

Heritage Designation

What is heritage designation?

Designation is a way for property owners to express pride in the heritage value of their property, and for the community to protect and promote awareness of its local history. The *Ontario Heritage Act* enables municipalities to designate properties of cultural heritage value or interest through a by-law.

Designation can apply to individual properties or to a whole neighbourhood or district. If a property or district is designated, it gains public recognition as well as protection from demolition or unsympathetic alteration so that the heritage attributes of the property can be conserved.

Why designate?

Planning for the future of a strong, vibrant community requires knowledge of the past and an understanding of what we value in the present. Existing buildings, structures and landscapes often define a community's unique identity and give it character and a sense of place. To help guide change, it is important to identify and protect the places in the community that have cultural heritage value.

Designation under the *Ontario Heritage Act* is one tool that hundreds of communities across Ontario have used to protect thousands of heritage properties. Properties can be designated individually (under Part IV of the Act) or as part of a larger area or Heritage Conservation District (under Part V). Heritage designation:

- Recognizes the importance of a property to the local community;
- Protects the property's cultural heritage value;
- Encourages good stewardship and conservation; and
- Promotes knowledge and understanding about the property.

For the community, designation of heritage properties provides a process to ensure the heritage attributes of a property are conserved over time. Property owners, the Municipal Heritage Committee and municipal staff work together to ensure that changes to the property respect its cultural heritage value.

For property owners, designation recognizes the significance of their property and ensures that future owners will respect and appreciate their investment. Designation may also provide property owners with access to grants, loans or tax relief to support the conservation of the property.

What are the different designations that are applicable to heritage and cultural properties?

- **Individual Designation:** Individual properties designated under the *Ontario Heritage Act* are protected for specific unique attributes falling under the categories of architectural, cultural and/or contextual value. Also known as "Part IV Designated", these properties have individual site-specific by-laws that outline the detailed cultural heritage value or interest of the property as well as the applicable heritage attributes.
- **Heritage Conservation District Designation:** Heritage Conservation Districts are neighbourhoods or areas that are protected by a municipal by-law passed by Council under Part V of the *Ontario Heritage*



Act. They are put in place to conserve and enhance the special character of historic areas and neighbourhoods.

Heritage Conservation Districts

What is a Heritage Conservation District?

Heritage Conservation Districts are defined geographic areas made up of natural landscapes, landmarks and buildings that feature a very specific aspect of local history to a sense of place, extending beyond the setting alone. They are protected by individual municipal by-laws passed by Council under the *Ontario Heritage Act*. The districts are put in place to conserve and enhance the special character of historic areas and neighbourhoods.

Where are other Heritage Conservation Districts located in Ontario?

- There are 125 Heritage Conservation Districts in Ontario
- Over 45 municipalities have at least one Heritage Conservation District
- The first Heritage Conservation District was designated in Meadowvale Village (now part of Mississauga)
- Examples of towns with Heritage Conservation Districts in their downtowns:
 - Orangeville
 - Newmarket
 - Cookstown
 - Meaford
 - Collingwood
 - Port Perry

What are the advantages of having a Heritage Conservation District?

Having a Heritage Conservation District has a number of benefits, including:

- Ensuring that changes in the community are guided by a clear planning and permit application process with area-specific guidelines that protect and conserve the community's special and distinct cultural heritage resources.
- Ensuring that demolitions, alterations and new construction are subject to Heritage Conservation District guidelines and must consider and preserve the character.
- Encouraging better design to create a sense of cohesion through use of guidelines that apply to all properties within the Heritage Conservation District.
- Generating the potential for tourism.
- Enhancing community identity, pride and involvement.

What is the process for an area becoming a Heritage Conservation District?

A Heritage Conservation District is created through a two-phase process, a Study Phase and a Plan Phase.

The Study Phase includes historical research, inventory of the buildings, structures and features such as streetscape and views, and evaluation. If the area meets the criteria set out in the evaluation then a Statement



of Significance is written which describes the design or physical, historical or associative, or contextual values and lists the features of the place which express the values and a boundary is delineated. The Study is endorsed by Council and a decision may be made to move forward to the Plan Phase.

The Plan Phase sets out the objectives and conservation policies and guidelines for managing change in the Heritage Conservation District. Community engagement activities are integral to the entire process and is one way for property owners to provide input which is then included in the Study and Plan reports.

Can property owners object to inclusion in the Heritage Conservation District?

The act does not require council to obtain the approval of a majority of property owners or residents or to demonstrate that there is support before proceeding to pass a bylaw to designate an area as a Heritage Conservation District.

Before passing the designation bylaw and adopting the Heritage Conservation District plan, council is required to notify the public about the proposed Heritage Conservation District plan and hold at least one public meeting to discuss the plan.

Following passage of the bylaw, any person who objects to the bylaw can appeal the bylaw to the Ontario Municipal Board. Comments and/or objections to the proposed district plan can be made through oral representations at the municipal public meeting or by written submissions to council. Persons who did not make representations at the meeting or written submissions on the plan may be later denied the opportunity to appeal the passing of the bylaw to the Ontario Municipal Board (OMB).

Heritage Conservation District Plans

What is a Heritage Conservation District Plan?

A Heritage Conservation District Plan is a document that aims to establish guidelines and enforce policies designed for the conservation and enhancement of the heritage resources and character of an area.

Why is a Heritage Conservation District Plan needed?

A Heritage Conservation District Plan provides guidelines to the municipality and its residents for the conservation, preservation, restoration and maintenance of important historical, architectural and landscape elements in the district. The plan provides guidelines and parameters for design of new development and redevelopment that preserves and enhances the district's heritage character.

How will being part of a Heritage Conservation District affect my ability to change my property?

Heritage Conservation Districts support changes that enhance a neighbourhood's unique character. Property owners within a District are required to receive a heritage permit for additions, alterations or demolition on their property. Changes to the interior, changes to the exterior that are not visible from the street, and routine maintenance like painting do not require a heritage permit.



Will I be forced to restore my property to some fixed time in the past?

No. Buildings from a variety of time periods are present in a dynamic district. No one is forced to restore their property. The focus is on maintaining the heritage features each property has at the time the district is enacted. Guidelines and advice on how to do this will be offered to property owners.

Property owners are encouraged to rehabilitate their property by preserving and conserving its significant features. Regular maintenance is encouraged so that major rehabilitation projects can be avoided. Guidelines and advice on how to do this will be offered to property owners. Heritage permits are required for proposed changes such as alterations or replacement of street fronting elements of contributing buildings, alterations to storefronts and signage, additions to residential buildings, and demolition. A full list of types of projects and whether a heritage permit is required or not is included in the plan.

General Maintenance

Do I need permission for general maintenance?

General maintenance work, such as repainting of exterior trim, replacement or repairs to an existing asphalt roof, or alterations and repairs to property features that are not covered by the designation by-law do not usually require heritage approvals. However, you may still need a building permit. Property owners within a Heritage Conservation are provided with guidelines in the Heritage Conservation District Plan that are in keeping with the character of the neighbourhood.

Use

Does being part of a Heritage Conservation District affect the use of my property?

No, designation within a Heritage Conservation District does not affect the use of a property. If an owner would like to change the use of a property, an application is required under the Planning Act. If a change of use requires alterations to the building, the alterations may require heritage approval under the *Ontario Heritage Act*.

Insurance

Will heritage designation raise my property insurance premiums?

The provincial Ministry of Heritage, Sport, Tourism and Culture Industries and the Insurance Bureau of Canada have both confirmed that insurance premiums should not go up as result of heritage designation. A variety of other reasons cause insurance companies to increase premiums for older buildings if there is a higher level of risk, such as services (out-dated wiring, old heating systems, etc.). In fact, some companies do not insure buildings over a certain age. Designation itself, however, does not place additional requirements on the insurer and therefore should not affect your premiums. It is up to the discretion of property owners to add additional coverage, such as “replacement cost” coverage, for important features of the property in case of damage. This can be done whether or not the property is designated. Heritage property owners are encouraged to shop around to find the right insurance provider and should contact the Insurance Bureau of Canada if their insurer has questions regarding designation.



Property Values and Sale

Will a Heritage Conservation District lower my property's value?

Not likely. A study by The Architectural Conservancy of Ontario (2009, 2012) indicates that real estate sales values in Heritage Conservation Districts generally rise more consistently than surrounding areas. They also tend to resist downturns in the real estate market better than non-designated properties.

For more information, see:

- "Heritage Districts Work! – More Stories of Success", 2012. Architectural Conservancy of Ontario, Robert Shipley, University of Waterloo, <https://uwaterloo.ca/heritage-resources-centre/sites/ca.heritage-resources-centre/files/uploads/files/HCD%20Study%20Final%20Report%20Summary%20Phase%202%20-%20FINAL.pdf>
- "The Economic Value of Heritage Districts: How Assessment Growth in Heritage Conservation Districts Compares With Non-designated Areas in Hamilton", 2016. Urban Insights bulletin, CivicPlan, http://civicplan.ca/wp-content/uploads/2017/07/Heritage_Value_UrbanInsights.pdf

Does designation affect the sale of properties?

Anyone can buy or sell a heritage property; accordingly, heritage designation should not prevent the sale of properties. In fact, a province-wide study of 3,000 designated properties in various communities in Ontario has revealed that heritage designation tends to have a positive impact on property values and can decrease the time a property is on the market even during market downturns.

Approval Process

Does designation delay the approval process for building permits?

Sometimes. Typically, development applications are circulated to the Town's Heritage Planner to determine if the proposal would have significant heritage impacts to the applicant's property. If not, the approval processes should not be delayed. If there is a significant heritage impact, the project will require additional approvals, from Town Council for example. It is most effective to plan ahead when considering the application for a building permit on a significant heritage property. Notifying the Heritage Planner of what is being proposed will help to assess any heritage impacts and possible alternatives ahead of time so when it is time for a building permit, the process is timelier.

Is there a cost for heritage permit applications, and how long is the application process?

Heritage permits are proposed to be free and are integrated with the building permit process, and the average time for review of heritage permit applications is aligned with Building Permit timing.



Who decides whether the work is acceptable or not?

Council is responsible for deciding on applications for a heritage permit unless this power has been delegated to municipal staff. Normally the Municipal Heritage Committee will review applications for changes to the property and provides advice to staff and council. Staff and committee members can advise you on how to ensure that the changes you want to make will not detract from the property's heritage attributes.

Sample Heritage Conservation District Frequently Asked Questions

Heritage Conservation Districts in Toronto
Frequently Asked Questions

https://www.toronto.ca/wp-content/uploads/2018/05/90a0-HCD-FAQ_2018.pdf

Kleinburg-Nashville Heritage Conservation District Plan Update
Frequently Asked Questions

https://www.vaughan.ca/services/business/urban_design/KNHCD/Pages/Frequently-Asked-Questions.aspx

City of Windsor

Heritage Conservation Frequently Asked Questions

<https://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/Pages/Heritage-Conservation-FAQ.aspx>

Sources

- [*Ontario Heritage Act*](#)
- Ministry of Tourism, Culture and Sport:
 - [Listing cultural heritage properties on the municipal register](#)
 - [Why designate?](#)
 - [Eight guiding principles in the conservation of built heritage properties](#)
 - [Strengthening Ontario's heritage: Identify, protect, promote](#)
 - [What a municipal heritage committee does](#)
 - [Insurance and heritage properties](#)
- [ShIPLEY, R. \(2000\). Heritage designation and property values: Is there an effect? International Journal of Heritage Studies, 83-100.](#)

