

Municipal Historic Resource Designation Application Guide



Planning and Development

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What is a Heritage Resource?

Heritage resources may include a structure, site, object, cultural or natural feature, in or above the ground, or related cluster of structures, sites, objects, cultural or natural features that are deemed to be significant by virtue of their design, construction, association with an historic event, trend, person, place, or social movement, or by virtue of the importance of the research or knowledge content which the resource may possess. Heritage resources are important pieces of our community's history and they enhance the character and quality of the town.

What is Municipal Historic Resource Designation?

Municipal Historic Resource Designation is a legislative tool for recognizing and legally protecting the community's significant heritage resources. Designation is used when the long-term protection of a heritage resource is desired, and it is determined that designation is the most suitable long-term heritage protection tool to use.

Municipal Historic Resource Designation involves creating a bylaw (passed at the discretion of Town Council) officially designating and legally protecting a heritage resource as a Municipal Historic Resource in accordance with the Alberta Historical Resource Act. The bylaw outlines what features of the heritage resource are protected (the character defining elements) and how they must be maintained. The bylaw is registered on the property title at the Alberta Land Titles Office in order that the designation remains with the property even if the heritage resource is sold.

Municipal Historic Resource Designation is considered only when it is voluntarily applied for by the resource owner, in exchange for incentives that are compensation for the designation, and can be removed only through a rescinding bylaw passed by Town Council.

How do I know if my Property is Eligible for Designation?

If you own a resource included on the Town of Banff Municipal Heritage Inventory, you may voluntarily apply to have your resource designated as a Municipal Historic Resource. If you are interested in seeking designation for your property, please contact the Town of Banff Heritage Planner for more information.

What is the Town of Banff Municipal Heritage Inventory?

The Municipal Heritage Inventory is a voluntary list of heritage resources identified as having heritage value and/or heritage character. Heritage value refers to the historical, cultural, aesthetic, scientific or educational worth or significance of a resource to the community. Heritage character refers to the overall effect produced by traits or features that give a resource its distinctive quality.

The inventory is voluntary in that a resource owner must authorize the inclusion of the resource in the registry. A resource owner may opt out of the registry at any time. The registry is used to promote and encourage the retention and restoration of our community's rich collection of heritage resources, but provides no legal authority to preserve or restrict development of a resource.

What are the Benefits of Designation?

A resource owner seeking designation may be eligible for incentives intended to encourage designation and, with the agreement of the owner, represent compensation for any potential decrease in economic value of the resource as required in the Alberta Historical Resources Act. Financial incentives may be available in two forms: a grant-in-aid of municipal property taxes and/or a matching restoration/rehabilitation grant. The type and amount of financial incentive available depends on the historical significance of the resource, consideration of financial budget limitations of the Town, negotiations with the owner and is always at the discretion of Council. Other non-financial incentives may also be available. Additional detail regarding financial and non-financial incentives is outlined in Appendix 'B' of the Town of Banff Heritage Resource Management Policy. Resources designated as Municipal Historic Resources may also be eligible for Provincial and Federal financial incentives and recognition.

Can a Designated Municipal Historic Resource be Altered or Demolished?

The purpose of designation is to protect a heritage resource from demolition or unsympathetic alteration and subsequent loss of character or value. However, some alterations may be required for the ongoing use of a designated resource. Careful review by the Manager of Planning and Development, with advice from the Banff Heritage Corporation, of any proposed alterations is required in order to ensure that the integrity of the resource is maintained. A Development Permit is required to ensure that any alterations are sympathetic to the heritage character of the resource and consistent with the General Guidelines for Rehabilitation outlined in the designating bylaw and the Heritage Resource Policy.

Demolition of a designated Municipal Historic Resource is prohibited. If the historical integrity of a designated resource is destroyed other than by an act of God, the owner may become liable to repay to the Town any financial incentives provided by the Town.

How do I Complete an Application for Municipal Historic Resource Designation?

Because the designating bylaw outlines what features of the heritage resource are to be protected and how they must be maintained, it is important that we have as much information as possible about the resource. The application form contains a list of the information, plans and materials that must accompany the application – please follow it carefully. In certain cases, the Town of Banff Heritage Planner may waive some of the listed requirements. Applications for Municipal Historic Resource designation shall be submitted, to the Town of Banff Director of Planning and Development, on or before May 15th of each calendar year.

It is strongly encouraged that you consult with the Town of Banff Heritage Planner prior to submitting the completed application.

How does the Designation approval process work?

Heritage resources that merit designation are recommended to Town Council by the Manager of Planning and Development with the advice of the Banff Heritage Corporation. If Council feels the resource warrants designation, a Notice of Intent to designate is issued to the owner. After a minimum of 60 days and a maximum of 120 days after issuance of the Notice, a majority vote of Council is required to pass the designating bylaw. Further information may be found in the Town of Banff Heritage Resource Management Policy and the Alberta Historical Resources Act.

What is the Fee for processing a Municipal Historic Resource Designation Application?

A processing fee is not required for Municipal Historic Resource Designation application. However, processing fees may be required for any Development Permits or Building Permits.

WHEN IS A DEVELOPMENT PERMIT AND/OR BUILDING PERMIT REQUIRED?

If you are planning any restoration or rehabilitation work as part of your designation proposal, you may require a Development Permit and/or a Building Permit. A Development Permit is required for any alterations to a designated resource. Like many Alberta municipalities, Banff operates on a two-permit system. A Development Permit deals with land use regulations (e.g. density, site coverage, setbacks, parking, height, design, etc.). A Building Permit deals with the Alberta Building Code (e.g. building structure, materials, insulation, etc.). In many cases, a Building Permit is required in addition to a Development Permit. Furthermore, a Building Permit may be required even though a Development Permit is not required. To determine whether or not your project requires a Development Permit or Building Permit, please contact Town of Banff Planning and Development staff.

The Town of Banff Heritage Resource Management Policy, Land Use Bylaw and other planning documents are available on the Town of Banff website (www.banff.ca) or at the Banff Town Hall.