



Planning, Building and By-law Services

Prepared for: Council-in-Committee

Report: PBBS-52-2025

Meeting Date: July 7, 2025

1. Title

Heritage Conservation District Information - Cluster of Buildings in Snyder

2. Recommendations

That: Council does not proceed with the pursuit of a Heritage Conservation District under Part V of the Ontario Heritage Act for the cluster of buildings in Snyder, based on the findings outlined in report PBBS-52-2025.

3. Relation to Council's Corporate Strategic Plan

Priority: Sustainable and managed growth

Initiative: Number of designated heritage properties

4. List of Stakeholders

- The Corporation of the Town of Fort Erie
- Residents of the Town of Fort Erie
- Municipal Heritage Standing Committee/ Museum and Cultural Heritage Advisory Committee
- Property owners of 3718 Netherby Road, 3728 Netherby Road, and 3710 Netherby Road

5. Purpose of Report

The purpose of this report is to respond to Council's direction from the April 28th 2025 Regular Council meeting to investigate the feasibility, implications, and associated costs of designating the cluster of buildings in Snyder as a Heritage Conservation District under Part V of the Ontario Heritage Act. The report provides research findings, analysis, and a recommendation regarding whether to proceed with the designation.

6. Background

Part V – Ontario Heritage Act

Under Part V of the Ontario Heritage Act (OHA), municipalities are authorized to designate defined geographic areas as Heritage Conservation Districts (HCDs). An HCD is an area with a concentration of cultural heritage resources, such as buildings, streetscapes, landscapes, and other features, that collectively hold historical, architectural, or contextual value. The designation

of an HCD is intended to conserve the heritage character of the entire area rather than focussing solely on individual properties.

Designation under Part V does not prohibit change or development but ensures alterations, demolitions, and new construction within the district are managed through established guidelines to maintain the district's heritage integrity. Designation carries legal and planning implications, including the requirement for property owners to obtain heritage permits for certain types of work within the district boundaries.

The first step in pursuing designation is for Council to authorize an HCD Study, typically following a recommendation from a municipal heritage committee, Staff, or community stakeholders. The study defines the boundaries of the proposed district and evaluates its heritage significance.

The HCD Study involves a detailed inventory and evaluation of properties within the area, an analysis of the area's historical development and architectural character, and an assessment of whether the area collectively warrants designation. It must include preliminary consultation with property owners and stakeholders and must be conducted in accordance with the Ontario Heritage Toolkit and heritage planning best practices. These studies are often led by qualified consultants due to their technical nature.

If the study concludes that the area is a strong candidate for designation, the next step is the preparation of a formal Heritage Conservation District Plan. This plan is a statutory requirement under the OHA and includes a statement of objectives, a description of the district's heritage attributes, and detailed policies and guidelines for conservation and compatible development. It also outlines the process for obtaining heritage permits and provides implementation and enforcement strategies.

Public consultation is an integral part of both the study and the plan development phases. This includes formal notice to affected property owners, public meetings, and opportunities for community input. Prior to the adoption of the HCD designation by-law, the municipality must hold a statutory public meeting.

Following the completion of the HCD Plan and consultation process, Council may adopt a by-law under Part V of the Ontario Heritage Act to formally designate the district. The by-law includes the HCD Plan and is subject to appeal to the Ontario Land Tribunal.

Once a district is designated, the municipality assumes responsibility for ongoing implementation and administration. Property owners within the HCD must obtain heritage permits for alterations, demolitions, or new construction, in accordance with the policies of the district plan. Municipal Staff must be prepared to review applications, advise applicants, and enforce compliance, which may require dedicated resources and expertise in heritage planning.

While the Heritage Conservation District Study and Plan are the core components required under Part V of the Ontario Heritage Act, it is important to note that additional studies may be necessary depending on the characteristics of the proposed district. These could include Heritage Impact Assessments, Archaeological Assessments, condition reports for significant buildings, or other technical evaluations to support the conservation objectives and inform Council's decision-making. The scope and need for such studies would be determined as part of

the HCD process, and their completion may have implications for timelines, resources, and costs.

Designation under Part V is a significant commitment and is typically pursued for areas that demonstrate a high degree of heritage integrity, strong community support, and alignment with municipal planning priorities.

Museum and Cultural Heritage Advisory Committee Recommendation

The Museum and Cultural Heritage Advisory Committee serves as an advisory body to Council on heritage matters. Its responsibilities include maintaining an inventory of designated and non-designated properties of potential cultural heritage value within the municipality. The Committee evaluates properties based on architectural, contextual, and historical significance and makes recommendations to Council, through Staff, regarding designation, inclusion on the Municipal Heritage Register, and criteria for heritage evaluation. This advisory role supports Council's decisions in preserving and managing the community's cultural heritage resources.

On February 12, 2025, the Committee reviewed a report by Archaeological Research Associates Ltd. (ARA) regarding the property at 3718 Netherby Road. The report concluded that the property meets several criteria under the Ontario Heritage Act and is worthy of designation under Part IV of the Act. In reviewing the context of 3718 Netherby Road, the Committee also identified 3710 and 3728 Netherby Road as properties of cultural significance. Together, these three properties comprise a cohesive cluster that includes a church, parish hall, school, cemetery, and rectory. The Committee recognized this grouping as a rare and unique cultural landscape within Fort Erie and deemed it worthy of further study. At this time, the Committee's focus has primarily been on these three properties; however, it is anticipated that other properties in the surrounding area may also be considered as part of a broader heritage initiative. A defined boundary for any potential district has not yet been communicated.

The Committee recommended that Council consider undertaking a Heritage Conservation District study for this cluster, based on its collective cultural heritage value. This recommendation led to Council directing Staff to provide additional information on the feasibility associated with pursuing a Heritage Conservation District designation.

7. Analysis

The initial properties identified for consideration, 3718 Netherby Road, 3728 Netherby Road, and 3710 Netherby Road in Stevensville, form a cluster of buildings comprising a church, parish hall, school, rectory, and cemetery near a key intersection, as indicated in **Appendix 1**. This configuration prompted their assessment for potential designation as a Heritage Conservation District (HCD) under Part V of the Ontario Heritage Act.

Discussions were held with ARA, the Town's heritage consultant with extensive experience in assessing numerous properties within Fort Erie. Following a detailed discussion, ARA provided a professional opinion, at no additional cost, regarding the heritage value and feasibility of pursuing an HCD designation for this cluster.

ARA indicated that while 3718 Netherby Road individually meets several criteria for heritage designation under Part IV of the Ontario Heritage Act, the broader cluster of adjacent properties is not considered rare or cohesive in the manner suggested by the Committee. The cluster's configuration, comprising a Catholic church, parish hall, school, rectory, and cemetery, is typical

for similar religious complexes throughout Ontario and does not represent a unique or particularly significant grouping warranting an HCD designation.

Furthermore, the consultant noted a lack of contextual cohesion within the broader area, as there are no multiple heritage churches or comparable clusters nearby that would contribute to a distinct heritage landscape. ARA questioned the underlying motivation behind the Committee's recommendation, suggesting that the historic and architectural significance of this cluster does not rise to the level typically required for HCD status.

ARA further observed that other areas within Fort Erie, such as Ridgeway and Crystal Beach, contain heritage resources of greater significance and may represent more suitable candidates for designation efforts. Ridgeway, in particular, is recognized for its well-preserved late 19th and early 20th-century streetscapes, including commercial, residential, and civic buildings that collectively reflect the village's historical development and community identity. This area demonstrates a high degree of architectural integrity and contextual cohesion, making it a stronger candidate for Heritage Conservation District designation. Similarly, Crystal Beach offers notable heritage assets connected to its unique recreational and resort history, further underscoring the availability of alternative areas within the municipality that warrant prioritized conservation focus.

Importantly, 3728 Netherby Road and 3710 Netherby Road, when considered individually, likely do not meet the Ontario Heritage Act criteria (O. Reg. 9/06) for designation. These properties lack sufficient architectural, historical, or contextual significance on their own, and therefore do not satisfy the regulatory thresholds required for formal heritage recognition. Without clear heritage attributes or historical associations, their inclusion in an HCD would be difficult to justify.

The consultant emphasized that the initial step in pursuing an HCD designation would be a comprehensive feasibility study to define district boundaries, evaluate heritage attributes, and assess community support. However, based on their professional experience and preliminary review, ARA strongly advised that this particular cluster is unlikely to warrant such designation and that undertaking a feasibility study would not represent an efficient use of municipal resources.

Moreover, the process to establish an HCD is complex, time-consuming, and costly. An HCD Study alone can take up to two years to complete and would require significant municipal Staff involvement and financial investment. Given Fort Erie's numerous other heritage properties that remain undesignated, some of which were not previously identified by the Committee, the consultant recommended prioritizing resources towards these more promising candidates, particularly for individual Part IV designations.

8. Financial, Staffing and Accessibility (AODA) Implications

Pursuing a Heritage Conservation District (HCD) designation entails significant financial commitments. The initial HCD Study alone can require substantial funding, often in the range of tens of thousands of dollars depending on the size and complexity of the area under review. Additional costs would be incurred for preparation of the formal HCD Plan, public consultation processes, and potential appeals.

Designating and managing an HCD requires dedicated Staff time and expertise. Municipal Staff would need to oversee the feasibility study, coordinate with consultants, manage public consultations, and implement the HCD Plan post-designation, including reviewing heritage permit applications and enforcement. This can place significant demands on existing heritage

planning resources, potentially necessitating additional staffing or external support. Given current workload and priorities, Staff capacity to manage such a project is limited, and undertaking this designation could divert attention from other pressing heritage conservation initiatives.

9. Policies Affecting Proposal

In accordance with section 11 of the Town's Official Plan, the Town actively promotes cultural heritage conservation across all municipal activities, recognizing the non-renewable nature of cultural heritage resources and their contribution to the community's character, civic pride, tourism potential, economic benefits, and historical appreciation. Council may consult with the Municipal Heritage Standing Committee (MHSC) on matters relating to the conservation of built heritage within Fort Erie.

The MHSC maintains an ongoing inventory and, on a case-by-case basis, identifies properties or areas of architectural and historical interest. The Committee makes recommendations to Council regarding properties deemed worthy of designation under Parts IV and V of the Ontario Heritage Act. For the proposed Heritage Conservation District involving properties on Netherby Road, any consideration of designation must align with these policies, demonstrate significant heritage value, and be feasible within the Town's resource capacity and community support.

10. Comments from Departments, Community and Corporate Partners

The recommendations of the Municipal Heritage Standing Committee (MHSC) are detailed within this report. Additionally, guidance from ARA, the Town's heritage consultant, has been incorporated to provide professional insight regarding the heritage value and feasibility of the proposed designation. It is important to note that all three properties within the proposed Heritage Conservation District are owned by the same entity, whose representation has expressed strong opposition to the designation and has indicated an intention to appeal should the proposal proceed. It is also worth noting that additional landowners, outside of the properties identified but near the same intersection, have provided written feedback to staff indicating they are opposed to designation within this area.

11. Alternatives

Council may choose to proceed with a Heritage Conservation District (HCD) feasibility study for the cluster of properties located on Netherby Road. A feasibility study would provide a more detailed assessment of the area's heritage significance, potential boundaries, community interest, and suitability for designation under Part V of the Ontario Heritage Act.

However, based on preliminary input from the Town's heritage consultant and the absence of strong contextual or architectural cohesion, this option is not recommended. The consultant has advised that the area is unlikely to meet the necessary criteria to justify designation and that initiating a study would involve considerable financial and Staff resources that could be better directed toward more viable heritage initiatives within the municipality.

12. Communicating Results

As no further action is being recommended at this time, there are no specific communication requirements. The results of Council's decision will be reflected in the meeting minutes and

made publicly available.

13. Conclusion

Within the past two years, Council has designated 10 additional heritage properties within Fort Erie showing a commitment to heritage preservation, however, based on the consultant's professional opinion, the findings of this report, and the limited heritage significance of the broader property cluster, it is not recommended that the Town pursue a Heritage Conservation District designation for the cluster of buildings in Snyder. While 3718 Netherby Road may merit individual consideration under Part IV of the Ontario Heritage Act, the cluster as a whole does not meet the threshold typically required for district designation. Given the complexity, time, and resources involved in the HCD process, efforts should instead be directed toward heritage properties with stronger potential for designation elsewhere in Fort Erie.

14. Report Approval

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15. Attachments

Appendix 1 – Location Map