

Heritage Committee Orientation Session



CHO - PCO

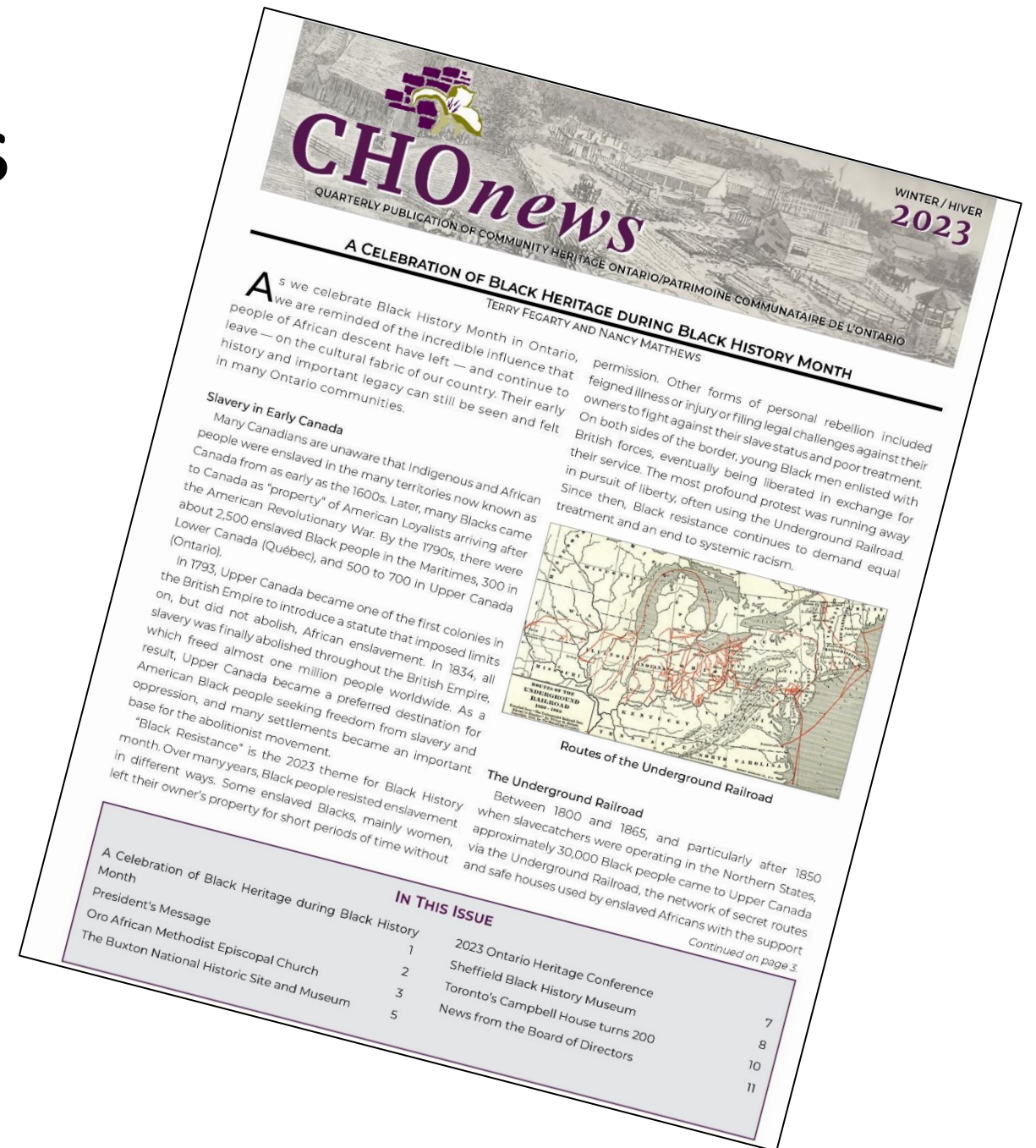
Community Heritage Ontario

Patrimoine communautaire de l'Ontario

2023

Introductions & Thanks

- CHO
 - Association of municipal heritage committees (MHCs)
 - Promote good heritage conservation practice among MHCs
 - We are volunteers
 - Annual conference – London – June 16 – 18, 2023
 - Encourage you to attend
 - Learn from others
 - Effect of OHA amendments
 - Please renew your membership

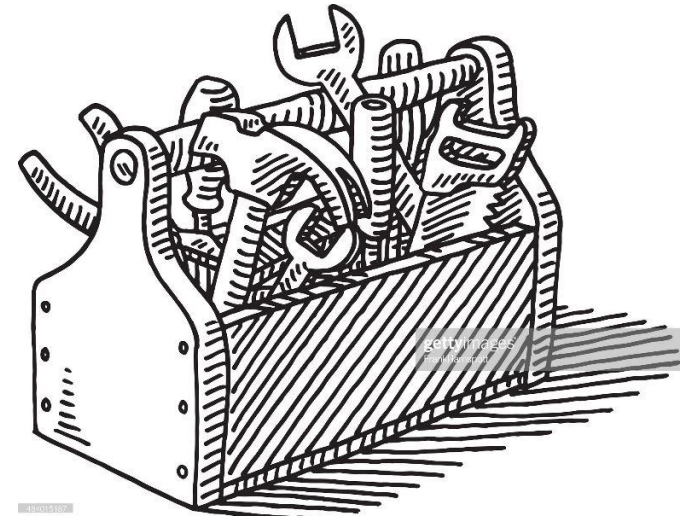


To assist:

- New Municipal Heritage Committee (MHC) members
- A refresher for existing MHC members
- All members in understanding recent Ontario Heritage Act (OHA) changes

Takeaways:

1. Your role is important
2. There are many tools to protect heritage;
3. Each tool has strict process requirements;
4. Work with your Council & staff; and
5. Heritage conservation can be satisfying and rewarding.



Scope of Session: (including recent changes)

- Background
- Role of MHC
- Heritage defined
- Council/staff relations
- Outreach/education
- Research
- Listing a Property in the Register
- Part IV - Individual Property Designation
 - Designation
 - Alteration & Demolition
 - Amending or Repealing designation
- Part V - District Designation
 - Designation
 - Alteration & Demolition

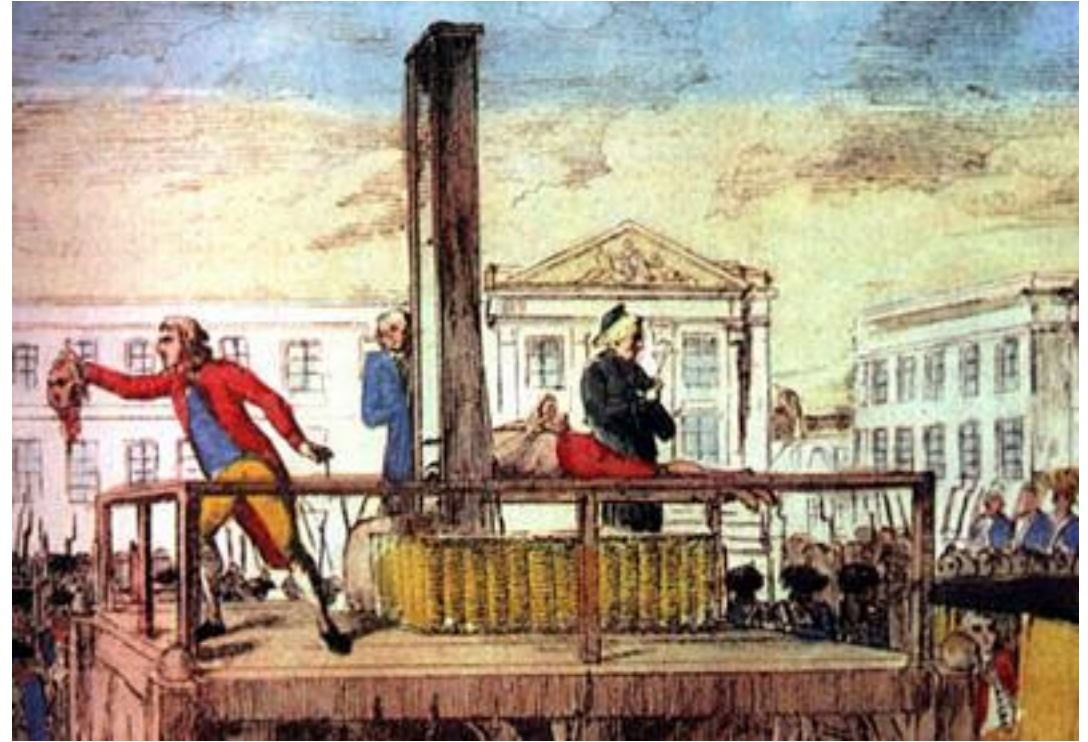
If we have time:

- Planning Policy & Application Reviews
- Heritage Easement Agreements
- Heritage Property Standards
- Grants & Tax Incentives

Background

Background:

- Welcome to heritage conservation
- It began in the late 1700s when many people lost their heads.



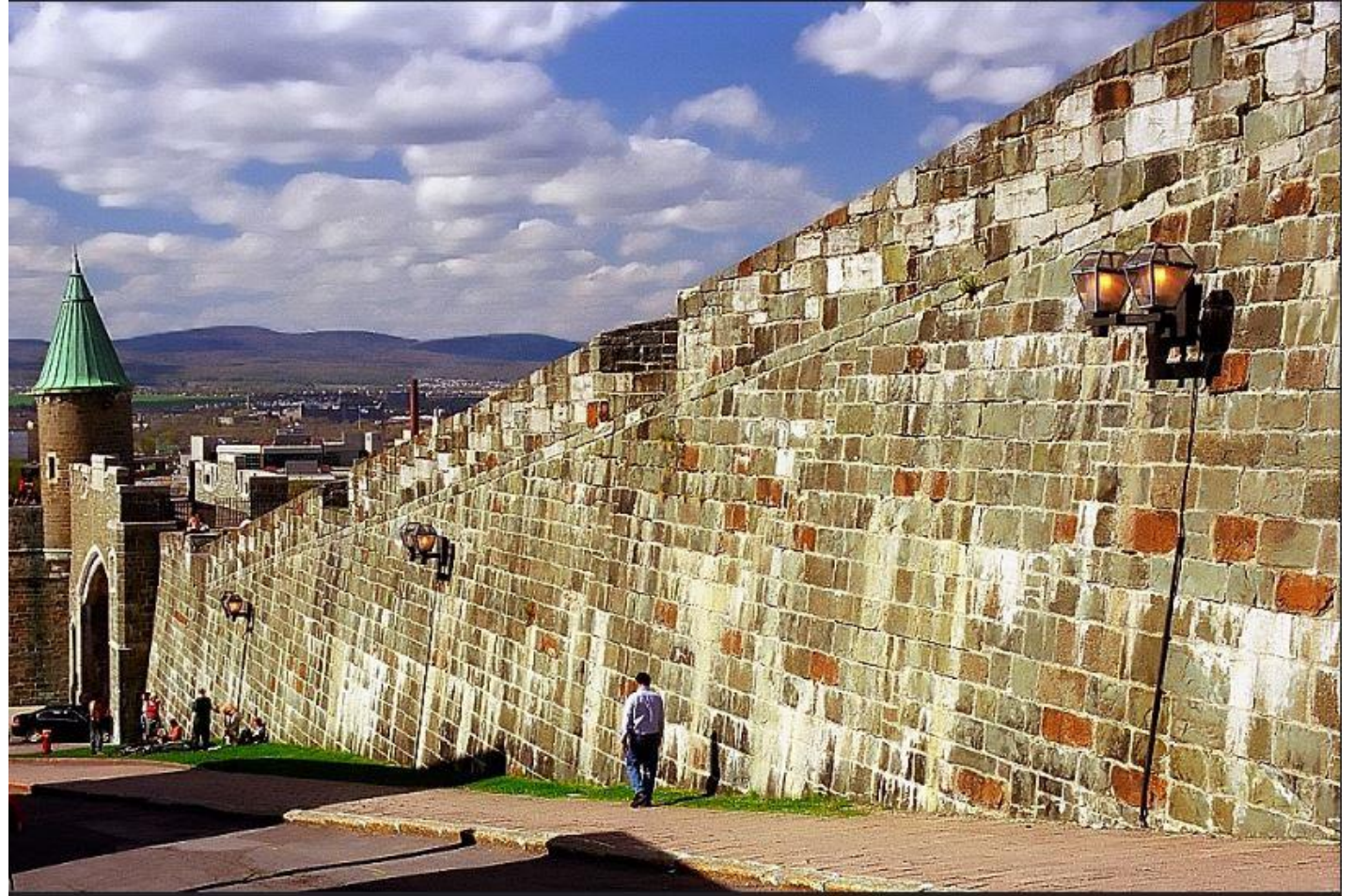
Background:

- Heritage resources:
 - not just the wealthy, but workers who designed & built the resource, e.g., architects, masons, roofers, woodworkers etc. – many heritage values



Background:

- In Canada began in the 1870s
- Governor General, Lord Dufferin, and a proposal to demolish Quebec City defense structures




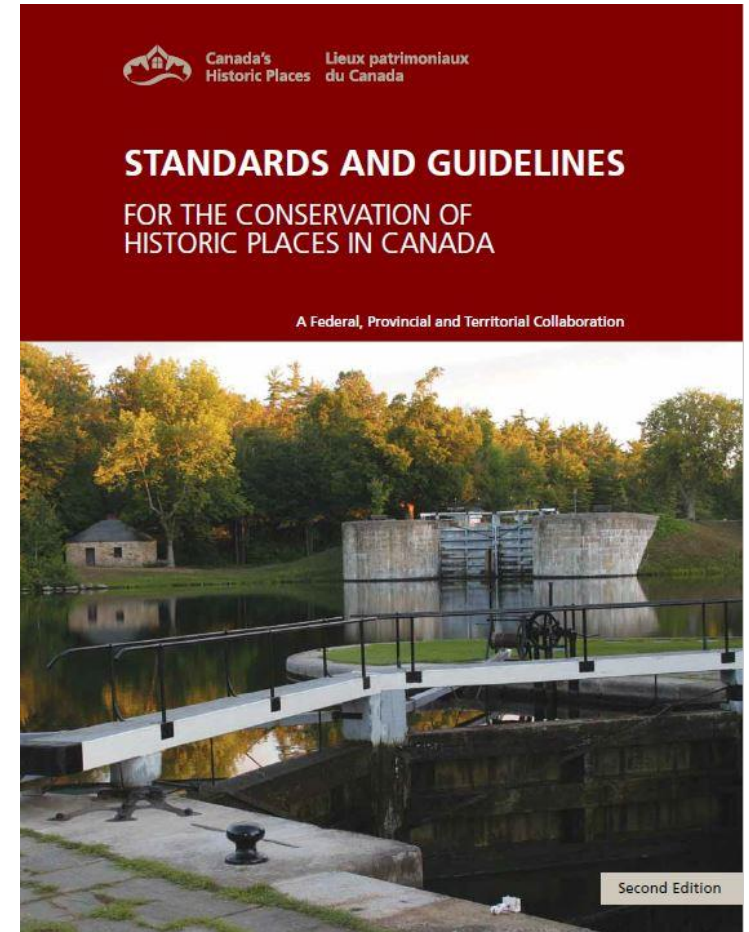
Role of MHC

The role of a MHC:

- To advise Council on property based heritage conservation matters
- OHA – requires Council to consult its MHC on:
 - Listing in the Register;
 - Council's intent to designate an individual property (Part IV);
 - Council's intent to amend or repeal a designation (Part IV);
 - Proposed alteration of a designated property (Part IV);
 - Proposed demolition or removal of a building or structure on a designated property both individual and district designations (Parts IV of V);
 - Heritage Conservation District studies (Part V): and
 - Heritage Easement Agreements.
- Other matters in the municipal by-law or planning documents

MHC members should be aware of:

- Municipal By-law establishing the MHC
- **Ontario Heritage Act**
 - Regulation 9/06 as amended – Criteria for Designation
- Municipal Planning documents – e.g. Official Plan
- Provincial guidelines & policies – Ontario Heritage Toolkit (if updated) & PPS
- Standards and Guidelines 
- Municipal protocols re: heritage
- Others?



What is heritage?

What Heritage do MHCs deal with?

- ONLY PROPERTIES -
 - Everything on and fixed to properties including:
 - Structures:
 - Main buildings such as houses, factories, stores, institutions
 - Exteriors and interiors
 - Accessory structures such as garages, sheds, gazebos
 - Monuments, bridges, ruins
 - Position of those structures on the property
 - Ornamental features & fixtures secured to the structures
 - Landscape features created by humans including:
 - Plantings, including planting beds, trees, bushes, grassed areas
 - Hard surfaces, e.g., roads, sidewalks, pathways
 - Design or inter-relationship of those features



What properties are Heritage?

- OHA Regulation 9/06 as amended
 - 9 criteria for heritage values organized into 3 groupings:
 - Design or physical values
 - Associative or historical values
 - Contextual values
- Property must meet at least:
 - 1 of the nine criteria (**new**) if listed ;
 - 2 or more (**new**) if designated
- Note:
 - Age by itself is not a criteria for being heritage
 - Recently constructed structures / landscapes can be heritage

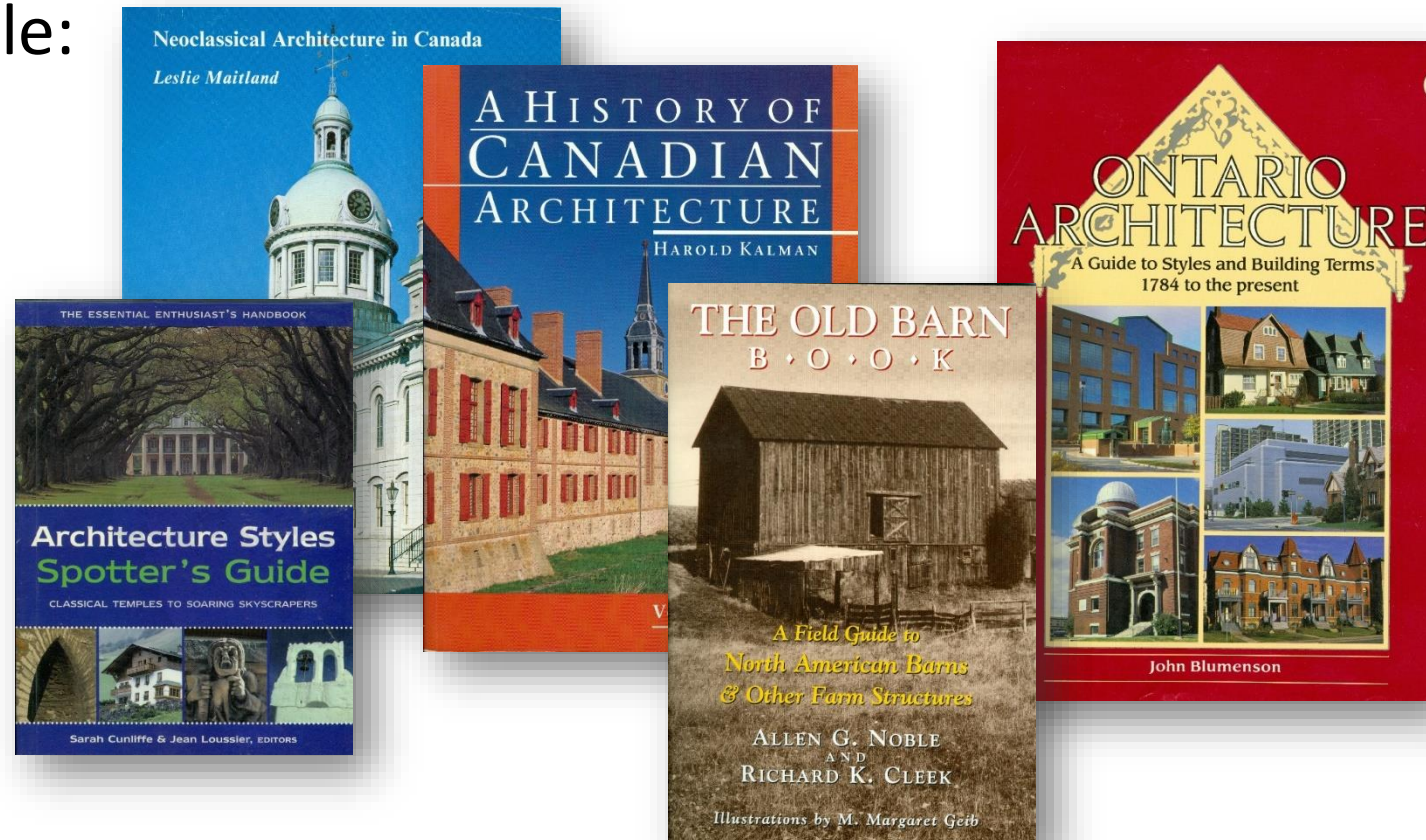
Heritage Criteria – Design or Physical Value

1. Is a rare, unique, representative or early example of a style, type, expression or construction method

Representative example of style:



Caledon - Vernacular interpretation of Gothic Revival

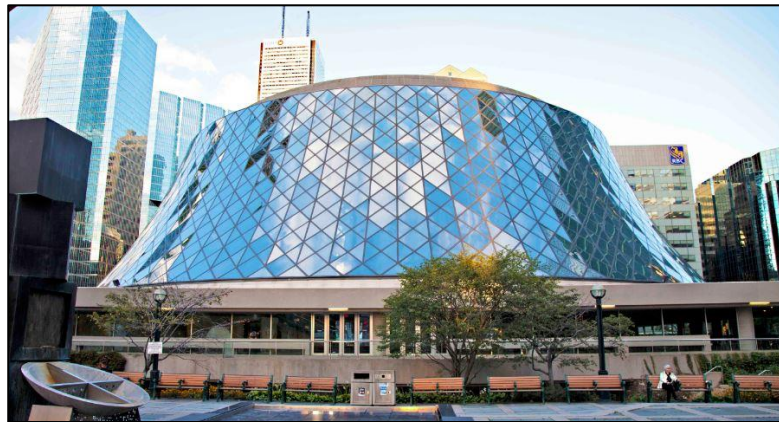


Heritage Criteria – Design or Physical Value

1. Is a rare, unique, representative or early example of a style, type, expression or construction method

Unique example of

type:



Modern architecture - Roy Thomson
Hall – Toronto

type & construction method:



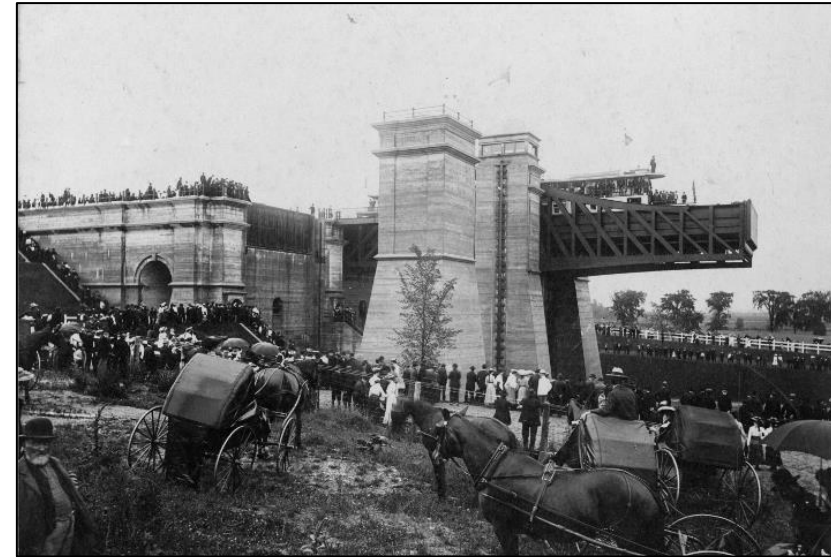
Deconstructivism architecture – OCAD
- Toronto

Heritage Criteria – Design or Physical Value

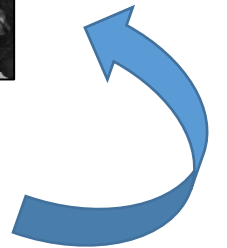
2. Displays a high degree of craftsmanship or artistic merit.



*Craftsmanship –
brick work*



*Peterborough
Lift Lock –
Technical
achievement -
engineering*



3. Demonstrates a high degree of technical or scientific achievement.

Heritage Criteria – Historical or Associative Value

4. Direct association with a theme, event, belief, person, activity, organization or institution significant to community:

*Residential Schools –
Sault Ste. Marie*



5. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture.

Heritage Criteria – Historical or Associative Value

6. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community

Artist:



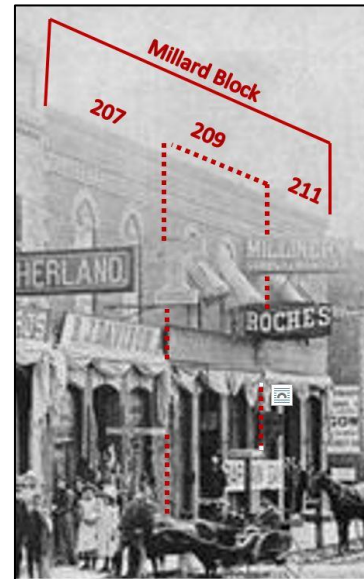
R. York Wilson, Toronto – Toronto – O'Keefe Centre – 'the seven lively arts'

Heritage Criteria – Contextual Value

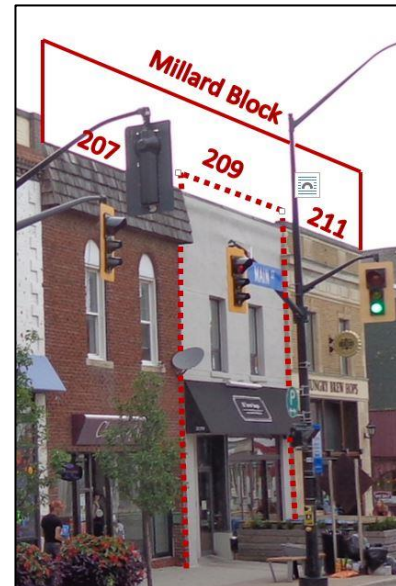
7. Is important in defining, maintaining or supporting the character of an area

8. Is physically, functionally, visually or historically linked to surroundings

Newmarket
209 Main St S -
supports area character & is
linked to surroundings



1890



2018

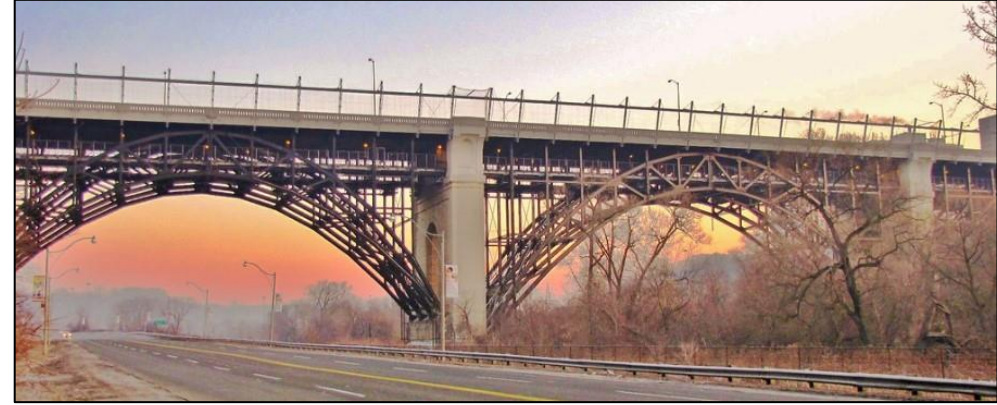


2021

Heritage Criteria – Contextual Value

9. Is a landmark

Toronto
Old City Hall -
View terminus
– Bay Street



Toronto & Cobourg
Prince Edward (Bloor Street) Viaduct; Cobourg City Hall -
Point of reference; large, contextual visual contrast



Council / Staff Relations

Council / Staff Relations

- MHC communication to your Council:
 - Through a subcommittee of Council
 - MHC meeting agendas / minutes
 - Through the member(s) of Council on the MHC
 - Direct discussions with councillors – who speaks for the MHC?
 - Reports to council
 - Through municipal staff
 - Other?

Council / Staff Relations

- MHC relationship with critical staff -
 - Clerk
 - Planning
 - Chief Building Official (building / demolition permits)
 - Culture / Recreation
 - Others?

Outreach / Education

Outreach / Education

- **MHC** public outreach / education program -
 - Not a requirement under the OHA
 - Purpose – promote knowledge of the community’s heritage
 - Target audience - Heritage property owners, public, other?
 - Method of Delivery – Brochures, Doors Open, Digital, seminars
 - Alliance with other organizations
 - Keep Council informed of your programs / involve Council
 - Successes
 - Lessons learned

Outreach / Education:

- E.g., public talks and presentations in association with other municipal agencies (libraries, museums, historical/genealogical societies, neighbourhood groups)
- Goals – creating interest in municipal heritage & value of conservation

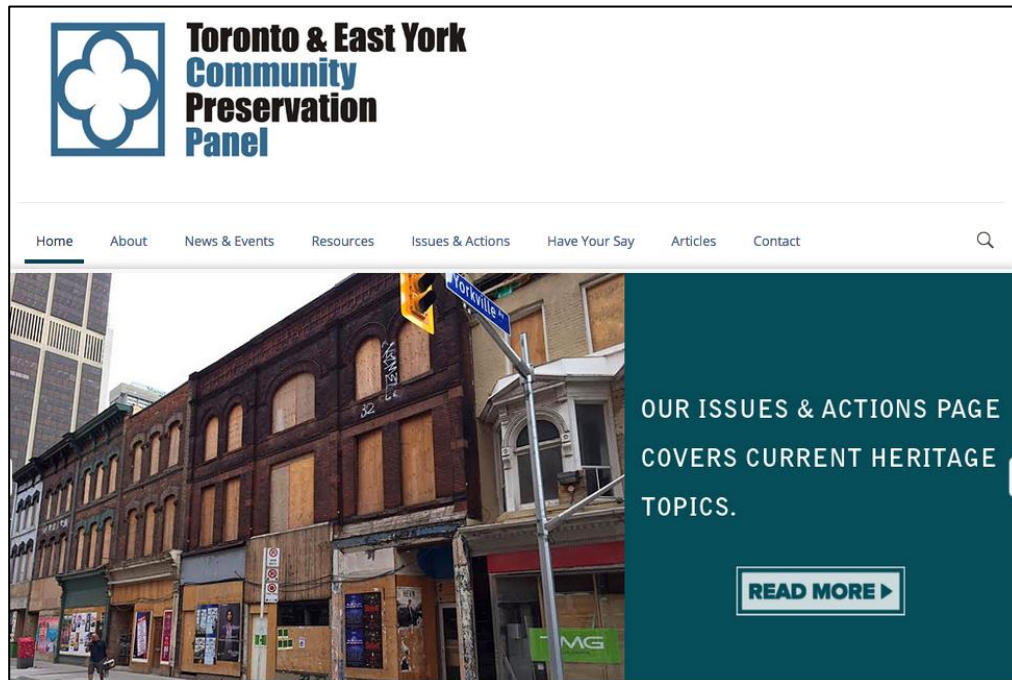
WHAT'S YOUR
Style?

Exploring Oshawa's Residential Architecture Through Time

JOIN US!
Saturday, Feb. 23
1:30 pm
McLaughlin Branch

Outreach / Education:

- Utilizing social media – all platforms
- Goal of transparency & encouraging engagement in process (Have Your Say”)



Outreach / Education:

- Collaborate with other agencies, stakeholders in holding local events
 - Doors Open
 - Jane's Walk
 - Forums, lectures, etc



Toronto's Cultural Heritage Landscapes

From Plan to Action

Join us for this exciting discussion on developing effective cultural heritage landscape guidelines for the City of Toronto.

The City has been tasked by the provincial Heritage Act to come up with guidelines to help define, nominate, designate, and thereby protect our cultural heritage landscapes (CHLs).

The purpose of this public Forum is to stimulate awareness of interest in, and positive action towards the development and implementation of a Toronto Cultural Heritage Landscape Guideline.
Come help us shape tomorrow's heritage landscape!

FORUM SPEAKERS:

Carolyn King, former Chief of the Mississaugas of the New Credit First Nation

Julian Smith,
Principal, Julian Smith Architects and
former Executive Director, Willowbank
School of Restoration

Brendan Stewart, Landscape Architect
and Urban Designer, ERA Architects

Michael Ormston-Holloway, Partner,
The Planning Partnership

Stephen Robinson, Senior Heritage
Planner, City of Guelph

Mark Warrack, Manager, Culture and
Heritage Planning, City of Mississauga

Catherine Nasmith, Architect

Madeleine McDowell, Educator and
Heritage Advocate

Andrew Jeanes, Cultural Consultant,
Ministry of Tourism, Culture, and Sport

Michael McClelland, ERA Architects
and Advisory Council of The Cultural
Landscape Foundation

Mary MacDonald, Senior Manager,
Heritage Preservation Services,
City of Toronto

Paul Bedford, Urban Mentor, former
Chief Planner, City of Toronto

MODERATOR:
Alex GOSKOVIC, Architecture Critic,
The Globe and Mail

SAT • NOV • 5

9am-430pm

Room #308

Metro Hall, Toronto



This is a FREE public event, but please REGISTER TO ATTEND online at tinyurl.com/TO-CHL

Outreach:

- Utilize local media – form relationships with reporters, editors
- Focus on information issues (demolition by neglect, heritage policies, etc)
- Caution – not critical of Council decision

The screenshot shows the homepage of The Oshawa Express, a community newspaper. The main navigation bar includes links for HOME, NEWS, BUSINESS, LIFESTYLES, THE FOURTH ESTATE, SPORTS, POLICE, COLUMNS, EDITORIAL, and EVENTS. Below the navigation bar, there is a "LATEST NEWS" section with a featured article titled "Possible heritage sites given a second look" dated May 29, 2019. The article text discusses recommendations for heritage designations of two city buildings. To the right of the article is a "SEARCH ARTICLES" box. Below the article is a "REGENT THEATRE" advertisement and a "Follow Us On Facebook" button. At the bottom, there is a "Canadian Blood Services" advertisement and a "LEARN TO SKATE" advertisement.

The Oshawa Express
"WELL WRITTEN. WELL READ" Oshawa's Community Newspaper

Home About Us Contact Us

HOME NEWS BUSINESS LIFESTYLES THE FOURTH ESTATE SPORTS POLICE COLUMNS EDITORIAL EVENTS

OBITS

LATEST NEWS May 29, 2019 in CITY: Council considering rainbow crosswalk

BECOME A NEWSPAPER CARRIER!
Are you a young student looking for a first job?
Retired and have some free time?
WE'RE LOOKING FOR CARRIERS
IN YOUR NEIGHBOURHOOD!
CLICK HERE FOR MORE INFO

Home » NEWS » Possible heritage sites given a second look

Possible heritage sites given a second look

Posted on April 16, 2019 by oshawaexpress in NEWS

By Dave Flaherty/The Oshawa Express

Recommendations for heritage designations of two city buildings have been sent back to staff for a second look.

Heritage Oshawa has recommended that 39 Athol Street and 500 Howard Street be registered as properties of cultural heritage significance under the Ontario Heritage Act.

However, at a development services committee meeting, those resolutions were simply received for information.

Jane Clark, a Heritage Oshawa volunteer, told council she was "very concerned with how these recommendations were handled at that meeting."

Clark said the items were "dealt with and dismissed in under 20 seconds."

Speaking as a citizen and not a committee member, Clark believes these actions don't represent a co-operative relationship with council

REGENT THEATRE
Click Here For Events: regenttheatre.ca

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The Oshawa...
1.4K likes
The Oshawa Express
Oshawa's Community Newspaper
Well Written. Well Read.
Like Page
1 friend likes this

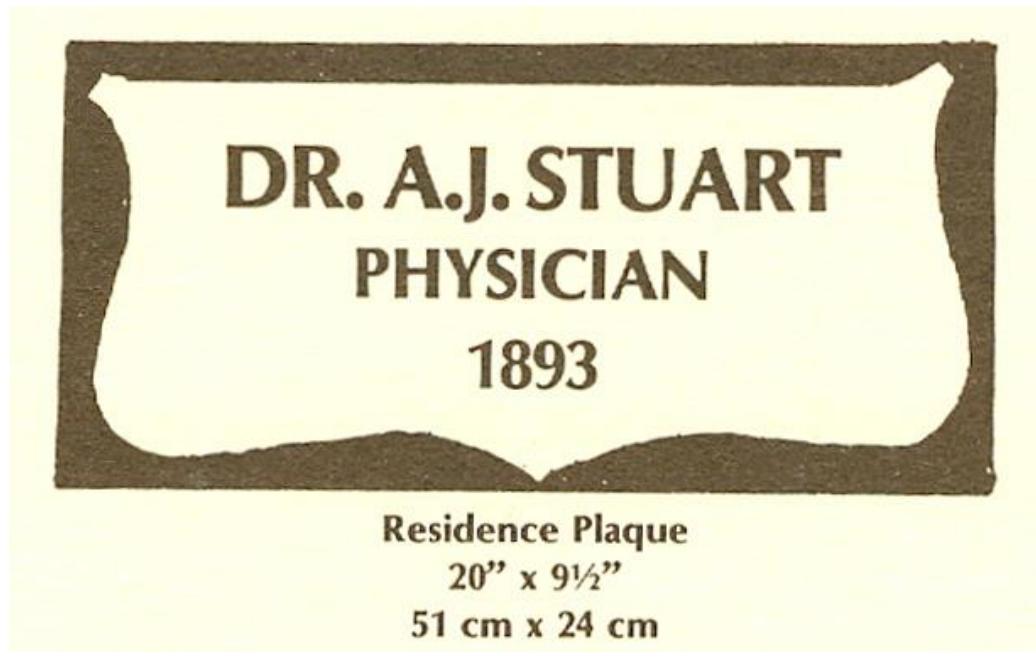
Canadian Blood Services
Join Canada's Lifeline
It's about something we can all do today to help others wake up healthier tomorrow.
Oshawa donor centre
1300 Harmony Rd. N.
Monday 3:00 p.m. to 7:00 p.m.
Tuesday 3:00 p.m. to 7:00 p.m.
Wednesday 10:00 a.m. to 2:00 p.m.
Thursday 4:00 p.m. to 8:00 p.m.
Friday 9:00 a.m. to 1:00 p.m.
Saturday 8:00 p.m. to 2:00 p.m.
Book now to donate at Blood.ca or call 1 888 2 DONATE

Landmark CINEMAS
for MOVIE LOVERS
Find Show Times & Movie Deals at landmarkcinemas.com

LEARN TO SKATE
Professional Coaching | 1 Student-Instructor Ratio
Canton Skating & Hockey

Outreach / Education:

- Plaques - Newmarket



Outreach / Education:

- Plaques - Brampton



Outreach / Education:

- Information Brochures - Ajax

Ontario Regulation 9/06: Criteria for determining cultural heritage value or interest

In order to be designated under Part IV (Section 29) of the Ontario Heritage Act, a property must be evaluated using a set of provincially regulated criteria. If a property is deemed to satisfy one or more of the nine criteria below, heritage designation is warranted.

1. Design or Physical Value

The property:

- is a rare, unique, representative or early example of a style, type, expression, material or construction method;
- displays a high degree of craftsmanship or artistic merit; or
- demonstrates a high degree of technical or scientific achievement.

2. Historical or Associative Value

The property:

- has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
- yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
- demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. Contextual Value

The property:

- is important in defining, maintaining or supporting the character of an area;
- is physically, functionally, visually or historically linked to its surroundings; or
- is a landmark.

Where can I get more information?

For more information, contact the Town of Ajax's Heritage Planner at 905-619-2529 x3200 or heritage@ajax.ca. The Heritage Planner can also provide general information on heritage conservation and land use planning. Additional information can be found on the Town's website at ajax.ca.

Frequently Asked Questions from Property Owners

Will designation restrict interior renovations or the use of my property?

Designation of interior features is very rare, so the vast majority of designated property owners are able to modify and redesign their interiors without seeking approval from the Town. Interior features are generally only included in designations for public buildings or in instances where an interior feature is so rare or special that it forms a critical component of the property's value. The use of your property is entirely regulated through the Town's Zoning By-Law, so heritage designation will have no bearing on the types of uses that are permitted.

Will designation prevent future development on my property?

Designation will not prohibit development on your property but it will give the Town a role in determining the form and level of development that is appropriate. If the proposed development has the potential to impact the property's heritage attributes and/or value, the owner will have to hire a qualified heritage consultant to undertake a Heritage Impact Statement (HIS) that will identify the impacts and provide recommendations for mitigation. The Town will consider the findings of the HIS in its decision of whether to permit the development. There are many good examples in Ajax where designated heritage properties have been incorporated into new developments.

Will designation impact the real estate value of my property?

There have been relatively few studies conducted on this topic but those that have occurred in Ontario have demonstrated a positive relationship between designation and real estate value. Several studies conducted at the University of Waterloo have shown that real estate values for designated properties are more resilient in times of market fluctuation and can increase at a faster rate than non-designated properties.

Will being designated affect my property insurance?

The cost of your insurance is based primarily on two principles: the level of risk and the type of coverage. Older properties may be subject to higher risk due to antiquated systems and materials, so risk is likely to be higher regardless of whether they

are designated. Similarly, some types of insurance, such as full replacement cost insurance, which provides for repair or replacement with "like kind and quality," can be more expensive than others. Since designation has no bearing on the type of coverage required, there should be no impact on insurance rates.

How can I have my property designated?

The first step is to contact the Town's Heritage Planner and to complete and submit a designation application form. Once the application is received by the Town, a Cultural Heritage Evaluation Report (CHER) will be commissioned. This CHER will be integral in influencing the Heritage Advisory Committee's recommendations on designation and Town Council's final decision. The designation process will take several months to complete and there will be no cost to the property owner.

Can my property be designated without my consent?

The OHA does not require that a municipality acquire a property owner's consent prior to designation. Despite this, the Town of Ajax has a practice of notifying property owners at the earliest opportunity of potential designation in attempt to gain their support. This also ensures that owners are actively engaged in the designation process and are able to collect any information that they may be seeking. In some cases where there are imminent threats of demolition or unsympathetic alteration, Town Council may have to act in the public interest, despite objections by the owner, to designate a significant heritage property.

Is it possible to have a heritage designation removed?

The OHA provides a clear process for the repeal of a designation by-law, so the potential to remove a heritage designation does exist. It is, however, very rare for a municipal council to support such a request. The powers to remove a heritage designation are typically reserved for scenarios where properties are severely damaged by fire or other natural forces and the features that encompassed their heritage value have been destroyed. If a request to remove a heritage designation is refused by Town Council, the property owner may appeal to Council for a hearing before the Conservation Review Board (CRB), an independent provincial tribunal.



Town of Ajax Designated Heritage Properties



Research

Research:

- Stay Focused
 - Regulation 09/06 – Heritage Values:
 - Design Value
 - Associative / Historical Value
 - Contextual Value
 - Heritage Attributes
- Stay Organized:
 - Recording sheet
 - Document Sources
- Understand municipal historical development
 - Place property in that context

<i>Research – Address:</i>			
Topic	Details	Specifics	Action/Findings
Site Visit	Photographs	Building	
		Landscape	
		Context	
		Adjacent/Nearby	
Maps	Historic		
	Topographic		
	Current		
Aerial Photos	Historic		
	Current		
Census	1851		
	1861		
	1871		
	1881		
	1891		
	1901		
	1911		
	1921		
Assessment Rolls	Historic		
	Current		
Registry Office	Abstract Index		
	Survey		
Land Survey			
Archives	Provincial		
	Local		
Library	Photographs		
	Local Histories		
Directories	1837		
	1843		

Research:

- Where is this property?
 - Street Address (can change)
 - Legal Description – e.g., Lot & Plan No. or Concession
 - Assessment Roll Number
 - PIN (property Identification #)
- Sources:
 - Smith Falls Maps; Google Earth
 - Clerk's Office – Current Assessment Roll
 - Registry Office – on-line – onland.ca



30 Russell Street East, Smith Falls – former Post Office

Lot 240, North Side Russell Street, Plan 13884
Lanark S South Elmsley
PIN 05277-0009

Research:

- Who owned this property?
 - Owner's name – may not have lived in the property
- Sources:
 - Registry Books – Abstract index to deeds & mortgages
 - Registry Office – now on line - onland.ca
 - Ontario Archives – historical books
 - Clerk's office – current assessment roll
 - Historic assessment/collectors rolls
 - Ontario Archives – 1851 – 1956 (Pickering Township)
 - help determine who lived on property



Research:

Registry Books – Abstract index to deeds & mortgages



Certified True Copy
December 8, 1980
D. Wilson
Dale T. Wilson
Land Registrar

ABSTRACT A WARDSVILLE FOLIO 244 LOT 240 PLAN 13884 PAGE NO 46

NORTH SIDE OF RUSSELL STREET TOWN OF SMITH'S FALLS

REGISTRATION NUMBER	INSTRUMENT	DATE OF INSTRUMENT	REGISTRATION DATE	GRANTOR	GRANTEE	CONSIDERATION ETC	LAND AND REMARKS
3I-2857	Plan	24 June 1890	25 June 1890	Plan of The Town of	Smith's Falls		All Lot 240. See Inst.
3L-3425	Deed	5 Nov 1892	7 Nov 1892	William Corbett Jane Robina Corbett	Her Majesty, Queen Victoria	\$2500.00	Part Lot 240. Desc'd. See Inst.
3Q-6040	Lease	30 June 1904	2 July 1904	Charles J. Downey	William Corbett		Part Lot 240. Desc'd. See Inst.
3E-7276	Deed	18 June 1908	25 July 1908	William F. Corbett James D. Corbett	Agnes Mary Corbett Alice Bertha Corbett Robina Jane Corbett	\$5.00	All Lot 240. See Inst.
3W-10594	Deed	30 July 1919	22 Aug 1919	Agnes Mary Corbett Alice Bertha Corbett Robina Jane Corbett	William McGillivray	\$1500.00	Part Lot 240. Desc'd. See Inst.
4A-13884	Plan	1 March 1931	8 Apr 1931	Plan of The Town of	Smith's Falls		All Lot 240. See Inst.
4A13986	Deed	15 Oct 1931	31 Oct 1931	George Stanley McGillivray Florence McGillivray Mary Ellen Patience	William Edward McGillivray	\$1.00	Part Lot 240. Desc'd. See Inst.

Research:

- Was there a house on this property and who lived in it?
- Sources:
 - Census of Canada - on line —www.bac-lac.gc.ca/eng/census/Pages/census.aspx

CENSUS OF CANADA – AVAILABILITY AND SOME INFORMATION

Census	On LAC Website	Popu-lation	Agri-culture	Property Location info	Housing							Barns and Sheds	Indexed by Last Name
					Material	No of Stories	No of Rooms	No of families	Inhabited/Uninhabited	Tenure	Under construction		
1851	✓	✓	✓	only on Ag	✓	✓		✓					✓
1861	✓	✓	✓	only on Ag	✓	✓		✓			✓		✓
1871	✓	✓	Several schedules									✓	✓
1881	✓	✓							✓				✓
1891	✓	✓			✓	✓	✓				✓		✓
1901	✓	✓		Schedule 2					✓			✓	✓
1911	✓	✓		sometimes									✓
1921	✓	✓		sometimes	✓		✓			✓			✓

Notes: LAC – Library and Archives Canada website

Research:

- Was there a house on this property and who lived in it?
- Sources:
 - Census of Canada - on line —www.bac-lac.gc.ca/eng/census/Pages/census.aspx

CENSUS OF CANADA, 1891. PROVINCE Ontario DISTRICT No. 85 S. DISTRICT St. Matthews Falls No 1

PAGE 4 SCHEDULE No. 1.—Nominal Return of the Living. Enumerated by me on the 8 day of April 1891. PAGE _____

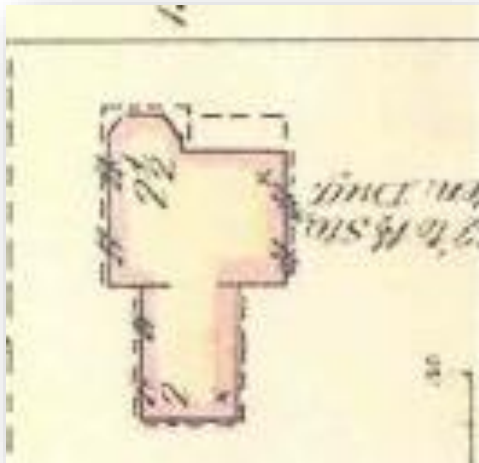
TABLEAU No. 1.—Dénombrement des Vivants. Enuméré par moi ce jour de 1891. John Splane Enumerator.

NUMEROS EN TOUT CAS DE VARIATION.					NAMES.	Sex.	Age.	Married or Widowed.	Religion to which attached.	Country or Province of Birth.	French Canadian.	Place of Birth of Father.	Place of Birth of Mother.	RELIGION.	Profession, Occupation or Trade.	Employed.	Wage Earned.	Unemployed during week preceding Census.	Employer to state services rendered by hands employed during year.	LITERACY.		IMMUNITY.			
Years and Months.	Reason in connection.	Reason why habit.	Reason for habit.	Reasons.																Read.	Write.	Deaf and Dumb.	Blind.	Unsound of Mind.	
NUMÉRIQUES DANS L'ORDRE DES TRAVAI.					NOMS.	Sexe.	Age.	Marié ou veuf.	Lien de parenté avec le Chef de Famille.	Pays ou Province de Naissance.	Canadien Français.	Lieu de Naissance du Père.	Lieu de Naissance de la Mère.	RELIGION.	Profession, Occupation ou Métier.	Patron.	Employé.	Sans emploi durant la semaine précédente le recensement.	Nombre de personnes employées par le patron durant l'année.	Sachant lire.	Sachant écrire.	Sourds-muets.	Aveugles.	Atteints d'altération mentale.	
1	2	3	4	5																					6
22					<i>7619</i> " Maryset	F	75	W	Mother	Scotland		"	Scotland	"						/	/				23
23					" <i>B2 75 26</i> Gousson Duncan	M	46	M		Ont		"	"	"	Post-master					/	/				23
24					" Amey	F	12	M	W	"		La S	La S	"						/	/				24
25					" Laura	F	14		Q	"		Ont	"	"						/	/				25

- 1931 available June 2023

Research:

- What was on this property?
- Sources:
 - Maps & insurance plans
 - Smith Falls 1916 & 1959 U of W. On archives;
 - 1929 U of T map library
 - Historic aerial photographs

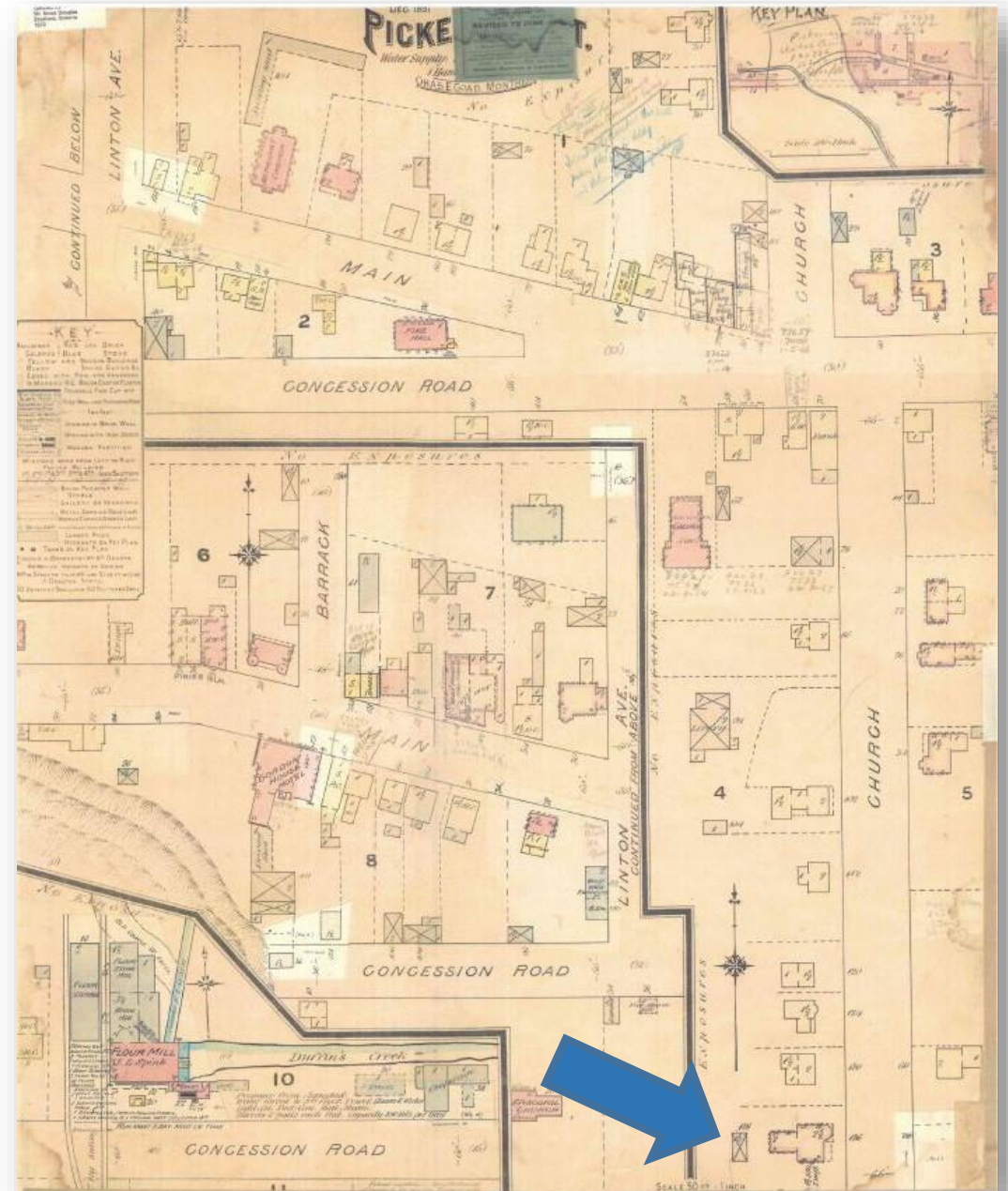


1891



2018

1891



Research:

- What was on this property?
- Sources:
 - Maps & insurance plans
 - Historic aerial photographs

County Map



1863

Research:


- What was on this property?
- Sources:
 - Maps & insurance plans
 - Historic aerial photographs



1954

- Better photos in National
Airphoto Library – 1925+

Research:

- What do the buildings and landscape look like?
- Sources:
 - Google Streetview 
 - Your on-site photography
 - Do not venture onto property without owner's permission
- Significant landscape features



30 Russell Street East, 2019

Research:

- What do building interiors look like?
- Sources:
 - Websites
 - Realtors' website if property sold
 - Your on-site photography
 - Do not venture onto property unless you have the owner's permission



Recent interior view
Peterborough House

Research:

- What did the buildings & landscape look like? – old photographs

- note changes



30 Russell
Street East,
1901

- Sources:

- Websites & digital archives
- Museums
- Local histories
 - Tweedsmuir histories
- Libraries
- Public Archives

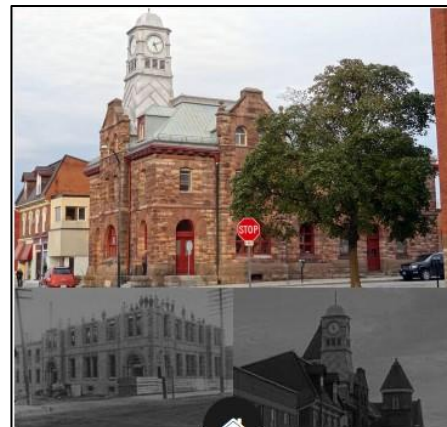
30 Russell
Street East,
1914, rear
addition



Research:

- Check for prior research
 - Does the research confirm what you have found?

*Municipal website –
designated & listed
properties*



OLD POST OFFICE
30 RUSSELL STREET EAST

About the Property:

This building was designed by architect Thomas Fuller in the Romanesque Revival style, and was constructed for use as a post office in 1894. The original building was two and a half storeys with a single storey wing on the north end. In 1914 an addition on the north end filled in the corner of the courtyard and raised the L wing to two storeys. The clock tower was added in 1915.

The exterior of the building is of local red-brown sandstone on a foundation of Beckwith limestone, with red sandstone trim from New Brunswick. The front rectangle of the building presents a balanced façade, with a cottage roof of metal shingles and a belvedere on top with a flagpole. The heavy overhanging wood cornice is decorated with rounded brackets.

The building was up-to-date for its time, with electricity and indoor plumbing, and a coal furnace to heat the water. Originally the Post Office occupied the first floor and the second floor housed the Customs Office. The caretaker and his family lived in an apartment on the top floor.

The Post Office was closed in 1964, then bought by the Roman Catholic Diocese of Kingston in 1965. There was a separate high school for grades 11 and 12 on the first floor, a retreat on the second floor, and nuns' living quarters on the third floor. In 1977 the property was bought by Heritage Holdings. There are law offices on the first floor, and apartments on the second and third floors.

The old post office was designated a heritage property in 1978 for its historic and architectural value or interest.

Research:

- Other Sources:
 - Biographical Dictionary of Canadian Architects (on line) - *George Thomas Martin; Thomas Fuller*
 - Institutional/business archives
 - Local Newspapers
 - National & Provincial Archives
 - Cdn Inventory of Historic Bldgs Recorder
 - http://ip51.icomos.org/~fleblanc/projects/1971-1979_PC/p_pc_cihb_inventory_form.pdf

49	MAIN WINDOW SURROUND-SILLS MATERIAL														
	NONE 1	WOOD 2	RUBBLE 3	CUT STONE 4	BRICK 5	TILE OR TERRA-COTTA 6	CONCRETE OR CAST STONE 7	PLASTER OR STUCCO 8	METAL 9	UNKNOWN 10	OTHER 11				
50	MAIN WINDOW DIVISIONS														
	1. 1 SASH	2. 2 SASH	3. 1 SASH AND TRANSOM	4. 2 SASH AND TRANSOM	5. 2 SASH NO MULLION	6. 2 SASH WITH MULLION	7. 3 SASH WITH MULLION	8. SASH WITH SIDELIGHTS	9. 4 SASH WITH MULLION	10. OTHER					
51	MAIN WINDOW SWING or SLIDE														
	1. UNKNOWN	2. DOUBLE HUNG	3. CASEMENT	4. HINGED	5. PIVOTED	6. HORIZONTAL SLIDING	7. FIXED	8. OTHER							
52	MAIN WINDOW PANES OR LIGHTS														
	UPPER OR LEFT SASH	1	2	3	4	5	6	7	8	9	10	11	12	MULTI	OTHER
	LOWER OR RIGHT SASH	1	2	3	4	5	6	7	8	9	10	11	12	MULTI	OTHER
53	WINDOWS- SECOND FLOOR- Multiple Choice											DISREGARD			
	DIFFERENT FROM FIRST FLOOR	OPENING	HEAD	SIDE	SILLS	SAME AS FIRST FLOOR									
		1	2	3	4	5									
54	WINDOWS-THIRD FLOOR- Multiple Choice											DISREGARD			
	DIFFERENT FROM FIRST FLOOR	OPENING	HEAD	SIDE	SILLS	SAME AS FIRST FLOOR									
		1	2	3	4	5									
55	SPECIAL WINDOW TYPES- ANY FACADE- Multiple Choice														
	1. NONE	2. ROUND	3. HALF-ROUND	4. QUARTER-ROUND	5. POLYGONAL	6. ELLIPTICAL	7. HALF-ELLIPTICAL	8. EYEBROW	9. GOTHIC	10. TRIANGULAR					
	11. BAY, BOW OR ORIEL	12. PALLADIAN	13. SEMICIRCULAR	14. OVAL	15. STAINED GLASS	16. BLIND	17. MULTI	18. OTHER							

Listing a Property in the Register

Protection – 60 day demolition delay – opportunity to decide if worth designating

Listing a Property in the Heritage Register

- **Legislation** – OHA Section 27
 - Clerk keeps the Heritage Register (may delegate to others)
 - Register shall include all DESIGNATED properties
 - Register may include property not designated but Council “believes to be of cultural heritage value or interest” – LISTED

Example of
Heritage
Register that
meets legal
requirements

Tay Township- Heritage Register – current as of March xx, 2023				
Street Address	Legal Description	Owner & address as per 2022 assessment roll	By-law number if designated, or date Council added property to Register if listed	Statement of Cultural Heritage Value & List of Heritage Attributes
22 Main Steet	Part Lot 21, Plan 50	Joe Smith 22 Main Street	Designated - By-law 22-053	Refer to By-law
23 Main Steet	Part Lot 22, Plan 50		Listed – Jan 21, 2022	

Registry **must** be published on the municipal website ← **New**

- **EFFECT** of a property LISTED in Register
 - Delay in demolition - 60 days notice to Council of a municipality
 - Flag – to municipality & other agencies that property may have heritage value

Listing a Property in the Heritage Register

- Legislation:
 - Listed property must include a location description of the property
 - Must consider ‘prescribed principles’ – 26.0.1
 - Not defined at this time - ignore
 - Council must notify owner of listing within 30 days after inclusion in Register
 - Notice to property owner must include:
 - Why property of cultural heritage value or interest;
 - Owner may object to Council to listing with reasons for objection
 - No time limit for objection or number of times owners may object
 - Statement of effect of listing – demolition delay
 - After filing objection, Council must decide on continued inclusion in Register
 - Provide notice to owner within 90 days of Council’s decision

Listing a Property in the Heritage Register

- ***New***

- To be listed, property must meet one of the 9 criteria
- Listing expires after two years ←
- Cannot be relisted for 5 years ←

- ***Suggestions***

- Recommend designation of priority listed properties within the next 2 years
 - Council must express its intent to designate within the 2 year period
 - Priority – significance to community; possible threat of demolition
- For properties for which listing expires and are not designated
 - Include in a Council recognized Heritage Inventory referenced in municipal official plan
 - Does not protect against demolition

Listing a Property in the Heritage Register

- **Municipal Experience:**

- Who researches listed properties – MHC, staff, consultants?
- Who initiates listing – MHC, Council, public, planning application?
- Notify property owners? – Who? When? Now required after Listing
 - Any additional municipal requirements?
 - Suggestion – notify prior to taking to heritage committee and/or Council
- Handling objections?
- Scope of information:
 - Heritage values – Reg 9/06? **Now required**
 - What structures / landscape features are significant - **suggestion**
- Removal from Register- process?
- Emergencies – how handled?

Listing - Ajax – Heritage Register Experience

Ontario Regulation 9/06: Criteria for determining cultural heritage value or interest

Non-designated properties being considered for listing on the Town's heritage register are evaluated using a set of provincially regulated criteria. If a property is deemed to satisfy one or more of the nine criteria below, listing on the heritage register is warranted.

1. Design or Physical Value

The property:

- is a rare, unique, representative or early example of a style, type, expression, material or construction method;
- displays a high degree of craftsmanship or artistic merit; or
- demonstrates a high degree of technical or scientific achievement.

2. Historical or Associative Value

The property:

- has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
- yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
- demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. Contextual Value

The property:

- is important in defining, maintaining or supporting the character of an area;
- is physically, functionally, visually or historically linked to its surroundings; or
- is a landmark.

Where can I get more information?

For more information, contact the Town of Ajax's Heritage Planner at 905-619-2529 x3200 or heritage@ajax.ca. The Heritage Planner can also provide general information on heritage conservation and land use planning. Additional information can be found on the Town's website at ajax.ca.

Frequently Asked Questions from Property Owners

Is special approval required to renovate or make changes to my listed property?

There are no special requirements for a listed property over and above those applicable to all properties in the Town. However, if a building permit is required for any renovation work, the Town's Heritage Planner may contact you to provide suggestions on how to ensure that the heritage value of the property is protected through the renovation process.

Will being listed prevent future development on my property?

Listing on the heritage register will not prevent future development on your property. However, if the Town receives a development application for your listed property, it may decide to proceed with a heritage designation which could influence the form and level of development that is permitted. There are many good examples in Ajax of new developments that incorporate heritage properties. It is the goal of the Town to balance the benefits of heritage conservation with those of new development.

Will being listed impact the real estate value of my property?

Listing on the heritage register should not impact your property's real estate value since the process of listing is purely an administrative one with no legal implications. Interestingly, however, studies conducted in Ontario involving designated heritage properties have demonstrated a positive relationship between designation and real estate value. These studies have shown that real estate values for designated properties are more resilient in times of market fluctuation and can increase at a faster rate than non-designated properties.

Will being listed affect my property insurance?

The cost of your insurance is based primarily on two principles: the level of risk and the type of coverage. Older properties may be subject to higher risk due to antiquated systems and materials, so risk is likely to be higher regardless of whether they have been listed on a heritage register. Similarly, some types of

insurance, such as full replacement cost insurance, which provides for repair or replacement with "like kind and quality," can be more expensive than others. Since listing has no bearing on the type of coverage required, it should not have an impact on your insurance rate.

How can I get my property listed on the heritage register?

The first step is to complete and submit the required application form. Once the application is received by the Town of Ajax Heritage Planner, a summary report will be written that provides a recommendation to the Town's Heritage Advisory Committee. The matter will then be forwarded to Town Council for a final decision.

How can I get my property removed from the heritage register?

To initiate this process, the applicant must complete and submit the required application form along with any required reports. Once the application package is received by the Town of Ajax Heritage Planner, a summary report will be written that provides a recommendation to the Town's Heritage Advisory Committee. The matter will then be forwarded to Town Council for a final decision. Applications for removal must be supported by a Cultural Heritage Evaluation Report (CHER) completed by a qualified heritage consultant. The Town will only support the removal of a property from the heritage register if it is demonstrated that the property does not possess heritage value.

How do I go about demolishing a building on my listed property?

Anyone wishing to demolish a building on a listed property must complete and submit a Notice of Intention to Demolish application to the Town along with any required reports. Once this application package is received, the Town has 60 days to determine whether or not to proceed with heritage designation under the OHA. If the Town does not pursue heritage designation, a demolition permit can be submitted to the Town following the expiration of the 60-day period. In the event that the Town does pursue heritage designation, the applicant will be bound by the requirements of the OHA.



Town of Ajax Non-Designated ("Listed") Heritage Properties



Listing - Ajax – Heritage Register Experience

34 Arnold Estate Lane



Name: The Arnold Estate
Year Built: 1867
Historic Use Category: Residence
Historic Use Type: Single Dwelling
Style: Georgian
Structure Type: Masonry – Stone
Cladding: Stone – Dressed
Heritage Status: Heritage Inventory

Design/Physical Value:

- 2-storey, 5-bay rectangular-plan main house with single-storey rear and west wings, all constructed of dressed fieldstone
- Original single-storey house was modified in 1924 with the addition of a second storey to give a traditional Georgian appearance
- Gabled roof is clad in imitation slate, includes bell-cast eaves and reveals stone chimneys at both ends
- Main entrance includes half-sidelights and a brick lintel under a gabled portico with columns executed in the Doric order
- Value exists in craftsmanship and as a rare two-storey stone dwelling

Historical/Associative Value:

- Built by wealthy Irish businessman William Wright in 1867 on lands purchased from Major John Smith in 1829
- Sold to John Fothergill in 1908 and Harry & Irene Arnold in 1924 (\$25k)

Contextual Value:

- The property originally fronted on Kingston Road but is now located within a condominium development with a small parkette to the west
- Front entrance is located on a cul-de-sac and is marked by a plaque
- Layout of Arnold Estates preserves visual connection to Kingston Road



View of north façade (2016)



View of northwest corner (2016)

34 Arnold Estate Lane



Ontario Regulation 9/06 Criteria

Ontario Regulation 9/06 Criteria	Hit?
1. The property has design value or physical value because it,	
i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,	✓
ii. displays a high degree of craftsmanship or artistic merit, or	✓
iii. demonstrates a high degree of technical or scientific achievement.	
2. The property has historical value or associative value because it,	
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	✓
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	
3. The property has contextual value because it,	
i. is important in defining, maintaining or supporting the character of an area,	
ii. is physically, functionally, visually or historically linked to its surroundings, or	✓
iii. is a landmark.	



Listing in the Heritage Register - Cautions

- **Cautions:**

Toronto developers accused of carrying out 'stealth' demolitions amid heritage-designation backlog



STATEMENT OF SIGNIFICANCE: 181 and 183 COLLEGE STREET (REASONS FOR INCLUSION)

The properties at 181 and 183 College Street are worthy of inclusion on the City of Toronto's Heritage Register for their cultural heritage value, and meet Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation, which the City also applies for inclusion on its Heritage Register. This assessment indicates that the properties meet the criteria under design and contextual values, and further research may identify additional values, including associations with communities, individuals and architects.

Description

The properties at 181 and 183 College Street were identified for their potential cultural heritage value in the College Street Study Official Plan Amendment adopted by the City of Toronto in 2017.

Located on the south side of the street between McCaul and Henry streets, the properties at 181 and 183 College Street contain a pair of semi-detached house form buildings that were first recorded as "unfinished" in 1886 in the City Directory. Occupied the following year, the dwellings were later converted for mixed residential and commercial uses.

Statement of Significance

The properties at 181 and 183 College Street have design value as surviving examples of late 19th century house form buildings on College Street, west of McCaul Street, with detailing from the popular architectural styles of the Victorian era, including the Italianate and Gothic Revival. Placed in the centre of a trio of semi-detached house form buildings that were constructed together, the pair is further distinguished by the surviving decorative wood detailing in the gables.

Contextually, the properties at 181 and 183 College Street are valued for their role in defining, supporting and maintaining the historical character of College Street, west of McCaul Street, which originally developed as a residential neighbourhood. With their later conversion for mixed commercial and residential uses, the buildings reflect the ongoing evolution of the thoroughfare.

The buildings at 181 and 183 College Street are historically, visually and physically linked to their setting where they are part of a series of complementary late 19th century house form buildings adjoining both sides of the intersection with Henry Street.

Heritage Attributes

The heritage attributes of the building at 181 and 183 College Street are:

- The setback, placement and orientation of the buildings on the south side of the street between McCaul and Henry streets
- The scale, form and massing of the 2½-storey plans above the raised stone bases

Listing – Demolition Application

- Council must approve any structure demolition on a listed property
 - Cannot delegate to staff
- Council can specify information to accompany demo application
 - E.g., plans, reasons for demo, heritage impact assessment
- Council decision - within 60 days of Council notification or demolition deemed approved
- Useful to know in advance what structures on the property have heritage value
- If Council wishes to refuse the demolition, it must express its intent to designate the property under Part IV of the OHA within the 60 days

Listing – Expiry after 2 years

- Council must express its intent to designate under OHA Part IV before the 2 years expires if it wishes to prevent any future demolition on the property
- **NOTES:**
 - Council can express its intent to designate any property, even ones removed from the Registry, at any time
 - Properties do not have to be listed for Council to express its intent to designate
 - Provincial and Federal properties may be listed, but cannot be designated
 - Council considers they have heritage merit should the Feds or Province sell them

Designating a Property – OHA Part IV

Protection – Council can manage change to property's heritage attributes

Designating a Property - Part IV

- **Legislation** – OHA Sections 29, 30 & 33:
 - Council may designate if property meets **two (new)** prescribed criteria – Reg 9/06
 - Council must consult with MHC prior to expressing intent to designate
 - Notice - intent to designate – Owner, Trust & published in newspaper
 - Property location; statement of value & heritage attributes; notice
 - Council passes by-law
 - 2 stage objection by owner process
 - 1. - to Council on notice of intent to designate
 - 2. - to Local Planning Appeals Tribunal (LPAT) after designation
- **EFFECT** – starting from notice of intent to designate
 - Prior permits permitting alterations or demolition are void
 - No owner may alter or demolish affecting heritage attributes without Council approval

Designating a Property - Part IV

- **Legislative Requirements:**

- Must consider 'prescribed principles' – Not defined - ignore
- Council may not designate 90 days after 'prescribed event'
 - Generally after submission of a complete planning application
- By-law must contain:
 - statement of cultural heritage value and heritage attributes
 - must comply with 'prescribed requirements' and therefore contain:

Schedule A

- {Municipal address, legal description (Inc. PIN)} and {location within municipality}

Schedule B

- Identify area of property that has cultural heritage value by site plan, drawing or description
- Identify which 09/06 criteria are met
- Description of heritage attributes and how each attribute contributes to the cultural heritage value}

Designating a Property - Part IV

- ***Legislative Requirements – objections / appeals:***

- Two stage process:

- Council expresses intent to designate

- When Council publishes intent to designate – owner has 30 days to object to Council:
- Council must decide whether or not to withdraw notice of intent to designate in 90 days

- Council passes designation by-law if it does not withdraw intent

- Must pass within 120 days of publication of intent to designate unless ‘prescribed circumstance’ exists
- Publishes notice of passage of by-law
- Owner may appeal to LPAT within 30 days of published notice
 - LPAT holds hearing
 - issues a final decision dismissing appeal or directs Council to repeal by-law in whole or part as determined by LPAT

Designating a Property - Part IV

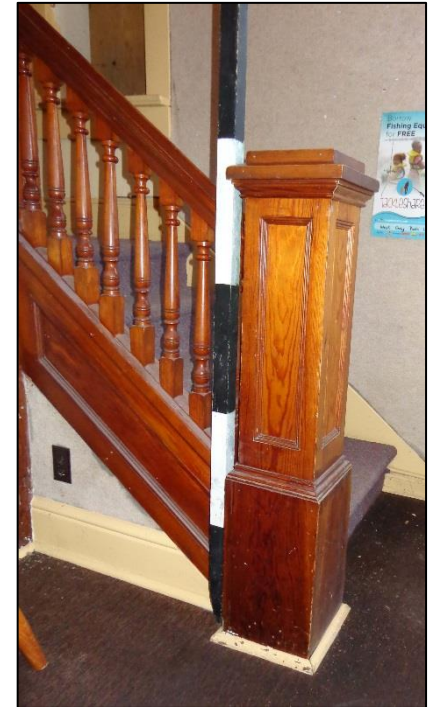
- **Municipal Experience:**

- Who researches properties for designation – MHC, staff, consultants?
- Who initiates designation – MHC, Council, public, applicant for development?
- Does Council have additional property notification requirements?
- Who prepares designation By-law?
 - Legal description of property
 - Statement of heritage value and list of heritage attributes
- How do you put it forward to your Council?
- Emergencies – how handled?
- Appeals – who goes to LPAT?

Designating a Property - Part IV – West Grey



Carnegie Free Library
240 Garafraxa Road North,
Durham



Designating a Property - Part IV – West Grey

SCHEDULE B TO THE BY-LAW

6 of 9
Criteria met
& general
location

Design values

Associative
values

Contextual
values

Heritage
Attributes

Durham Carnegie Free Library – Reasons for Designation (Statement of Significance)

Description

The property at 240 Garafraxa Street North is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets six of the nine heritage value criteria for municipal designation prescribed by the Province of Ontario under the three groupings of design, association and contextual as described in the Statement of Cultural Heritage Value below. Located on the west side of Garafraxa Street North, north of George Street West immediately north of the Knox United Church in the community of Durham, the Durham Carnegie Free Library, built 1911 to 1912, is a 1 storey institutional building constructed as an area library and meeting room.

Statement of Cultural Heritage Value

Design Values: The Durham Carnegie Free Library (the Building) meets the 1st criteria as a well preserved, representative example of a stone and brick, Beaux-Arts Classical Revival style, institutional building in the community of Durham. The Building meets the 2nd criteria as it exhibit a high degree of craftsmanship in the exterior and interior detailing.

Associative Values: The Building meets the 4th criteria through its association with an international organization significant to the community. It was constructed for the Town of Durham in response to a \$8,000 grant from the Carnegie Foundation for the construction of a free, public library. The Foundation, founded in 1905, is a philanthropic organization established by the American industrialist, Andrew Carnegie, which, in the early twentieth century, provided grants to municipalities in the English-speaking world for the construction of free public libraries to further Carnegie's belief of a society governed by meritocracy through self-education. The Building was used as the community library from its opening until 2017. The Building, in its original location facing east, retains the architectural features required by the Carnegie Foundation and in particular, James Bertram, Carnegie's secretary.

The Building meets the 6th criteria as it was designed by the Guelph Architect William Austin Mahoney (1871 – 1952), a provincially and locally significant architect. It was constructed by builders who were significant to the community - Hugh McDonald (masonry) and George Kress (carpentry) on land that had been donated to the Town by a mayor, David Jackson Jr.

Contextual Values: The Building, located immediately north of the Knox United (originally Presbyterian) Church, meets the 7th and 8th criteria through its historic contribution to, and strong visual presence on, the streetscape of this predominantly residential area just north of the commercial core of Durham.

Heritage Attributes

Each exterior heritage attribute of the property 240 Garafraxa Street North listed below is indicative of the 1st, 2nd, 4th and 6th criteria (design and associative values) as they are part of the original building design while the third heritage attributes also relates to 7th and 8th criteria (contextual values) :

- The 1–storey institutional Building on a raised basement
- The scale, form, height and massing of this square Building on a rectangular-shaped lot
- The setback of the building from the street
- The broken coursed, cut limestone basement and the red brick clad first floor; the latter with banding on the principal (east) elevation
- The low pitched, black asphalt shingled, hip roof with its projecting, plain wood clad eaves on the main Building and on the portico
- The symmetrical arrangement of the principal (east) elevation with the central entrance, positioned mid-way between the basement and the first floor, flanked on either side by pairs of window openings on the first floor and the basement
- The central portico on the principal (east) elevation, which shelters the front entrance, with arched openings with stepped concrete voussoirs on the three sides, Ionic columns and pilasters on red brick piers supporting the portico and key-stone cartouche in the east opening
- The straight staircase and plain concrete balustrade leading to the portico and the front entrance
- The first floor large rectangular window openings with one over one wooden sash and transom above and concrete lug sills on all elevations
- The concrete lintels over all window openings except those on the first floor of the principal elevation where there are large stepped voussoirs over the semi-circular window openings
- The shorter window openings on the basement with one over one wood sash
- The wide front entrance opening with its semi-circular head, door leafed door and semi-circular transom

Each interior heritage attribute listed below is indicative of the 1st, 2nd, 4th and 6th criteria as they are associated with the designs of the architect W. A. Mahoney and the requirements of the Carnegie Foundation:

On the first floor:

- The high ceilings
- On all windows - wood casings and sills
- Around all door openings - wood casings
- The wood framed, glass paneled swinging doors from the vestibule to the first floor
- All baseboards and chair rails
- The pair of tapered, square, paneled wood columns immediately west of the entrance vestibule
- The moulded wood casing at the base of the arched and straight openings, that latter supported by the pair of square columns,
- The paneled doors to the office and to the basement staircase

In the basement:

- The staircase leading from the first floor to the basement, including newel posts, balusters, hand rail, string course, treads and risers
- The door and wall of the basement entrance vestibule
- On all remaining windows – wood casings and sills

Heritage
Attributes

Altering a Designated Property – OHA Part IV

Protection – Managing change to property's heritage attributes

Altering a Part IV Designated Property

- **Legislation – OHA Section 33:**
 - Council approval required to alter heritage attributes
 - Application for a Heritage Permit to alter
 - with plans as required by Council and as prescribed by regulation (385-21) **NEW:**
 - Applicant name, address & contact info
 - Municipality
 - Description of the property subject to the application
 - Photographs showing existing condition
 - Site plan showing location of alteration
 - Drawings of the proposed alteration
 - Reasons for the alteration
 - All relevant technical studies
 - Any additional information required by municipal by-law

Altering a Part IV Designated Property

- **Legislation – OHA Section 33:**
 - Application for a Heritage Permit to alter:
 - Council issues notice of complete application within 60 days application commenced ‘as determined by regulation’ – date when Council receives application
 - Council, after consulting with its MHC, must decide within 90 days of notice;
 - Council must render a decision even if the application is not complete
 - Within 150 days of application commenced
 - No decision within time limits, application deemed approved
 - Council may:
 - Approve
 - Approve with conditions
 - Refuse

Altering a Part IV Designated Property

- Council may delegate its approval authority to municipal employee
 - Approval often based on conformity to Cdn Standards and Guidelines
 - Refusal of application normally a Council decision
- Council issues notice of its decision
- Applicant may appeal Council's decision to LPAT
 - Appeal within 30 days of Council's notice of its decision
- Appeal referred to LPAT which holds hearing & issues decision
 - Dismiss appeal
 - Approval appeal in whole or part and so direct municipal council

Altering a Part IV Designated Property

- **Municipal Experience:**

- Who deals with the applicant in preliminary meeting – MHC, staff?
- What does your Council require to accompany an application to alter?
 - Anything in addition to provincial regulation?
- Do you have a formal heritage permit process?
- Has your Council delegated approval of alterations to staff?
- Who prepares the report to Council on the application?
- Have you negotiated conditions on past approvals to alter?
- Appeals – who goes to LPAT to defend Council decision?

Altering a Part IV Designated Property

- **Things to consider:**

- Are the alterations:
 - SYMPATHETIC to the property's heritage value?
 - SUBORDINATE to the property's heritage?
 - COMPATIBLE to the property's heritage values?
 - Compliant with the Cdn Standards & Guidelines for Historic Buildings?
- Are there options which would achieve the owner's objectives but be better for the property's heritage values?
- Are the alterations reversible?
- Do the alterations restore documented heritage features?

Altering a Part IV Designated Property - Georgina



Proposal –
Rear Addition on a
farm property



Altering a Part IV Designated Property - Georgina

- Conditions of Approval
 - Heritage Easement Agreement
 - Amend designation by-law to include landscape features
 - Resolve condition issues on heritage building
 - Maintain views of house from main road - landscaping
 - Financial guarantees



Demolition on a Designated Property – OHA Part IV

Protection – Council can prevent demolition but owner can appeal to LPAT

Demolition on a Part IV Designated Property

- **Legislation – OHA Section 34:**
 - Council approval required for demolition or removal of any structure on a Part IV designated property
 - Application to demolish – Heritage Permit
 - With ‘prescribed information’ **NEW** (regulation 385/-21) & other Council requirements
 - Applicant name, address & contact info
 - Municipality
 - Description of the property subject to the application
 - Photographs showing existing condition
 - Site plan showing location of demolition
 - Drawings of the proposed demolition
 - Reasons for the demolition
 - All relevant technical studies
 - Any additional information required by municipal by-law

Demolition on a Part IV Designated Property

- **Legislation – OHA Section 34:**
 - Council issues notice - receipt of complete application within 60 days application served on Council
 - Within 90 days of notice, Council, after MHC consultation, decides & issues notice of decision:
 - Approve
 - Approve with conditions
 - Refuse
 - If application not complete, Council must decide within 150 days application began
 - Failure to decide within timelines, demolition deemed approved
 - Council cannot delegate demolition to staff
 - Applicant may appeal Council's decision to LPAT within 30 days of notice of decision
 - LPAT which holds hearing & makes final decision in an order to municipal council
 - If demolition approved, Council must consider whether repeal of all or part of designation by-law is required

Demolition on a Part IV Designated Property



- **Municipal Experience:**

- Who deals with the applicant in preliminary meeting – MHC, staff?
- What does your Council require to accompany an application to demolish?
 - In addition to the information required by regulation?
- Do you have a formal heritage demolition permit process?
- Who prepares the report to Council on the application?
- Have you negotiated conditions on past approvals to demolish?
- Appeals – who goes to LPAT to defend Council's decision?

Amending or Repealing an individual Heritage Property By-law – OHA Part IV

Outcome – Heritage protection removed

Amending or Repealing a Part IV Designation

- **Legislation** – OHA Section 30.1 (Amending), 31 (Repeal):
 - Council approval required to amend or repeal a Part IV designation by-law
 - Amendment process not required:
 - To clarify or correct statement of cultural heritage value or list of attributes
 - Amendment process: - with time limits
 - Notice to property owner
 - Consult with MHC 
 - Owner may object; if Council does not withdraw, appeal to LPAT
 - Repeal process: - with time limits
 - Notice to property owner & publish in newspaper
 - Consult with MHC 
 - Anyone may object; if Council does not withdraw, appeal to LPAT
 - LPAT
 - Holds hearing
 - Renders final decision and orders Council as appropriate


Designating a Heritage District – OHA Part V

Protection – Manages change for a group of heritage properties, including public properties; municipality may not pass by-law contrary to the HCD Plan


Designating a Heritage Conservation District (HCD)

- **Legislation** – OHA Part V, Sections 39 - 41
 - Municipal decisions under Part V - comply with prescribed principles (ignore)
 - Municipality may undertake study of area for HCD - *recommended*
 - Section 40 (2) defines scope of study:
 - Area character
 - Boundary
 - Objectives of designation and context of HCD Plan
 - Changes to municipal official plan and by-law
 - MHC must be consulted on HCD study
 - Municipality may restrict alterations, demolition and new buildings in study area for up to 1 year
 - Subject to appeal to LPAT
 - *Not recommended* unless there is an emergency

Designating a Heritage Conservation District (HCD)

- **Legislation** – OHA Part V, Sections 39 - 41
 - Municipality may designate an area as a HCD
 - Must inform the public and have at least one public meeting
 - *New – at least 25% of properties in HCD meet to of the criteria of 09/06 as amended*
 - Not every property in an HCD has to have cultural heritage value
 - Non-heritage properties – HCD Plan would have policies to ensure replacement buildings fit into the HCD
 - MHC must be consulted on HCD designation 
 - Subject to appeal - LPAT
 - Municipality must have policies in its Official Plan permitting HCDs

Designating a Heritage Conservation District (HCD)

- In designating a HCD, the municipality must also adopt a HCD Plan
 - Plan content defined by OHA 41.1 (5)
 - Statement of HCD objectives 
 - Statement of cultural heritage value of interest
 - Heritage attributes of the HCD and properties in the HCD
 - Policy statements, guidelines and procedures for managing change
 - List of minor alterations that do not require a heritage permit
 - Plan should address public areas – streets, sidewalks, parks, etc.
- ***EFFECT*** - Once the HCD established, a heritage permit required for:
 - Exterior alterations;
 - Erection, demolition or removal of any heritage attribute of a property
 - Municipality may not pass by-laws or undertake works contrary to HCD plan

Designating a Heritage Conservation District (HCD)


- HCD do not have to be large areas – For example:
 - Brock Avenue in Centre Wellington Township (Fergus) – 6 properties & street



Altering a Property in a Heritage District – OHA Part V

Protection – Manage change consistent with the District Plan

Altering a Part V Designated Property

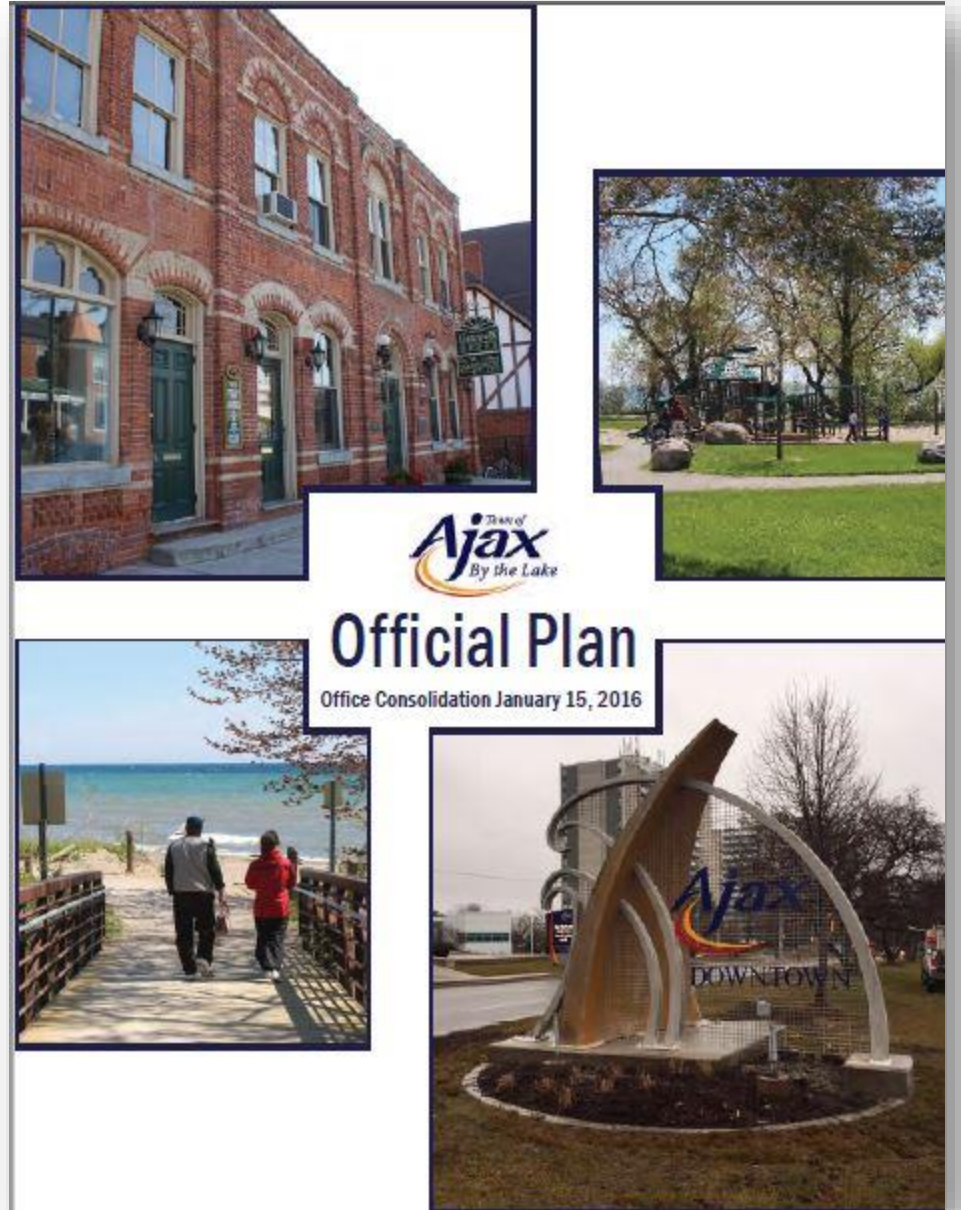
- **Legislation** – OHA Section 42:
 - Council approval required to alter a Part V designated property
 - Application for a Heritage Permit to alter
 - with plans as required by Council and as prescribed by regulation (unknown at this time)
 - Council issues notice - receipt of complete application
 - Council must decide within 90 days of notice or alteration deemed approved;
 - No consultation with MHC required 
 - Council may:
 - Approve
 - Approve with conditions
 - Refuse
 - Owner may appeal Council's decision to LPAT, which renders final decision

Planning - Policy & Applications

Effect: Municipal Planning can support heritage conservation

Planning - Policy Reviews

- Official Plan & other Planning Instruments
 - When reviews are undertaken, seek input into planning documents that may have heritage implications
 - Can recommend amendment to existing policies



Planning - Application

- Planning Development Applications
 - Monitor applications affecting properties on heritage register
 - Some municipalities require heritage impact assessments with application
 - Assesses impact on heritage values
 - measures to address adverse impacts
 - Be prepared to respond quickly
 - Can include recommendations for:
 - modifications
 - Conditions
 - Must be based on heritage issues



Heritage Easement Agreements

Protection – Strongest tool for protecting a heritage resource

Heritage Easement Agreements

- **Legislation – OHA Section 37:**

- Council may pass by-laws for heritage easements
 - Enter into with the consent of the owner usually in connection with:
 - A planning application
 - A grant
 - Property tax relief
 - Sale of surplus municipal heritage property
 - Placed on title
 - Runs in perpetuity
 - Municipal enforcement
 - Decision of council final; no appeal
 - Municipality must consult with its MHC ←

Heritage Easement Agreements

- **Content:**

- Reasons for identification
- Photographs
- Required maintenance & repair by owner
 - Maintain in a state of good repair
- Permitted alterations
- Property be insured
 - Municipality a named party
 - Proceeds used to restore/reconstruct
- Municipality may reconstruct if owner fails; charge to owner
- Control signage
- Allow Possible heritage plaque on property

Heritage Easement Agreements

- **Examples:**



Maple Leaf Gardens, City of Toronto



Farm house, Town of Georgina

Heritage Property Standards

Effect: Ensure maintenance of heritage property

Heritage Property Standards

- **Legislation** – OHA Sections 35.3 & 45(1):
 - Council may pass & enforce by-laws for designated properties:
 - Prescribing minimum standards for maintenance of property's heritage attributes;
 - Require that property which does not comply with the standards be repaired
 - Municipality must have a standards by-law under the Building Code already in place
 - Municipality does not have to consult with its MHC on this but MHC can suggest examples where municipalities have such standards



Heritage Property Standards

- ***Example:***

- City of Toronto - **Minimum standards.** Municipal Code 629-44

- In addition to the minimum standards for the maintenance and occupancy of property in the City as set out in this chapter, the owner or occupant of a Part IV Heritage Property or a Part V Heritage Property shall:
 - A. Maintain, preserve and protect the heritage attributes so as to maintain the heritage character, visual and structural heritage integrity of the building or structure.
 - B. Maintain the property in a manner that will ensure the protection and preservation of the heritage values and attributes.
 - The by-law then addresses repair and replacing of heritage attributes.

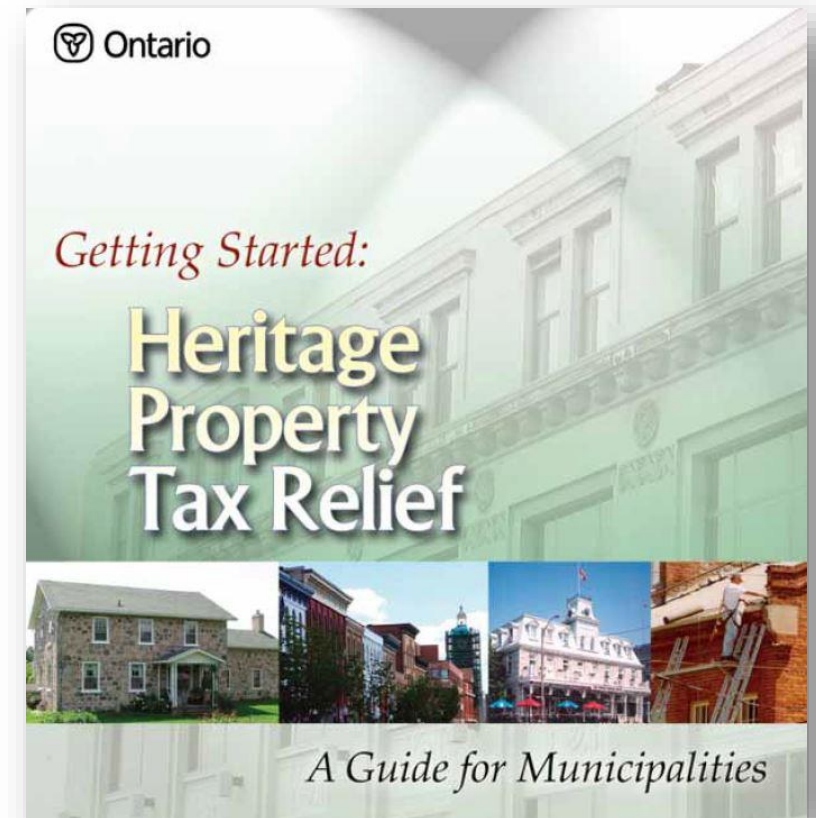
Property Tax Reduction / Heritage Grants

Effect: Financial incentive for heritage protection

Property Tax Reductions / Heritage Grants

• Legislation

- OHA Sections 39 (grants), Municipal Act (taxes):
 - Grants
 - Council may provide grants to designated property owners for the cost of alterations
 - Council can specify the type appropriate alterations
 - Property tax reductions
 - Council may reduce property taxes by 10% – 40%
 - Council may specify eligibility criteria
 - Province shares the cost of the education tax
- Municipality does not have to consult with its MHC on this but MHC can suggest examples ←



Thank You

for agreeing to serve in the effort to
conserve heritage in your community



CHO - PCO

Community Heritage Ontario

Patrimoine communautaire de l'Ontario