used effectively to prevent the loss of important historic places?
- Has staff training been adequate? Can staff respond to heritage-related inquiries? Are they familiar with *The Heritage Property Act* and the *Standards and Guidelines for the Conservation of Historic Places in Canada*?
- Is the municipality's communications and promotion strategy effective? Consider surveys, focus groups and interviews to measure community attitudes regarding heritage conservation and the municipality's heritage programs.

The effectiveness of a municipality's heritage programs will be seen in increasing levels of heritage activity in the community. Some heritage activities that can be measured include:

- conservation projects undertaken;
- heritage buildings being rehabilitated and reused;

- municipal heritage designations;
- applications to the municipality's heritage incentive programs;
- requests to the municipality for heritage information;
- nominations for the municipality's heritage awards;
- visits to the heritage section of the municipal website and social media platforms;
- heritage-related articles in local media;
- heritage events held in the community and attendance levels;
- levels of volunteerism for community heritage projects; and
- levels of participation in the municipality's heritage planning activities.

Ultimately, the success of the municipality's heritage programs depends on the extent to which anticipated benefits are realized. Some indicators to track include:

- the dollar value of heritage conservation projects;
- the number of jobs created by heritage projects;
- neighbourhood improvements and property values;
- tax assessments;
- the number of businesses locating in heritage buildings;
- the use of heritage buildings by the municipality and community organizations;

- the number of tourist visits to historic places;
- spending by heritage tourists on local goods and services;
- the amount of demolition waste going to the municipal landfill;
- new residents or businesses citing the community's heritage character as a factor in their decision to locate in the community;
- levels of community involvement and volunteerism;
- levels of youth participation in heritage activities;
- residents' knowledge and appreciation of the community's history and historic places; and
- attitudes reflecting community pride.

Developing effective heritage programs through a continuous process of planning, implementing, reevaluating and adjusting will enable local governments to become responsible, effective stewards of their communities' historic places. Facilitating the conservation and development of these irreplaceable resources will help municipal leaders in their efforts to build high quality, sustainable communities that offer a wide range of social, cultural and economic opportunities for their residents.



Documenting a tipi ring at Cabri Lake in the RM of Chesterfield.

Photo Credit: Government of Saskatchewan, 2005

Protecting Archaeological Sites

Due to their special nature and protected status under *The Heritage Property Act*, archaeological sites have unique conservation needs and requirements. Developments proposed by the municipality or other parties should always be checked against the Heritage Conservation Branch's [free online screening tool](#). If this initial screening indicates that the development occurs on heritage sensitive land, further review by the Heritage Conservation Branch will determine if a heritage resource impact assessment (HRIA) is required. The cost of an HRIA is a developer responsibility. For more information, contact the Heritage Conservation Branch at arms@gov.sk.ca or 306-787-2817.

For More Information

The Heritage Conservation Branch of the Ministry of Parks, Culture and Sport administers programs that provide for the conservation and commemoration of historic places, including assistance to local governments and community organizations. If you would like more information about conserving historic places in your community, please contact:

Ministry of Parks, Culture and Sport

Heritage Conservation Branch, 2nd Floor – 3211 Albert Street. Regina, Saskatchewan S4S 5W6

Phone: (306) 787-2817 | historic.places@gov.sk.ca



saskatchewan.ca/heritage

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