

## **COMMUNICATION 134010**

Received From: Niki Dwyer, MCIP RPP, Director of Development Services  
Addressed To: Committee of the Whole  
Date: February 7, 2023  
Topic: Update of Heritage Designating By-laws

### **BACKGROUND**

The Town of Carleton has 20 designated heritage properties recognized under the Ontario Heritage Act (OHA). Each of the designated properties represent integral parts of the identity of the Town and the formal recognition of these culturally valuable properties is a legislated way to publicly acknowledge the properties' value to the community.

The vast majority of the properties were designated in the 1980's under the recommendation of the Local Architectural Conservation Advisory Committee (LACAC). The By-laws that were adopted at that time were done in compliance with the provisions of the 1974 OHA.

In 2019, the More Homes, More Choice Act (Bill 108) enacted changes to the OHA imposing mandatory standards for designation by-laws. Where the By-laws previously needed to include the legal description of the property and a statement of why the property is being designated (i.e. "This was the home of James Rosamond, one of the first two chief industrial developers"), the By-laws are now required to include both a statement of cultural, heritage value and a description of the heritage attributes of the property. These changes were imposed retroactively on existing By-laws and municipalities are required to repeal and replace By-laws to conform to the requirements of the OHA.

### **COMMENT**

The Planning Department retained a summer student in 2022 to research, inventory and re-write the existing designating By-laws.

The student spent her time between the Town Hall office and the Carleton Place and Beckwith Museum, where she was assisted by the curator in digitizing and reviewing the records pertaining to cultural heritage properties.

The By-laws were also circulated in draft from to the Municipal Heritage Committee (formerly LACAC) for review and comment. Suggested changes from the MHC were incorporated into the proposed By-laws.

While the notification and engagement of the property owners prior to the repeal and replacement of the By-law is not required by the OHA, staff believed it was an important additional step in engaging with property owners about the process as well as the accuracy of the proposed By-laws. In late September 2022, staff met with five (5) property owners, all of whom expressed their interest in the information in the draft By-law and in most cases provided additional facts about the architectural features of the properties.

This engagement also provided the opportunity for staff to convey information to property owners regarding the newly established Heritage Grant program as well as some general information regarding designated properties and what this means for the property owner.

All of the draft descriptions are attached to this report for approval following which the repeal and replacement By-laws will be presented to Council for adoption. Following the adoption of the By-laws, staff will provide notification to the property owners once again confirming that the By-laws have been adopted. The By-laws will then be registered on title of the associated property and the Department's operational budget will absorb the cost of registration.

**STAFF RECOMMENDATION:**

THAT Council repeal and replace the designation By-laws for the 20 properties which have been recognized under Section 34 of the Ontario Heritage Act, compliant with the new requirements enacted by Bill 108, More Homes, More Choice Act.

**ATTACHMENTS:**

1. Sample Notification to Property Owners (circulated in August 2022);
2. Draft Heritage Descriptions (x20 properties)