



# Town of Erin

## Corporate Report

**Department:** Community Services  
**Business Unit:** Planning & Development  
**Presented/  
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**Report Number:**  
PD2024-03  
**Meeting Date:**  
3/14/2024

### Subject

**Recommendation Report for Notice of Intention to Designate Heritage Properties within the Town of Erin**

### Recommendation

**Be it resolved that** Council hereby receive report number PD2024-03 “*Recommendation Report for Notice of Intention to Designate Heritage Properties within the Town of Erin*” for information;

**And that** Council authorize and direct staff to publish and issue a Notice of Intention to Designate for the properties identified in Appendix A of this report, in accordance with Part IV, Section 29 of the Ontario Heritage Act.

### Highlights

The Hillsburgh and Erin Urban Areas accommodate our Town’s largest concentration of listed properties which contain high architectural, historical, cultural, and environmental attributes. Fifty-Eight (58) properties in the Town of Erin have been identified as meeting the Town of Erin Heritage Committee’s (TEHC) Category A criteria for containing high architectural, historical, cultural, and environmental attributes.

The Town is currently intending to initiate the designation of seven (7) properties located in the Hillsburgh Urban Area. Through the assistance of Archaeological Research Associates Ltd. (ARA), it has been determined that these 7 listed properties contain sufficient cultural heritage value or interest to merit designation under Part IV, Section 29 of the OHA, satisfying several criteria under the Ontario Regulation 9/06 as amended by Ontario Regulation 569/22.

### Background

The Town has been in the process of initiating the designation of various heritage listed properties, in groupings according to Urban Areas. At the end of 2023, the Town designated 12 properties in the Hillsburgh Urban Area. The 7 properties currently intended to be designated, represent the remaining Hillsburgh Urban Area heritage listed properties that warrant a heritage designation.

In November 2022, the Province of Ontario enacted *Bill 23, the More Homes Built Faster Act, 2022* (Bill 23), which introduced numerous amendments to the *Ontario Heritage Act* (OHA). Some of the key amendments to the OHA include the following:

- Properties that are listed will now be required to be removed from the Heritage Register (the Register) after two years from the date the legislation received royal assent (November 28, 2022), unless a Notice of Intention to Designate (NOID) has been issued for the property;
- Municipalities are required to remove a listed property from the Register if Council issues a NOID and does not pass a designation by-law within the timeframe prescribed by the OHA (120 days);
- Listed properties cannot be added back onto the Register for five years after being removed from the heritage register, once a NOID is withdrawn, or a designation by-law is not passed within 120 days;
- Properties must meet the criteria under *Ontario Regulation 9/06* as amended by *Ontario Regulation 569/22* in order to be eligible for listing. This does not apply retroactively. Previously, listed properties did not require formal evaluation; and,
- That the clerk of the municipality ensures that the information included in the register is accessible to the public on the municipality's website.

## **Discussion**

Until the end of 2024, Town staff will be focusing its efforts on the designation of 58 properties in the Hillsburgh and Erin Urban Areas. The Town retained Archaeological Research Associates Ltd. (ARA), to assist in the preparation of evaluation reports to support the proposed designation of properties within the Town of Erin.

To better categorize the large number of heritage properties in the Town of Erin, the Town of Erin Heritage Committee (TEHC) developed an evaluation criteria. This evaluation criteria categorized heritage properties as Category A, B, C or D based on architectural or historic merit, in accordance with the Ontario Heritage Act (OHA). In determining whether a property is of cultural heritage value or interest, the municipality is required to consult Ontario Regulation 9/06, "Criteria for Determining Cultural Heritage Value or Interest", prescribed under Section 29(1)(a) of the Act. A property may be designated if it meets one or more of the following criteria:

1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or
  - iii. demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
  
3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or
  - iii. is a landmark.

Category A properties are of the highest priority for heritage designation and generally hold provincial and/or national significance. 58 listed Category A properties have been identified for designation.

A list of the 7 properties currently intended to be designated, along with a brief highlight of their respective Cultural Heritage Attributes, have been provided in Appendix A of this report. Draft Evaluation Reports, prepared by ARA, for the 7 listed properties have been included within Appendix B of this report.

On February 26, 2024, the TEHC had the opportunity to review the Heritage Evaluation Reports prepared by ARA, outlining the 7 properties proposed to be designated, and the corresponding research conducted to evaluate the heritage value of each property. The TEHC provided a resolution to support staff's recommendation to Council, to initiate the designation process. This TEHC meeting served as consultation with the TEHC as required by the *Ontario Heritage Act*.

## **Strategic Pillar**

Healthy Lifestyle & Vibrant Community

## **Financial Impact**

Each heritage designation report has a cost to the Town of approximately \$2,100.00 plus HST. There is also a cost to the Town of \$350.00, per property, to register a By-law on title to each property.

## **Conclusion**

Given the significance of the 7 identified properties, as demonstrated in the Statements of Cultural Heritage Value or Interest, staff recommend that Council authorize and direct staff to publish and issue a Notice of Intention to Designate for the properties identified in Appendix A of this report, in accordance with Part IV, Section 29 of the Ontario Heritage Act.

Should no objections be received during the mandatory 30-day public objection period following publication of the Notice of Intention to Designate, Council may pass a by-law designating the Property. If objections to the Notice of Intention to Designate are received, the matter is referred back to Council for a decision on whether to proceed with designation.

Amendments to the *Ontario Heritage Act*, require that the designating by-law be passed within 120 days of the publication of the Notice of Intention to Designate, and further that a mandatory 30-day public objection period follow public notice of the passing of the designating by-law. If objections are received to the designating by-law, the matter is referred to the Ontario Land Tribunal. Should no objections to the by-law be received, the by-law will be registered on title to the property.

### **Attachments**

Appendix A – Properties Proposed to be Designated

Appendix B – Heritage Evaluation Reports

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