

CITY OF PORTAGE LA PRAIRIE

BY-LAW NO. 08-8411

BEING A BY-LAW OF THE CITY OF PORTAGE LA PRAIRIE TO ESTABLISH THE PORTAGE LA PRAIRIE MUNICIPAL HERITAGE ADVISORY COMMITTEE.

WHEREAS, the Council of the City of Portage la Prairie desires to preserve the heritage of the Community in a consistent and logical manner;

AND WHEREAS, the Council of the City of Portage la Prairie desires to use the expertise and knowledge of individuals within the Community who feel the preservation of the Community Heritage is vital to a Community lifestyle;

NOW THEREFORE, the Council of the City of Portage la Prairie in open meeting assembled, in pursuance of Section 34 (1) (d) of The Heritage Resources Act, ENACTS AS FOLLOWS:

**1.0 ESTABLISHMENT OF A MUNICIPAL HERITAGE ADVISORY COMMITTEE**

A MUNICIPAL HERITAGE ADVISORY COMMITTEE is hereby established to be known as the CITY OF PORTAGE LA PRAIRIE MUNICIPAL HERITAGE ADVISORY COMMITTEE (hereinafter referred to as THE COMMITTEE) which shall be responsible to advise Council in any matter arising out of The Heritage Resources Act or regulations thereunder.

**2.0 DEFINITIONS**

"Committee" means the duly appointed members as provided in Section 3 of this by-law.

"Council" means the Council of the City of Portage la Prairie.

"Inventory of Buildings or Inventory" means the inventory of Potential Heritage Sites, composed of buildings, erections, structures and lands which may be, or contain, a local heritage resource as referenced in clauses 6.0 and 7.0.

"Major Renovation" means a structural alteration or addition to an existing building or structure or completely gutting the building or structure and redoing.

"Minister" means the member of the Executive Council of the Government of Manitoba who has been charged with the administration of the Heritage Resources Act.

"Municipal Heritage Notice" means notice to advise that a site has been designated as a Municipal Heritage Site.

"Municipal Heritage Permit" means a permit issued by Council authorizing the carrying out of work, activity, development, or project, upon or within, a site that is subject to a subsisting Municipal Notice of Intent or that is a Municipal Heritage Site.

"Municipal Heritage Site" means a Municipal site within the City of Portage la Prairie that represents an important historical development of locality, of its natural history, or of its people and their culture and has been designated as such by a by-law of the City of Portage la Prairie.

"Municipal Notice of Intent" means a formal notice given by Council of its intention to designate a Municipal Site within the City of Portage la Prairie as a

Municipal Heritage Site; and

**"Municipal Site"** means, as the case may require, an area or a place, or a parcel of land, or a building or structure; or an exterior or interior portion or segment of a building or structure, within the City of Portage la Prairie, whether it is privately owned or owned by the City of Portage la Prairie.

**"Potential Heritage Site"** or **"Potential Site"** means a site included in the Inventory list to determine if it should become a Heritage Site as referenced in Clauses 6.0 and 7.0.

- 2.1 The following Schedules are attached to and form part of this By-Law:
- Schedule A: Municipal Heritage Site Nomination Form
  - Schedule B: Application for Demolition or Major Renovation of Potential Heritage Property
  - Schedule C: Municipal Notice of Intent – City of Portage la Prairie
  - Schedule D: Notice of Objection of Heritage Designation
  - Schedule E: Municipal Heritage Notice
  - Schedule F: Notice of Appeal of Heritage Designation
  - Schedule G: Application for A Heritage Permit
  - Schedule H: Certificate of Ordinary Maintenance
  - Schedule I: Heritage Permit

### **3.0. MEMBERSHIP**

- 3.1. The Committee shall consist of a minimum of 3 voting members and one ex-officio member and the Committee shall recommend to invite the following:
- a) One member of the Board of Fort la Reine Museum or a designated representative thereof.
  - b) One member of the Portage and District Chamber of Commerce or a designated representative thereof.
  - c) One member of Council appointed by Council.
- 3.2. Council may at the request of the Committee or to meet Council's needs, increase membership of the Committee with additional voting members-at-large not exceeding 9.
- 3.3. During the Organizational Meeting in November of each year, Council shall, by resolution, fill vacancies occurring on the Committee through retirement. The Committee may make recommendations for filling such vacancies.
- 3.4. Each member of the Committee shall hold office for one year from the date of appointment, or such other term as Council may, from time to time decide, and Council may require the resignation of any member of the Committee at any time prior to the expiry date of his term of office.
- 3.5. A retiring or a former member of the Committee may be reappointed by Council provided he has been retired for at least one year after serving 2 consecutive terms, except in the case of the Council member who may be appointed repeatedly.
- 3.6. A member of the Committee may resign at any time upon sending a written notice of resignation to the Chairperson of the Committee.
- 3.7. Council shall, when a vacancy occurs on the Committee, by resolution appoint a person to fill such vacancy and such persons shall hold office for the remainder of the term. The Committee may make recommendations to Council for filling such vacancies.

- 3.8. If a Member of the Committee is absent from 3 consecutive meetings without permission of the Committee, he shall automatically cease to be a member of the Committee, unless the Committee, by a majority vote, deems that he has good and valid reasons for being absent. When a person ceases to be a member of the Committee by virtue of this subsection, the Council shall immediately appoint a member to serve for the unexpired portion of the term of the person who has ceased to be a member of the Committee.

#### **4.0. CONDUCT OF MEETINGS**

- 4.1. The Committee shall meet as often as it deems necessary, but at least every 4 months.
- 4.2. The Chairperson of the Committee shall be elected from the membership of the Committee at its first meeting in each year.
- 4.3. A quorum of the Committee shall be a simple majority of the Committee exclusive of the ex-officio members.
- 4.4. Each member of the Committee, including the Chairperson, shall have one (1) vote on any question, and in the event of a tie, the motion shall be lost.
- 4.5. The Committee shall be responsible to keep a Minute Book and shall record therein the minutes of all regular and special meetings, and after each meeting a copy of the minutes thereof shall be filed with the City of Portage la Prairie, and copies shall be mailed to all members of the Committee, and shall be submitted to the next City Council Meeting.
- 4.6. The Committee may appoint sub-committees to deal with any special matters within the jurisdiction of the Committee.
- 4.7. The Committee may recommend that Council appoint such persons as the Committee deems necessary to provide resource services or technical advice to the Committee. Such persons shall act in an advisory capacity only and shall not have any voting privileges in the discussions by the Committee.

#### **5.0. POWERS AND DUTIES**

- 5.1. The Committee shall:
- a) Advise Council on any matter arising out of the Heritage Resources Act and the regulations thereunder;
  - b) Establish and advise Council on criteria for evaluation of properties of architectural or historical value or interest;
  - c) Prepare and maintain an Inventory of properties and areas worthy of conservation, and prioritize the properties, sites and buildings on the historical list and advise Council ;
  - d) Recommend to Council, buildings, properties and artifacts to be designated under the Heritage Resources Act;
  - e) Advise Council on means of conserving heritage properties and areas;
  - f) Advise Council on current heritage conservation legislation and formation of municipal legislation to conserve heritage properties and areas;
  - g) Recommend to Council programs and activities to increase public awareness and knowledge of heritage conservation issues;

- h) Advise Council on any other matters relating to buildings and areas of architectural or historical significance;
- i) Advise Council on properties and artifacts owned by the City;
- j) Prepare a report of the previous year's activities, expenditures and projected budget for the succeeding year.

## **6.0 INVENTORY OF POTENTIAL HERITAGE SITES**

- a) The Committee shall compile and maintain for future study and research an Inventory of all buildings, erections, structures and lands which may contain local heritage resources and such sites may be entered on such Inventory by resolution passed by its members at any meeting.
- b)
  - 1) Prior to any addition of a site to the Inventory, the Committee shall notify the owner, in accordance with paragraph 2 below, that the subject property is under review as a Potential Municipal Heritage Site and will be given temporary protection against demolition or major renovation pending a final determination by the Committee. If requested, the Committee shall meet with the owner of the site to discuss these temporary measures.
  - 2) Notification to the owner shall be given by mailing a notice by certified mail at least 21 days in advance of the Committee meeting to consider adding the property in question to the Inventory. The notice shall state the day, time and place of the Committee meeting.
  3. The owner of a property included in the Inventory may at any time appeal the inclusion of that property in the Inventory to City Council by submitting a written appeal to the Mayor. City Council shall hold a hearing within 45 days of receiving the appeal and shall notify the property owner in accordance with Clause 2 above and copy the Committee accordingly.
  4. The decision of City Council as provided in paragraph 3 above is final and a further appeal of the inclusion of the subject property in the Inventory may not be made for 12 months from the date of the aforesaid hearing by City Council.
- c) The Inventory of Potential Sites will be used on a continuing basis by the Committee in its evaluation of such sites for recommendation to City Council those sites which are deemed to be of special architectural or historical interest to this community and its residents.
- d) The Committee shall be responsible for developing criteria for evaluating and determining:
  - (1) those properties within the municipality which it feels should be designated as being of historical or architectural interest pursuant to Part III of The Heritage Resources Act of Manitoba;
  - (2) those areas within the municipality that it feels should be defined as areas to be examined for future designation as a Heritage Conservation District or Zone, pursuant to Part V of The Planning Act of Manitoba.
- e) After further research is conducted on each of the Potential Sites listed on the Inventory, the Committee will recommend for designation, and/or commemorative recognition of those sites which are deemed to be of special architectural or historical interest to the community and its local residents.

- f) Municipal sites that are formally nominated for designation as Municipal Heritage Sites by other groups or individuals, and which have not been listed previously on the Inventory maintained by the Committee, ~~must~~ may be added to such list of Potential Sites by a resolution upon receipt of the nomination application and before any research or evaluation of the site is conducted.  
[AM by Res#61/10]
- g) The Municipal Heritage Site application form for nominating local buildings and structures and to which reference is made in subsection (f) shall be in a form as prescribed in Schedule “A” attached to and forming part of this by-law.
- h) Any Municipal Site that is listed on the Inventory of Potential Heritage Sites may be deleted from such listing by the passing of a further resolution of the Committee if the site has received designation as a Municipal Heritage Site, is designated as part of a heritage conservation district, or if it has been determined by further study and evaluation that the site does not have any special architectural or historic interest.
- i) Where it has been determined through further research and study that a site listed on the Inventory may qualify for designation as a provincial or national site, the Committee will immediately advise those authorities of its findings and it shall also recommend to City Council that the site should be designated as a Municipal Heritage Site until such time in the future it is designated as a provincial or national heritage site.
- j) City Council may, by the passage of a by-law, designate all or any of the sites entered on the Inventory listing of Potential Heritage Sites as a Municipal Heritage Site in accordance with Section 8 of this by-law.
- k) The Heritage Committee will review and update the Inventory listing of Potential Heritage Sites every 2 years.

**7.0 TEMPORARY PROTECTION OF POTENTIAL HERITAGE SITES**

- a) A copy of the Inventory listing of Potential Sites that is maintained by the Committee shall be provided to the Portage la Prairie Planning District for reference purposes and such listing of sites will be updated by the Committee each time the inventory of Potential Sites is amended or changed.
- b) The Portage la Prairie Planning District shall temporarily deny any request for demolition or major renovation of a Municipal Site that is listed on the Inventory of Potential Sites unless the Site is removed from the List in accordance with Paragraph c) 2) hereunder.
- c) Upon notice that an application has been made for a permit to demolish or major renovate a building or structure included on the Inventory, the Committee shall forthwith proceed with the required research and evaluation of the site in question; and within sixty (60)days such action must result in:
  - 1) a report being submitted to City Council recommending the site be given full consideration for designation as a Municipal Heritage Site in accordance with Section 8 of this by-law; or
  - 2) a resolution being passed to delete the site from the Inventory list of Potential Heritage Sites, subject to agreement by the owner to commemorate the house, with a copy of this decision being provided immediately to the Portage la Prairie Planning District.

- d) The application for demolition or major renovation of a Potential Heritage property shall be in a form prescribed in Schedule “B” attached to and forming part of this by-law.

## **8.0 DESIGNATION OF MUNICIPAL HERITAGE SITES**

### **Local Sites of Heritage Significance**

- a) Any Municipal Site within the municipality may be designated as a Heritage Site if City Council is satisfied and of the opinion that the site:
  - 1) represents an important feature of the historical development of Portage la Prairie, its natural history, or its people and their culture; or
  - 2) should be so designated by virtue of its proximity to and for the protection or enhancement of a municipal heritage site to which paragraph (1) applies.
- b) An owner of a Heritage Site, or a site that is subject to an existing Notice of Intent to designate such property, who proposes to transfer or sell the site:
  - 1) shall, prior to the transfer or sale, advise the transferee or proposed purchaser of the property that the site is a Heritage Site or is subject to the Notice of Intent, as the case may be; and
  - 2) shall, immediately upon the transfer or sale, advise the Committee thereof and provide it with such particulars of the transfer or sale as the Committee may require.
- c) The Committee may cause a sign, plaque or other marker to be placed on a Municipal Heritage Site indicating the significance of that property.
- d) Where it is deemed desirable to designate a Municipal Site as a local Heritage Site, City Council shall cause to be prepared a by-law to this effect and shall proceed to give it first reading.

## **9.0 MUNICIPAL NOTICE OF INTENT**

- a) After giving a proposed designation by-law first reading and before giving it second reading, the Council shall cause to be prepared a Notice of its intention to designate the site as a Municipal Heritage Site, and such notice:
  - 1) shall state a day, time and place for a public hearing to be held by City Council to receive objections and other representations with respect to the proposed designation by-law;
  - 2) may contain other information and particulars as may be deemed necessary; and
  - 3) will ensure that the date of the said hearing shall be no earlier than twenty-one (21) days after the latest of the services made under paragraph (2) below.
- b) Upon the designation by-law receiving first reading by the Council, the City Manager shall forthwith arrange for:
  - 1. the owner and any lessee of the Municipal Site, and the Minister of Culture, Heritage and Tourism, to be served with a copy of the Municipal Notice of Intent and a certified true copy of the by-law;

2. publication of the Municipal Notice of Intent in two (2) issues of a local newspaper, or one (1) issue of each of two (2) local newspapers; and
  3. filing the Municipal Notice of Intent in the Portage la Prairie Land Titles Office in the event the municipal site is contained in a certificate of title under The Real Property Act of Manitoba.
- c) The Municipal Notice of Intent shall be in a form prescribed in Schedule “C” attached to and forming part of this by-law.

#### **10.0 PUBLIC HEARING ON DESIGNATION OF MUNICIPAL SITE**

- a) City Council shall hold a public hearing at the time and place stated in the Notice referred to in Section 9 of this by-law, and at the hearing shall hear or receive:
- 1) the recommendation of the Portage la Prairie Municipal Heritage Committee;
  - 2) any representation received from the Minister of Culture, Heritage and Tourism, or other designated person or persons representing the Historic Resources Branch of Manitoba;
  - 3) all written or verbal communications from persons served with the Notice of Intent and who wish to make representation concerning the manner in which any provision of the proposed by-law may affect property he or she may own or represent; and
  - 4) any person, group, society, organization or agency who may have an interest or concern regarding the proposed designation of such site.
- b) Notice of Objection to any proposed designation of a municipal property as a local Heritage Site shall be in a form prescribed in Schedule “D” attached to and forming part of this by-law.

#### **11.0 NO OBJECTIONS RAISED**

- a) Where there are no objections to a proposed by-law at a public hearing, City Council may after the hearing is concluded:
- 1) resolve by resolution not to proceed further with the proposed by-law; or
  - 2) adopt the proposed by-law and proceed to issue a Municipal Heritage Notice of the site designation.

#### **12.0 OBJECTIONS RAISED**

- a) Where there are objections to a proposed by-law at a public hearing, City Council may after the hearing is concluded:
- 1) resolve by resolution not to proceed further with the proposed by-law; or

- 2) amend the by-law in accordance with the objections or otherwise, adopt the bylaw as amended, and proceed to issue a Municipal Heritage Notice of the site designation; or
  - 3) submit the proposed by-law, along with the objections received by City Council, to the Municipal Board of Manitoba with a request that it proceed to hold a public hearing to receive objections and other representations with respect to the proposed designation of the Municipal Site, and thereafter report its recommendations, with reasons, to City Council.
- b) Upon receipt and consideration of the report from the Municipal Board, City Council may:
- 1) resolve by resolution not to proceed further with the proposed by-law; or
  - 2) amend the proposed by-law, adopt the by-law as amended, and proceed to issue a Municipal Heritage Notice of the site designation; or
  - 3) adopt the proposed by-law without amendment and proceed to issue a Municipal Heritage Notice of the site designation.

### **13.0 SERVICE, PUBLICATION & FILING REQUIREMENTS**

- a) Where it is resolved not to proceed further with the proposed by-law, or when it is agreed to adopt the original or amended by-law, City Council must comply with the following provisions:
- 1) a copy of the resolution not to proceed, or the Municipal Heritage Notice of site designation, whichever ever the case may be, shall be served upon any person who was previously served with a Municipal Notice of Intent;
  - 2) a copy of the said resolution not to proceed, or the Municipal Heritage Notice of site designation, whichever ever the case may be, shall be published in one (1) issue of a local newspaper; and
  - 3) a copy of the said resolution not to proceed, or the Municipal Heritage Notice of site designation, whichever ever the case may be, shall be filed in the Portage la Prairie Land Titles Office in the event the Municipal Site is contained in a certificate of title under The Real Property Act of Manitoba.
- b) The Municipal Heritage Notice shall be in a form and shall contain such information as is prescribed in Schedule "E" attached to and forming part of this by-law.

### **14.0 APPEAL OF SITE DESIGNATION**

- a) Any owner or lessee of a designated site, or any other person affected or likely to be affected by the site designation, or any person, group, society, organization or agency interested in the designation, may appeal such designation to City Council at any time after the adoption of the by-law, but only if the by-law, as originally proposed, has been varied or new facts or new circumstances have arisen or have been disclosed since the date the by-law was adopted.
- b) An appeal in accordance with subsection (a) must be commenced by serving a Notice of Appeal to City Council and the Minister of Culture, Heritage and



Tourism, or their designates, in a form prescribed in Schedule “F” attached to and forming part of this by-law.

- c) Upon being served with a Notice of Appeal and after receiving advice from its advisory Committee, City Council may, upon the expiry of thirty (30) days from the date of service:
  - 1) adopt a by-law to repeal the by-law designating the Heritage Site in question; or
  - 2) refer the appeal to the Municipal Board of Manitoba requesting that it hold a public hearing and report back to City Council its recommendations.
- d) Upon receipt and consideration of a report from the said Municipal Board, City Council may:
  - 1) adopt a by-law to repeal the by-law under appeal or amend the by-law in accordance with the recommendations of the Municipal Board; or
  - 2) by resolution, confirm the by-law and dismiss the appeal.
- e) Where it is resolved to confirm a by-law under appeal, or when it is agreed to amend or repeal the original designation by-law, City Council must comply with the following requirements:
  - 1) a copy of the resolution or by-law shall be served on those persons previously served with the Municipal Heritage Notice;
  - 2) a copy of the resolution or by-law shall be published in one (1) issue of a local newspaper; and
  - 3) a copy of the resolution or by-law shall be filed in the Portage la Prairie Land Titles Office in the event said office was originally served with a Notice of Intent.

#### **15.0 REVOCATION OF DESIGNATION - NOT UNDER APPEAL**

- a) City Council may at any time, on its own motive, and without a hearing, pass a further by-law to revoke the designation of a Municipal Heritage Site.
- b) Prior to any consideration being given to revoking the designation of a heritage site not under appeal, City Council shall request advice from its Heritage Committee prior to the taking of such action.
- c) When it is decided to revoke the designation of a Municipal Heritage Site, City Council must comply with the following requirements:
  - 1) a copy of the resolution or by-law shall be served on those persons previously served with the Municipal Heritage Notice;
  - 2) a copy of the resolution or by-law shall be published in one (1) issue of a local newspaper; and
  - 3) a copy of the resolution or by-law shall be filed in the Portage la Prairie Land Titles Office in the event said office was originally served with a Notice of Intent.

#### **16.0 PROTECTION OF PROPOSED AND DESIGNATED HERITAGE SITES**

- 16.1. Notwithstanding the provisions of the Building By-Law of the City, any person proposing to:
- a) excavate, repair, alter, renovate, enlarge, construct an addition to, demolish, remove, destroy or damage;
  - b) erect, build or construct any erection, building or structure upon or within; or
  - c) carry out any development project including any commercial, industrial, agricultural, residential, construction or any other similar activity, development or project, upon or within;

any Municipal Site that is subject to a subsisting Municipal Notice of Intent, or that is a Municipal Heritage Site, shall, before commencing the proposed work, activity, development, or project described in Clause (a), (b) or (c) submit to Council an application for a Municipal Heritage Permit authorizing the proposed work, activity, development or project.

- 16.2. Any application for a Municipal Heritage Permit required under this section shall be in such form and shall contain such information as Council may prescribe as per Schedule "G" attached to and forming part of this by-law.
- 16.3. After considering the application and any recommendation submitted by the Committee, Council may approve the work, activity, development or project in the form in which it is proposed or with such variations as Council deems necessary for the protection of the site. If there is no Heritage Permit required a Certificate of Ordinary Maintenance may be issued as prescribed in Schedule "H" attached to and forming part of this by-law.
- 16.4. No person shall carry out any work, activity, development, or project described in subsection 16.1(a), upon or within a site that is subject to a subsisting Municipal Notice of Intent or that is a designated Municipal Heritage Site, unless and until Council has issued a Municipal Heritage Permit authorizing the work, activity, development or project and unless the work, activity, development or project is carried out in accordance with such terms and conditions as Council may impose and as may be set out or attached to the Municipal Heritage Permit.
- 16.5. A Municipal Heritage Permit shall be in such form and contain such information and particulars as Council may prescribe as per Schedule "I" attached to and forming part of this by-law.
- 16.6. Council may require the owner or lessee of a Municipal Heritage Site to undertake such measures as Council may prescribe for the maintenance of such site, and may provide financial or other assistance and advice of the City or otherwise, and may enter into agreement with the owner or lessee of the Municipal Heritage Site for those purposes.

#### **17.0. LIMITS TO POWERS**

- 17.1. a) The Committee shall obtain approval of Council before entering into discussion regarding long term agreements, whether formal or informal.
- b) The Committee shall submit, for approval by Council, any informal agreements or working arrangements which change portions of a formal agreement.
- 17.2. a) Budget expenditures shall be made in accordance with procedures established by Council for payment of accounts.
- b) Budget expenditures requiring tendering shall be made in accordance with the procedures established by the City Council.

#### **18.0. FINAL AUTHORITY OF COUNCIL**

Council shall have final authority and responsibility regarding all matters pertaining to the Municipal Heritage Advisory Committee.

**19.0. GENDER**

Wherever the masculine is used throughout this by-law it shall mean the feminine where the context so requires.

**20.0 OFFENCE AND PENALTY**

- (a) Any person who contravenes or fails to observe a provision of this by-law or an order, direction or requirement made or imposed thereunder is guilty of an offence and liable, on summary conviction, where the person is an individual, to a fine of not more than \$5,000 for each day that the offence continues and, where the person is a corporation, to a fine of not more than \$50,000 for each day that the offence continues as set out in Section 69(1) of The Heritage Resources Act.
- (b) A judge or justice convicting a person of an offence under subsection (a) may, where the offence committed resulted in damage to or the demolition or destruction of a heritage resource, order the person to pay, in addition to any penalty that may be imposed, the cost of the repair, restoration or reconstruction of the heritage resource as set out in subsection 69(2) of The Heritage Resources Act.

**21.0. REPEAL**

By-law No. 7796 is hereby repealed.

DONE AND PASSED as a by-law of the City of Portage la Prairie by the Council thereof in open session assembled this 8th day of March 2010.

[original signed by Mayor Ken Brennan]  
Mayor

[original signed by Sharon Williams]  
Manager of Administration

Read a 1<sup>st</sup> time this 22nd day of February, 2010

Read a 2<sup>nd</sup> time this 8th day of March, 2010

Read a 3<sup>rd</sup> time this 8th day of March, 2010



**Municipality**

Name \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Postal Code \_\_\_\_\_

**OFFICE**

Date Received \_\_\_\_\_

**USE**

H.R.B. Code \_\_\_\_\_

**ONLY**

Photo Date \_\_\_\_\_

Place 3.5" x 5"  
Photo Here

**IDENTIFICATION**

**Applicant Information**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Postal Code \_\_\_\_\_

Phone res. \_\_\_\_\_ bus. \_\_\_\_\_

Do you represent an organization? \_\_\_\_\_

Name of Organization \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Phone \_\_\_\_\_

Your Title \_\_\_\_\_

**Structure Information**

Name of structure \_\_\_\_\_

\_\_\_\_\_

Address (if rural, give 1/4 section, township, range)

\_\_\_\_\_

\_\_\_\_\_

Who owns the structure?

Name(s) \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Postal Code \_\_\_\_\_

Phone res. \_\_\_\_\_ bus. \_\_\_\_\_

Is the owner aware that you are requesting that  
the building be considered for municipal heritage site  
designation?  yes  no

It is normally preferable to discuss designation  
with the property owner in advance of nomination,  
submitting the nomination with the owner's support.

**Occupant Information**

The structure is:  occupied  unoccupied

Name(s) \_\_\_\_\_

\_\_\_\_\_

Phone res. \_\_\_\_\_ bus. \_\_\_\_\_

# HISTORICAL MERIT

Themes such as the following may provide a useful guide for answering the following question

Education	The Arts	Communication	Political
Recreation	Science/Invention	Military	Religion
Farming	Exploration	Transportation	Commerce
Native/Indian	Social/Humanitarian	Community Development	Industry

Is the structure associated with any historical figure, institution, and/or event of relevance to people throughout the municipality? If so, explain.

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Is the structure so closely associated with the community, either visually or historically, that it has become part of the Municipality's identity? In what way?

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# ARCHITECTURAL MERIT

A structure can be of municipal heritage significance because it is either rare or a significant representative example in terms of a particular building style, construction technique, material or building type. It would be rare if it is one of few ever built or standing. It would be a significant representative example of a common building type, if:

- \* It is a particularly fine treatment of a building style, construction technique, material, or building type;
- \* It has survived largely unaltered;
- \* It is in exceptionally good condition.

If you think the structure that you are proposing is rare, complete the following question. If you think the structure is a significant representative structure, complete the second question.

If the structure is rare in terms of a particular building style, construction technique, material, or building type, in what way do you consider it rare?

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If the structure is a significant representative example of a common building style, construction technique, material or building type, why do you think that this specific structure should be considered for designation as a municipal heritage site?

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# DESCRIPTION

## Construction Information

Date of Construction \_\_\_\_\_  Unknown  Estimated  Exact

Source of Construction Date \_\_\_\_\_

Previous Name(s) of Structure \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Original Owner \_\_\_\_\_

Original Architect / Firm \_\_\_\_\_

Original Contractor / Builder \_\_\_\_\_

## Construction Materials

Foundation:

Brick

Stone

Other

Roof:

Shingles

Shakes

Other

Exterior Materials:

Log

Stone

Shingle

Wood Frame

Plaster/Stucco

Other

## Condition / Integrity of Structure

What is the general condition of the structure?

Excellent

Good

Fair

Poor

Is there any threat to this structure? Yes

No

If yes, check the appropriate box, explain and give possible date below.

Demolition

Vandalism

Removal from Original Site

Deterioration

Alters to Structure

Encroachment by New Development

\_\_\_\_\_  
\_\_\_\_\_

If the structure has been moved from its original site, where was it originally and when was it moved?

\_\_\_\_\_  
\_\_\_\_\_

Has the structure been added to or renovated? If so, please briefly describe and give dates.

\_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

# SUPPORTING MATERIAL / SOURCES

Please include at least one current exterior and one current interior photograph of the structure.

## Photographs

If you are aware of any archival photographs, please indicate where they may be obtained. Do Not send them in the mail.

Name \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Phone res. \_\_\_\_\_ bus. \_\_\_\_\_

## Plans

If you are aware of any original plans, please indicate where they may be obtained. Do Not send them in the mail

Name \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Phone res. \_\_\_\_\_ bus. \_\_\_\_\_

## Reference Material

If you are aware of any referenc material (such as local histories, deeds, early maps etc.) which may be of assistance in researching this structure, please list.

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## Other

Other Knowledgeable persons who may be of assistance in researching this structure.

Name \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Phone res. \_\_\_\_\_ bus. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Phone res. \_\_\_\_\_ bus. \_\_\_\_\_



# ADDITIONAL PHOTOGRAPHIC RECORD

Photograph #1

Photo Date \_\_\_\_\_

View \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Place 3.5" x 5"  
Photo Here

Description \_\_\_\_\_

\_\_\_\_\_

Photograph #2

Photo Date \_\_\_\_\_

View \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Place 3.5" x 5"  
Photo Here

Description \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# ADDITIONAL PHOTOGRAPHIC RECORD

Photograph #3

Photo Date \_\_\_\_\_

View \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Place 3.5" x 5"  
Photo Here

Description \_\_\_\_\_

\_\_\_\_\_

Photograph #4

Photo Date \_\_\_\_\_

View \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Place 3.5" x 5"  
Photo Here

Description \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Map

If the structure is in a rural setting, please describe or sketch the location of the structure to the nearest roads or other structures.

A large grid consisting of 20 columns and 20 rows of small squares, intended for sketching or describing the location of a structure in a rural setting.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Thank-you for your interest in preserving Manitoba's heritage.



**CITY OF PORTAGE LA PRAIRIE**  
**Application for Demolition or Major Renovation of**  
**Potential Heritage Property**

Schedule "B"

APPLICATION FOR DEMOLITION OR MAJOR RENOVATION OF POTENTIAL HERITAGE PROPERTY

1. APPLICANT: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: Home: \_\_\_\_\_  
 Office: \_\_\_\_\_  
 FAX: \_\_\_\_\_

2. LOCATION OF SUBJECT PROPERTY:  
 a) Legal Description:  
 Lot(s) \_\_\_\_\_  
 Block \_\_\_\_\_  
 Plan \_\_\_\_\_  
 Subdivision/Neighbourhood \_\_\_\_\_  
 b) Civic Address: \_\_\_\_\_

3. APPLICANT'S INTEREST IN THE PROPERTY:  
 Registered Owner                       Representative of Owner  
 Option to Buy                               \_\_\_\_\_ } Include letter from owner  
indicating authorization to  
apply

4. PRESENT OWNER: *(if different from Applicant)*:  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: Home: \_\_\_\_\_  
 Office: \_\_\_\_\_  
 FAX: \_\_\_\_\_

5. PRESENT USE OF BUILDING (S) AND PROPERTY: *(be specific)*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. PROVIDE HISTORY OF SITE, AND INCLUDE AVAILABLE HISTORIC PHOTOS, GRAPHIC MATERIAL AND PLANS: *(if available)*  
 Date of Construction: \_\_\_\_\_  
 Date of Photograph(s): \_\_\_\_\_  
 Site History: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

7. REASON FOR DEMOLITION OR MAJOR RENOVATION:  
 Redevelopment                       Structural Deficiency                       Other  
 Please give detail: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. DESCRIBE THE REUSE AND/OR REDEVELOPMENT PLANS FOR THE PROPERTY SHOULD THIS APPLICATION BE APPROVED: *(Provide plans and drawings as appropriate.)*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. SUBMIT COMPLETED FORM TO:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Signature of Owner (if applicable)

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

**\*\*Note:**                      ***Accuracy of information provided on this form is critical to a legal and binding decision. Be as accurate as possible.***



**UNDER THE HERITAGE RESOURCES ACT**

**MUNICIPAL NOTICE OF INTENT – CITY OF PORTAGE LA PRAIRIE**

To:

TAKE NOTICE THAT:

Under the provisions of The Heritage Resources Act, the Council of the City of Portage la Prairie on (Date) did give first reading to By-Law No. \_\_\_\_\_ to designate as a municipal heritage site the property commonly known as address \_\_\_\_\_ in the City of Portage la Prairie, Manitoba. The land is described in Certificate of Title No. \_\_\_\_\_ as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A copy of the proposed heritage site designation by-law is attached hereto.

A public hearing will be held at time on date in the Council Chambers of City Hall at 97 Saskatchewan Avenue East, Portage la Prairie, MB R1N 0L8. At that time any person served a copy of this Notice of Intent, any other person affected or likely to be affected by the proposed designation by-law, and any person, group, society, organization or agency interested in the proposed by-law may either alone or with counsel, submit objections, or other representation with respect to the proposed by-law;

AND FURTHER TAKE NOTICE that if no objections are raised with respect to the proposed heritage designation by-law at the above public hearing, City Council may, pursuant to subsection 27(1) of The Heritage Resources Act, after the said hearing:

- (a) Resolve not to proceed with the proposed by-law; or
- (b) Give the proposed by-law second and third readings and adopt it.

DATED at the City of Portage la Prairie this \_\_\_\_\_ day of \_\_\_\_\_ A.D.

\_\_\_\_\_  
City Manager  
City of Portage la Prairie



**CITY OF PORTAGE LA PRAIRIE  
NOTICE OF OBJECTION OF HERITAGE DESIGNATION**

**INDIVIDUAL OR ORGANIZATION OBJECTING**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Postal Code \_\_\_\_\_ Telephone \_\_\_\_\_  
Status:  
Legal Owner \_\_\_\_\_ Lessee \_\_\_\_\_  
Affected Individual \_\_\_\_\_ Affected Organization \_\_\_\_\_  
Interested Individual \_\_\_\_\_ Interested Organization \_\_\_\_\_  
Other \_\_\_\_\_

**SITE LOCATION**

Street and Number \_\_\_\_\_  
Town \_\_\_\_\_  
Or River Lot No. \_\_\_\_\_ Parish of \_\_\_\_\_  
Or 1/4 Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Legal Description of Site (as noted in Municipal Notice of Intent or at Land Titles Office)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE AND DESIGNATION DATES**

Notice of Intent Served or published on \_\_\_\_\_ day of \_\_\_\_\_ 2008.  
Intended designation date \_\_\_\_\_ day of \_\_\_\_\_ 2008.

**REASONS FOR OBJECTION**

I/We hereby object to the proposed designation of the above described site as a heritage site to be protected under the authority of *The Heritage Resources Act*, for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

If the objection is by an organization or a corporation, please complete the following declaration:

I, \_\_\_\_\_, holding the position of \_\_\_\_\_  
Hereby declare that I have the authority to sign this MUNICIPAL NOTICE OF OBJECTION on behalf of \_\_\_\_\_, by reason of \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Name(s) and Address(es) of Co-appellants (if applicable)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**UNDER THE HERITAGE RESOURCES ACT**

**MUNICIPAL HERITAGE NOTICE – CITY OF PORTAGE LA PRAIRIE**

To:

TAKE NOTICE THAT:

The site described as follows:

The lands and premises commonly known as \_\_\_\_\_  
\_\_\_\_\_ in the City of Portage la Prairie , Province of Manitoba and legally described in  
Certificate of Title No. \_\_\_\_\_ as follows:

\_\_\_\_\_  
\_\_\_\_\_

of which the records of the Portage la Prairie Land Titles Office show as owner:

\_\_\_\_\_  
\_\_\_\_\_

and all the lands and buildings thereon, have been designated as a municipal heritage site to be  
protected under the authority of The Heritage Resources Act by City of Portage la Prairie By-  
Law No. \_\_\_\_\_, adopted on the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 200\_\_\_\_\_.

AND FURTHER TAKE NOTICE a copy of this municipal heritage notice shall be filed in the  
appropriate land titles office or registry office, in accordance with the provisions of The Heritage  
Act of Manitoba.

DATED at the City of Portage la Prairie this \_\_\_\_\_ day of \_\_\_\_\_ A.D.

\_\_\_\_\_  
City Manager  
City of Portage la Prairie



CITY OF PORTAGE LA PRAIRIE
NOTICE OF APPEAL OF HERITAGE DESIGNATION

Schedule "F"

APPELLANT INFORMATION

Name
Address
Postal Code Telephone
Status:
Legal Owner Lessee
Affected Individual Affected Organization
Interested Individual Interested Organization
Other

SITE LOCATION

Street and Number
Town
Or River Lot No. Parish of
Or 1/4 Section Township Range

Legal Description of Site (as noted in Municipal Notice of Intent or at Land Titles Office)

Three horizontal lines for legal description

REASONS FOR APPEAL

I/We hereby appeal By-Law No. , dated , of the Municipality of in accordance with Subsection 30(1) of The Heritage Resources Act, for the following reasons:

Three horizontal lines for reasons

(Signature) (Date)

If the appeal is by an organization or a corporation, please complete the following declaration:

I, , holding the position of
Hereby declare that I have the authority to sign this MUNICIPAL NOTICE OF APPEAL on behalf of , by reason of

(Signature) (Date)

Name(s) and Address(es) of Co-appellants (if applicable)

Three horizontal lines for co-appellants





**CITY OF PORTAGE LA PRAIRIE  
APPLICATION FOR A HERITAGE PERMIT  
PURSUANT TO SUBSECTIONS:**

**For Internal Use Only**  
Date Received \_\_\_\_\_ Permit No. \_\_\_\_\_ File No. \_\_\_\_\_

**APPLICANT**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Postal Code \_\_\_\_\_ Telephone \_\_\_\_\_  
Status: \_\_\_\_\_

**LOCATION**

Site Name \_\_\_\_\_  
Address \_\_\_\_\_  
Legal Description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

General Location \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Owner \_\_\_\_\_  
Postal Code \_\_\_\_\_ Telephone: \_\_\_\_\_

**NATURE OF WORK, ACTIVITY OR PROJECT**

General Description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reasons for Undertaking This Work \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Estimated Cost of Project \$ \_\_\_\_\_

Sources and Amount of Funding (Optional) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Start Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_

Is there any other work, activity or project anticipated in the future (i.e. to complete a larger project)?

- Yes
- No





**CITY OF PORTAGE LA PRAIRIE  
MUNICIPAL HERITAGE ADVISORY COMMITTEE BY-LAW NO.**

**SCHEDULE "H"**

**CERTIFICATE ORDINARY MAINTENANCE**

The Municipal Heritage Advisory Committee of the City of Portage la Prairie has reviewed and certified that the following described work does not involve a change in any element of design which affects the appearance of the building referred to or its historical or architectural interest.

Accordingly no Municipal Heritage Permit is required for the following work:

APPLICATION NO. \_\_\_\_\_ DATE: \_\_\_\_\_

LOCATION: \_\_\_\_\_  
\_\_\_\_\_

WORK: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Heritage Advisory Committee

PLEASE NOTE: This Certificate does not take the place of any other approvals or permits required. Where applicable permits and licenses must be obtained under the provisions of the Building By-Law and any other relevant by-laws of the City of Portage la Prairie



**CITY OF PORTAGE LA PRAIRIE**

**HERITAGE PERMIT NO:**

Pursuant to Section/subsection \_\_\_\_\_ of By-Law No. \_\_\_\_\_

Name: \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Hereinafter referred to as the Permittee)

Is hereby granted permission to: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

During the period: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This permit is issued subject to the following conditions:

1. That the information provided in the application for this permit dated the \_\_\_\_\_ day of \_\_\_\_\_, is true in substance and in fact;
2. That the Permittee shall comply with all provisions of \_\_\_\_\_ and any regulations or orders
3. That the Permittee shall provide to the \_\_\_\_\_ a written report or reports with respect to the Permittees activities pursuant to this permit, the form and content of which shall be satisfactory to the \_\_\_\_\_ and which shall be provided on the following dates: \_\_\_\_\_
4. That this permit is not transferable;
5. This permit may be revoked by the \_\_\_\_\_ where, in the opinion the \_\_\_\_\_, there has been a breach of any of the terms or conditions herein or of any provision of The Heritage Resources Act or any regulations thereunder.