



Staff Report

Report To: South Huron Council
From: **Dan Best, Chief Administrative Officer/Deputy Clerk**
Date: May 7 2018
Report: CAO 08-2018
Subject: Heritage Designation Process

Recommendations:

That the report of Daniel Best, Chief Administrative Officer dated May 7, 2018 regarding an overview of the Heritage Designation process be received;

Purpose:

Council Background and Information

Background and Analysis:

Further to the Council meeting of April 16, 2018, Council had requested background information regarding the process of designation of a heritage property to assist in their decision-making regarding a property that was recommended to be designated by the Heritage Committee.

As a Committee of Council, the Heritage Committee purpose is to:

- Research & submit heritage properties for registry list
- Advise Council on heritage matters, permit requests for listed or designated buildings
- Assist owners re: maintenance, restoration & funding
- Promote Heritage events

The Ontario Heritage Act (1975) Legislation intended to conserve Ontario's heritage by allowing municipalities to identify & designate properties of

cultural heritage value, create incentive programs & establish municipal heritage committees.

Under the Ontario Heritage Act municipalities can pass by-laws to designate properties of cultural heritage value or interest. Designation of heritage properties is a way of publically acknowledging a property's value to a community. At the same time, designation helps to ensure the conservation of these important places for the benefit and enjoyment of present and future generations.

Heritage properties can also be designated as part of a larger group of properties as a heritage conservation districts.

Designation

At the municipal level, there are two types of designations under the Ontario Heritage Act – Part IV and Part V. Part IV designations refer to individual heritage properties. Part V designations refer to a grouping of heritage properties known as a Heritage Conservation District.

Designation under the Ontario Heritage Act is applied by the passing of a municipal by-law to recognize and to promote good stewardship of the District's cultural heritage value. Exterior alterations to buildings located on designated properties generally require a Heritage Permit.

Designation under the Ontario Heritage Act gives a property special legal status. This legal status is designed to protect cultural heritage resources located on the property. Although designation status is registered on the title of the property and requires certain actions on the part of a property owner, the owner retains control of the property.

Section 27 of the Ontario Heritage Act allows municipalities to list or inventory properties of cultural heritage value that are not designated under Part IV or Part V of the Act. These properties are not afforded the same level of protection as a designated property. While a Heritage Permit is not required for alterations to the property, owners are always welcome to seek staff advice. An owner of a "listed" property is required to give Council 60 days notice of their intention to demolish a building (or portion of a building) on the property.

The following are some key considerations regarding Designation:

- Designation does not prohibit or negatively affect the sale of a designated property. Some studies have even shown that designation actually positively affects resale value.
- Designation does not oblige the owner to restore and maintain the building beyond what is expected of any property owner.

- Designation does not affect the permitted uses of the property (under zoning).
- Designation does not prohibit the development or alteration of the property, but approvals are required if exterior changes to the property are contemplated.
- Designation does not permit public access to your property

A general process for Designation is outlined as Appendix A to this report.

Moving forward, a review of our Heritage Program should be considered a priority. Given that 2018 is an election year, the status quo at this time should remain in effect with no changes to the Terms of Reference or the Committee. However, an overview of the following should be incorporated into a Council Orientation Package that outlines some of the gaps in our program, how to improve and and how to promote heritage as an economic driver for South Huron. As the the term of the Committee expires with this term of Council, there is an opportunity to collaborate improve on our existing framework. Some of the items are the following:

- Review, update and validation of the Terms of Reference. This will ensure that there is role clarity and compliance with our statutory requirements.
- Formalizing the relationship with Council. For example, there should be a formalized reporting relationship with presentations for recommended designations by the Heritage Committee. In addition, there needs to be more interaction between the Committee and Council. Templates and Education/Awareness programming would assist in this process.
- Greater promotion and presence of heritage in South Huron. There are multi media polatforms available to the Municipality that can reach multiple publics that would allow the following:
 - The story of South Huron to be told;
 - The value of heritage in our community;
 - Heritage is an economic driver;
- The Municipality needs to assess and review its commitment to heritage from a governance and financial perspective

Operational Considerations:

None

South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Improved Recreation and Community Wellbeing
- ✓ Dedicated Economic Development Effort

Financial Impact:

There are no financial implications as a result of the actions outlined in this report

Legal Impact:

There are no legal implications as a result of the actions outlined in this report

Staffing Impact:

There are no staffing implications as a result of the actions outlined in this report

Policies/Legislation:

Ontario Heritage Act

Consultation:

None

Related Documents:

Ontario Heritage Tool Kit – Heritage Property Evaluation

Ontario Heritage Tool Kit – Designating Heritage Properties

Respectfully submitted,

Dan Best, Chief Administrative Officer/Deputy Clerk

Designation Process

