



Town of Niagara-on-the-Lake

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REPORT #: CDS-24-044 **COMMITTEE DATE:** 2024-03-06
REPORT TO: Municipal Heritage Committee **DUE IN COUNCIL:** 2024-03-26
SUBJECT: Designation Work – Next Steps 2025

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Municipal Heritage Committee endorses and provides further input for the Built Heritage Survey Forms prepared to collect information to list new heritage properties to the Municipal Heritage Register (**Appendix I**);
- 1.2 The Municipal Heritage Committee endorses and provides any further input for the Preliminary Evaluation Forms prepared to evaluate the new properties to be 'Listed' on the Municipal Heritage Register (**Appendix II**);
- 1.3 The Municipal Heritage Committee provide input on the preparation of a schedule for undertaking the surveys in partnership with Town Staff; and
- 1.4 Council directs Staff to implement the work plan.

2. EXECUTIVE SUMMARY

- Bill 23, the *More Homes Built Faster Act, 2022* (Bill 23) has implemented changes to the *Ontario Heritage Act* (OHA) as of January 1, 2023.
- Changes to OHA include a 2-year time limit for retaining 'Listed' properties on the Town's Municipal Heritage Register. Once the 2-year time limit passes the Listed properties are to be removed from the Register and cannot be re-listed for 5 years.
- Listing on the Heritage Register provides recognition of the heritage resource and interim protection from demolition.
- Listing on the Heritage Register is a step towards designation of the heritage properties.
- The Staff have prepared Built Heritage and Preliminary Evaluation survey forms to prepare a list of potential heritage properties to be included in the Municipal Heritage Register as Listed properties to continue the heritage designation work in the year 2025.
- Staff are proposing a work plan with a phased approach and the creation of a working group to conduct the surveys and the evaluations.

3. PURPOSE

The purpose of this report is to provide background on changes to the OHA implemented through Bill 23, which took effect on January 1, 2023, and to suggest provisions for the future of the heritage register.

Changes to Section 27, Subsections 14, 15, and 16 include the implementation of a maximum 2-year timeframe for properties to remain on the Municipal Register. After 2 (two) years on the

Municipal Register, if a property has not been designated under the OHA, the property is removed and cannot be readopted to the Municipal Register for a period of 5 (five) years.

In response to these policy changes, the Town will need to consider a process for Listing new properties to the Register for the year 2025 to continue the designation process for the properties having cultural heritage value or interest.

4. BACKGROUND

4.1 Changes to Section 27 of the OHA for Listed Property

Town processes will need to change in response to Bill 23 changes to the policies governing 'Listed' properties. Changes include:

- The requirement to remove a Listed property from the Heritage Register two years from the date that it is added to the Heritage Register. For properties already Listed on the Heritage Register as of January 1, 2023, the two-year timeframe for removal commenced on January 1 and properties will be removed from the Register as of January 1, 2025.
- Once removed from the Heritage Register, a property may not be re-listed for 5 years
- A Listed property must also now be removed from the Heritage Register if Council has served notice of intention to designate the property under Section 29 and any of the following occurs:
 - Council withdraws the notice of intention to designate;
 - Council does not pass a by-law designating the property within 120 days; or
 - Council passes a by-law designating the property but the by-law is repealed.

5. DISCUSSION / ANALYSIS

To begin the process for identifying listed properties, Staff are recommending a phased approach. The first phase would be to identify, survey, map, and photo document the potential properties and the second phase would be to conduct a preliminary evaluation of each property before inclusion in the heritage register.

Phase I: Collection of Data

Staff are recommending that a working group of the members of the MHC, or others qualified in the heritage field as recommended by the Heritage Planner and MHC, be created to coordinate the task. Town Staff will be working with the working group on an on-going basis. The working group will connect with residents of specific communities to walk through the Town's neighbourhoods and survey, map, and photo document properties to be included in the Heritage Register as Listed Properties that would warrant designation in the future through the Built Heritage Survey Forms in **Appendix I**.

Phase II: Preliminary Evaluation

Phase II will review the data and research collected during Phase I to assist in conducting preliminary evaluations of the properties through the evaluation forms in **Appendix II**. The background research could be done in partnership with Archives and Special collections at Brock University and the Niagara-on-the-Lake Museum. The staff would act as the point of communication between all the parties and would relay any requests of information between Archives and Special collections at Brock University and the Niagara-on-the-Lake Museum. Any other sources of information would also be welcome.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

1.1 Planning for Progress

Action

1.1 b) Planning for Progress Initiatives

7. COMMUNICATIONS

The MHC members and the Town Staff will work together to formulate a schedule to conduct surveys in the coming months. These surveys would be followed by the preliminary evaluation of each surveyed property to determine if the properties would warrant future designation. The summaries of these surveys would be discussed at the MHC meetings.

8. CONCLUSION

This report outlines a work plan for considering and commencing the process for Listing new properties for the year 2025. It is requested that the MHC provide input on the proposed work plan and the surveys and recommend to Council that the work plan be implemented.

9. PREVIOUS REPORTS

Not applicable

10. APPENDICES

- Appendix I – Built Heritage Survey Forms
- Appendix II – Preliminary Evaluation Forms

Respectfully submitted:

Prepared by:



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