

Bill 23 – Heritage Strategy

March 6, 2023

Bill 23 & Heritage – Key Impacts

- Designation now requires listing FIRST
- Increased criteria for designation
 - (2 of 9 minimum of 9/06 must be met)
- Notices of Objection from property owners can be received for listings at any time
- Removal from the Register after 2 years
 - Prohibitions from re-listing for 5 years



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Considerations for Bill 23 – Heritage Strategy

- Alignment with CHMP directives
- Prioritize those that clearly meet designation criteria vs. borderline properties
- Heritage Halton Hills input as advisory committee to Council
- Maintain objectivity in reviewing properties to ensure we don't just capture only physical/design value
- Ensure economic sustainability & best use of staff resources

Part 1 - Ongoing Conservation Initiatives

- CHMP completion Fall 2023
- Summer Student focus on Historic Context Statements for Character Areas & Historic Community Institutions
- Documentation Strategy with Heritage Halton Hills
- Internal negotiations through Development Review processes & partnerships with other departments
- Re-structure Heritage Planning webpages to include CHMP work and initiatives
- Further promotional initiatives through existing and potential programming



Part 2 - Heritage Register Prioritization

- Proposed Prioritization Criteria to HHH & Council
- Apply to existing Register
- Add HHH Workshop nominations
- Research & Evaluate properties from ROW
- Contact owners when it is clear 9/06 criteria will be met & property should be designated
- Discuss opportunities, provide detailed information and coordinate meetings and site visits as required
- Bring recommendations for Part IV designation to HHH & Council



Prioritization Criteria

Prioritization Criteria	Determination	Potential Weight (Points)
Identified in Secondary Plan for Designation or Conservation	Cross Reference Previous Studies and Secondary Plans	20
Identified Intensification Site/MTSA	Cross Reference Intensification Study with Register	10
Pre-Confederation - <1867	Heritage Register Review	10
Property Standards Orders or Known Vacancy	Enforcement	10
Identified as “Unique”, “Unusual”, “Rare”, “Great”, “Outstanding” or Excellent” in Heritage Register	Heritage Register Review	10
Phase 1	Heritage Register Review	20
Phase 2	Heritage Register Review	15
Phase 3	Heritage Register Review	10
Phase 4	Heritage Register Review	5
HHH Nomination	HHH Workshop	10
TOTAL POINTS		120

Prioritization Criteria Example:

12438 Kirkpatrick Lane

Prioritization Criteria	Potential Weight (Points)	Points Awarded
Identified in Secondary Plan for Designation or Conservation	20	
Identified Intensification Site/MTSA	10	
Pre-Confederation - <1867	10	10
Property Standards Orders or Known Vacancy	10	
Identified as “Unique”, “Unusual”, “Rare”, “Great”, “Outstanding” or Excellent” in Heritage Register	10	10
Phase 1	20	20
Phase 2	15	
Phase 3	10	
Phase 4	5	
HHH Nomination	10	10
TOTAL POINTS	120	50



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Potential Limitations

- Will not address full Heritage Register (700+ properties)
- Logistics of defending designations at the OLT if required (time, money, etc.)
- Risk of property owners seeking removal of their properties
- Measured approach in response to Provincial direction



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Opportunities

- Continued collaboration with property owners
- HHH Workshop nominations
- Aligns with OP/overall policy framework
- Pro-actively seeking heritage conservation
- Potentially generate additional public interest in designation
- Building off previously approved studies and recommendations
- Development of a prioritized Register in 2025



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Engagement with Property Owners

- Contact Property Owner to set up discussion
- Prioritize conversations about: working together (ie interior/property access), financial incentives, designation plaque, flexibility for future development, benefits of conservation
- Formal notification process for Part IV process
- Brochures with FAQ about designation, assistance from staff

Property Owner Designation Package

Heritage Designation | Frequently Asked Questions

1. Why are some heritage properties selected for designation and not others?

Halton Hills Town Council approved specific prioritization criteria that staff use to determine the order in which properties should be researched and evaluated for potential heritage designation. (Note that owners of heritage properties may also request designation.) Staff then review each property against designation criteria prescribed by the Ontario Heritage Act and consult with Heritage Halton Hills (the Town's heritage committee), prior to making recommendations to Council.

2. I love my heritage property the way it is, do I have to get it designated?

The legislation that allows municipal designation, the Ontario Heritage Act, also provides owners the opportunity to object or appeal the designation of their heritage property. Staff make recommendations relating to property designation, however the decision to issue a Notice of Intention to Designate is the responsibility of Halton Hills Town Council. Staff is available to discuss the designation process with property owners, benefits of designation, their responsibilities and rights under the Ontario Heritage Act, Council's involvement and the role of the Ontario Land Tribunal.

3. Why is the Town pursuing heritage designations on properties?

The Town of Halton Hills, like municipalities throughout the province, recognize the beauty and cultural significance of conserving significant cultural heritage resources, including its many heritage buildings. Locally, these properties enhance our community's quality of life by showcasing unique characteristics, serving as historical reminders for current and future generations and supporting tourism and economic development. Designation of a heritage property allows the Town to manage change in a way that preserves what makes a cultural heritage resource valuable within the community, but that does not prevent a property owner from making sensitive and appropriate alterations.

4. What is the process for having a property designated? Would this cost me money?

All properties being considered for heritage designation are researched and evaluated based on provincial guidelines set out in the Ontario Heritage Act. The Act has nine criteria which are used to determine whether or not a property has cultural heritage value or interest. This includes design and physical value, historical or associative value, and contextual value. To qualify for heritage designation, a property must meet at least two of these provincial criteria. Municipalities must follow a public process including consultation with the property owner and options for those who wish to object to a proposed designation. Local Councils then vote on the properties that are brought forward for consideration of heritage designations. Under the authority of a municipal by-law, properties that receive designation approval are registered on title along with the qualifying heritage attributes. There are no costs to the property owner for the review process or having their property designated as a heritage property. Designated property owners receive a designation plaque that they can install on their property at a location of their choosing.

5. Are there any annual or maintenance costs that I would have to pay if my property is designated?

No. There are no specific costs associated with owning a designated heritage property. The Town does have incentive programs to encourage ongoing conservation of its designated properties, including the Heritage Property Tax Refund Program and the Heritage Property Grant program. Many designated property owners take full advantage of these programs to ensure ongoing upkeep of their properties. Designated property owners, like all property owners in the Town, are required to maintain their properties in accordance with the Town's Property Standards By-law.



Benefits to Heritage Property Designation

Financial Incentives

The Town of Halton Hills recognizes that owners of heritage properties may wish to invest in the maintenance and enhancement of their properties. To support these efforts, the municipality offers two financial incentive programs to assist owners of eligible heritage properties with the costs associated with conservation: the Heritage Property Grant Program and the Heritage Property Tax Refund Program. Each program has been highly successful in assisting property owners in the ongoing maintenance and enhancement of their designated heritage properties.

1. Heritage Property Grant Program

Properties that are designated under Part IV or Part V of the Ontario Heritage Act are eligible for a matching grant of up to \$3,000 per year. The Heritage Property Grant Program supports owners in their conservation efforts related to identified heritage attributes, or the specific features that have been identified as contributing to the overall heritage value of the property. Please note that availability of the grant is subject to eligibility and funding availability through the municipal budget process. Online applications are available annually at the beginning of the year and completed applications are accepted between April 1 and June 1.

Guidelines:

Grants up to a maximum of \$3,000 are available annually pending eligibility and availability. Grants are awarded as 'matching funds', meaning that an equal contribution must be made by the owner or another source. To be eligible, properties must:

- Be located in the Town of Halton Hills; and designated under Part IV of the Ontario Heritage Act, (and the designation by-law has to have been registered on title); or
- Be located within a Heritage Conservation District designated under Part V of the Ontario Heritage Act (i.e. the Syndicate Housing Heritage Conservation District).

Eligible projects fall into three general categories of conservation, reconstruction and restoration.

Conservation

Any new work that directly and appropriately preserves, restores, and/or enhances heritage attributes. Examples include repair of deteriorated original elements such as doors and windows, siding and roofing materials, and other significant features.

Reconstruction

Work that involves the reconstruction of heritage attributes which still exist but are beyond conservation or repair. This would include only accurate reconstructions of the original features, using materials, sizes and configurations which match the original.



Insuring Heritage Properties

This document is intended for general use only. It is not a comprehensive or complete guide on insuring heritage properties. Please consult your insurance company for details on policies and rates regarding your heritage property.

This document provides general information to heritage property owners on various insurance-related topics, including:

- Potential issues obtaining insurance;
- Ways to mitigate insurer concerns; and,
- How to find the right policy to suit your needs.

Issues Obtaining Insurance for Designated Properties

Your insurance premiums should not increase due to a heritage designation. While other factors can impact premiums for older buildings (i.e., knob and tube wiring, wood-burning fireplaces), designation itself does not place additional requirements on the insurance company to replace significant lost features and should not affect premiums.

According to the National Trust for Canada, insurance companies can sometimes be hesitant or reluctant to insure these properties for two main reasons:

1. The misconception that heritage buildings carry a higher risk due to wiring, piping, heating systems, foundations, and roofs; and,
2. The idea that the cost for replacement materials is too expensive for insurance companies to replace 'in kind'.



Beatty House, Town of Halton Hills, ON (2008)



Craiglea Estate, Town of Halton Hills, ON (2022)

How to Mitigate Risks

For older properties, you may be able to mitigate insurer's concerns by undertaking the following:

- Ensuring all Ontario Building Code Requirements are met;
- Updating all electrical wiring and plumbing;
- Installing fire protection and alarm systems as required;
- Documenting any changes that may occur to the property, including minor modifications and potential issues; and,
- Regular checkups and maintenance of your property.



Key Considerations

- Not all of these properties will warrant designation – only those that clearly meet 9/06 criteria and those that staff feel are significant CHR would be recommended to Council
- If not significant, staff will report to Council to request removal from Register

NEXT STEPS

- **March HHH**
 - Nominations Workshop
- If approved, proceed with prioritizing Register, begin Research and Evaluation
- Contact owners only if warranted through ROW & background work, bring properties to Council for designation if warranted.

HHH Workshop

- Heritage Register Listing Reports
- Provide additional information/photographs/background
- Committee will review nominations & discuss
- Final list to be vetted & recommendations made
- Staff will apply criteria to the Register and begin working through properties one by one

Questions/Discussion



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