

## **Heritage Inventory Project**

### **As We Heard It Report**

#### **Background**

A report being presented to the Built Heritage Sub-Committee on June 11, 2019 proposes adding over 2300 properties to the City of Ottawa's municipal Heritage Register as non-designated listings.

Property owners were notified by mail in early April 2019 of the City's intention to add their properties to the Heritage Register. The notice invited them to attend any of three drop-in information sessions and four drop-in days at client service centres across the city. The drop-in day at the West Carleton Client Service Centre was cancelled as a result of ongoing flooding in Ward 5.

The Project involved the study of all 23 wards. As a result of ongoing flooding across the city, staff postponed the addition of properties in wards 1, 5, 7 and 19 until fall 2019.

#### **Meetings**

Three public information sessions were held:

- Shenkman Arts Centre, Orleans – Saturday, May 4 from 2 p.m. to 6 p.m.
- Kanata Recreation Complex, Kanata – Monday May 6 from 4 p.m. to 8 p.m.
- Jean Pigott Place, City Hall – Wednesday May 8 from 4 p.m. to 8 p.m.

Three drop-in sessions were held:

- Nepean Client Service Centre – Wednesday May 1 from 8:30 a.m. to 4:30 p.m.
- Metcalfe Client Service Centre – Tuesday May 7 from 8:30 a.m. to 4:30 p.m.
- North Gower Client Service Centre – Thursday May 9 from 8:30 a.m. to 4:30 p.m.

These sessions were hosted by the Heritage Services Unit, part of the Planning, Infrastructure and Economic Development Department. Heritage staff were available to speak with participants and answer questions about their properties.

The information sessions were attended by approximately 100 participants. The drop-in days were attended by approximately 35 participants. Pre-registration was not required and no formal presentation was delivered at either the information sessions or drop-in days. The sessions were an opportunity for owners to discuss the HIP and the proposed additions to the Heritage Register. Most participants were owners of properties who received notice from the City. Some participants identified as members of community associations or heritage groups.

At the information sessions and drop-in days, participants were invited to submit written comments and/or communicate directly with staff about their questions and concerns about the HIP. The following themes reflect both verbal and written comments made during the information sessions.

### **Pride of Ownership**

**Comment:** Many owners are very proud of their properties and had memories, stories, and additional historical research to share. Many rural owners indicated that the properties have been in their family for many generations. Many owners offered additional photographs of their properties to showcase their restoration and conservation efforts. Some owners were pleased to be recognized by the City, while other owners felt that they were being punished for their efforts to improve their properties. Some owners discussed the possibility of individual designation under Part IV of the Ontario Heritage Act (OHA) as further recognition and protection for their houses. Of these owners, staff anticipate several will submit applications for designation.

**Response:** Staff will consider all comments and feedback provided before finalizing the staff recommendation. Each building was assessed by Heritage staff against design criteria and Neighbourhood Heritage Statement attributes. Buildings that met the criteria are being proposed for inclusion on the Heritage Register.

Where owners provided additional information about their properties, staff will update property information sheets to ensure all information on file and online is correct. Property owners who discussed designation were encouraged to contact heritage staff for more information.

### **Restrictions on Land Development**

**Comment:** Some owners purchased property with the intent to develop the land; there was no known heritage status on the property at the time of purchase. Owners perceive that a Heritage Register listing is contradictory to the City's goals for intensification and will prevent development on the property.

Some owners were surprised that the outcome of the 60-day notice period is uncertain. This scenario frustrated owners who wanted a clear answer as to whether or not they would be permitted to demolish. Other owners were concerned that the City might designate their properties to prevent the loss of a heritage building and, as a result, prevent development.

**Response:** Owners are free to make any alterations, repairs, additions, etc. to the property without approval from heritage staff. Owners are not required to restore the building.

Owners of properties listed on the Heritage Register must provide the City with 60 days' notice of intent to demolish. During this time, the City may take no action (thus allowing the building to be demolished at the end of the notice period), work with the owner to retain part or all of the building, or, if meeting the criteria under Regulation 9/06 of the OHA, recommend that Council issue a Notice of Intention to designate the property under the OHA.

### **Listing is not enough**

**Comment:** Although generally pleased with the HIP, some participants were concerned that listing on the Heritage Register is not enough to protect heritage buildings. They asked the City to take further action to protect important community assets. Some residents noted that even designated properties are left to deteriorate and were disappointed that the City cannot or will not do more to protect these properties.

There was a perception that the Heritage Register is a tool that communities can use to stop infill or unwanted development.

Some owners and community associations asked staff to re-evaluate entire streets or neighbourhoods in order to increase the number of listed properties in their area, with potential to identify future study areas for heritage conservation districts or character areas.

**Response:** Listing on the Heritage Register recognizes cultural heritage resources and provides a tool to monitor properties of potential cultural heritage value or interest.

Staff are compiling a list of additional properties to assess or re-assess as a result of community feedback, with the potential to add these properties to the Heritage Register in future reports. Through the HIP, areas may be identified that warrant further study for potential heritage conservation districts or character areas.

### **Increased Costs and Decreased Property Value**

**Comment:** Some owners were convinced that a Heritage Register listing could cost them money through fees associated with hiring a lawyer or consultant to fight the listing. There was a perception that insurance providers may increase rates to cover heritage features. Owners commented that it would be expensive to keep up the property when there are strict heritage requirements. Owners thought that their property taxes would increase and that there may be other associated fees.

Some owners believed that being on the Heritage Register would reduce the property's resale value, reduce the number of potential buyers and that any interested developer will purchase elsewhere. Other owners worried that potential buyers will not be able to develop the property as a result of the heritage status, and thus will not purchase it

**Response:** There are no associated costs to owners as a result of their property being listed on the Heritage Register. Applying for removal from the Heritage Register is an administrative process without a fee. Legal or professional representation is not a requirement for the application process.

Insurance rates should not be affected as a result of a property being listed on the Heritage Register. MPAC's property assessment and municipal property taxes will not be affected as a result of a property being listed on the Heritage Register. Inclusion on the Heritage Register is not registered on title.

Owners are free to make any alterations, repairs, additions, etc. to the property without approval from heritage staff. Owners are not required to restore the building.

Staff cannot predict resale results or number of potential buyers of properties listed on the Heritage Register, nor is there any available information or statistics on the resale value and/or loss of value on listed properties.

## Privacy and surveillance

**Comment:** Some owners were opposed to the idea of being on any government list. Others were against the idea of the government monitoring their private property. There was concern about privacy and some worried about what identifying information would be published online.

**Response:** City Council directed staff to update the Heritage Register. The City has the authority to add properties of cultural heritage value or interest to the Heritage Register. Names and other information about the property owner(s) are not published, and photos are blurred to obscure faces, licence plates, and other identifying details. Other online applications (Google Streetview, etc.) show more of the property than the photographs published of Heritage Register properties.

In cooperation with Legal Services, staff will consider specific requests regarding privacy concerns.

## Consent

**Comment:** Some owners were unhappy that they were not consulted before their property was proposed for the Heritage Register. Other owners were upset that they were not able to choose whether to opt in or opt out of being included on the Heritage Register. A few owners were already frustrated with the City about other policies affecting their properties and were additionally upset to learn that the City was adding a heritage recognition to the property. Other owners did not want to be on any type of government list.

**Response:** There is no requirement under the OHA for a municipality to notify a property owner before or after their property is added to the Heritage Register. Many properties in question were already on the City's previous Heritage Reference List without the owners' knowledge or consent. Staff proactively contacted owners in advance of all public meetings in order to be accountable and transparent, and encouraged owners to share their comments with the Built Heritage Sub-Committee in writing and/or in person.

## Government Mistrust

**Comment:** Some owners stated that they do not trust the municipal or provincial governments and expect the rules regarding non-designated properties to change unfairly. Some owners believe that in the future there will be more restrictions on what they are able to do with their properties. Others are concerned that restrictions on alterations will increase for non-designated properties, that the OHA will change such that demolition of any heritage property will be prohibited and/or that all non-designated properties will automatically be designated.

**Response:** Under the OHA, municipalities are required to keep a register of properties of cultural heritage value or interest. City Council directed staff to update the Heritage Register. Current proposed reforms to the Ontario Heritage Act by the provincial government do not contemplate more restrictive actions regarding properties on municipal heritage registers.