

Background Information - Appendix 1

The Municipal Heritage Standing Committee (MHSC) was established by Council in 2012. The role of the MHSC is to:

- Identify and maintain an ongoing inventory of properties which have been designated by Council under the Ontario Heritage Act.
- Identify and maintain an ongoing inventory of non-designated properties which may be considered for designation.
- Make recommendations to Council through Staff, as to properties which in the opinion of the Committee, are considered to be of cultural heritage value or interest for their architectural, contextual, and/or historical value or interest under the Ontario Heritage Act and should be designated.
- Make recommendations to Council, through staff, as to non-designated properties which in the opinion of the Committee, should be added to the Municipal Registry as non-designated properties which it believes to be of cultural heritage value or interest for their architectural, contextual, and/or historical value or interest under the Ontario Heritage Act and should be considered for designation in the future; and
- Make recommendations to Council, through Staff, as to criteria for the evaluation of properties of cultural heritage value or interest for their architectural, contextual, and/or historical value or interest.

In order for a building, structure or landscape to be designated under the Ontario Heritage Act, it must pass through the “Six Key Steps to Designating an Individual Property under Section 29 of the Ontario Heritage Act”. These steps include:

1. Identifying the property as a candidate for designation
2. Researching and evaluating the property
3. Serving the Notice of Intention to Designate, with an opportunity for objection
4. Passing and registering the Designation By-law
5. Listing the property on the municipal register
6. Listing the property on the provincial register

Impact of Designation

The designation of a building, structure or landscape under the Ontario Heritage Act can have a number of impacts specifically related to proposed alterations or demolition:

- Alterations are permitted under Section 33 of the Ontario Heritage Act through an application to Council for the proposed work. Generally speaking, this should be a cooperative process, where a property owner applies and receives advice and guidance from the Municipal Heritage Standing Committee and/or municipal staff. All heritage permit applications are subject to a final decision made by Council.

- As of April 2005, designation under the Ontario Heritage Act gives Council the power to prevent the demolition of a building or structure on a heritage property. If the owner of a designated property wishes to demolish or remove a building or structure, the owner must obtain written consent from Council.
- Property designation can also benefit the owner in the form of financial support via Heritage Tax Rebates, and various grant and loan programs to help with conservation and ongoing maintenance.

As indicated earlier, in order for a building, structure or landscape to be designated under the Ontario Heritage Act, it must be assessed with respect to the following general criteria according to Ontario Regulation 9/06 as amended by Ontario Regulation 569/22:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22,

In accordance with the Ontario Heritage Act and in respect of a property for which a notice of intention to designate is given under subsection 29 (1.1) of the Act on or after January 1, 2023, the property may be designated under section 29 of the Act if it meets two or more of the criteria described above.

On April 12, 2023, the Town of Fort Erie issued a Request for Proposal (PDS-23P0HERT23) in order to obtain consulting services to undertake research, prepare Heritage Designation Reports, and prepare designation documentation for properties on the Municipal Heritage Register that are identified for potential designation under Part IV of the Ontario Heritage Act, based on the priorities of the MHSC. As a result,

Archaeological Research Associates LTD entered into an agreement with the Town of Fort Erie for the services described in the RFP.