



Property Owner's Guide To Heritage Designation



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Context

The *Ontario Heritage Act* was passed in 1975 in order to give the Province and its municipalities a framework and legal basis upon which to conserve our heritage resources for the public interest. The Act and the City of Kingston's Official Plan provide guidance in identifying and protecting our heritage resources. Heritage resources include:

- **buildings** of all types;
- **cultural landscapes**, such as parkland and streetscapes; and
- **archaeological resources**.



Rideau Canal Waterway UNESCO World Heritage Site

Under the *Ontario Heritage Act*, the City of Kingston is able to designate properties based on a provincial set of criteria. By protecting these important heritage resources, the City will conserve its sense of community and promote tourism while preserving the quality of life that makes Kingston a truly unique and authentic city.

Benefits of Owning A Designated Property



Hawthorn Cottage – Pittsburgh Branch Kingston Frontenac Public Library

In addition to the enhanced public experience and protection of local identity that are fostered by heritage designations, there are also a series of benefits for individual property owners, such as:

- **free guidance** on completing maintenance and alterations that are appropriate and help to celebrate the heritage value of the property and/or the overall district;
- **grants** for restoration work, up to \$5000 for eligible projects; and
- **tax refunds** for completed restoration works, up to \$5000 for eligible property owners.

Furthermore, studies on Ontario's heritage designated properties have revealed above-average performance in terms of property value changes, as well as resistance to market downturns.

Types of Heritage Designations

The *Ontario Heritage Act* describes two broad designation types:

- **individual properties** (Part IV); and
- **Heritage Conservation Districts** (Part V).

The City of Kingston's Heritage Register currently contains over 600 designated properties and 3 Heritage Conservation Districts (HCDs), Old Sydenham HCD, Market Square HCD and Barrielfield HCD.



Boundaries of the Barrielfield Heritage Conservation District

Criteria For Designation

A designation by-law for a property sets out the cultural heritage value of the property, including a list of the features which are important to conserving its value as a heritage resource. At least one of three broad provincial criteria types must be identified for a property to be considered for designation:

- **design/physical** (representative of a particular architectural style, for example);
- **historical/associative** (previously owned by a historical figure, for example); and
- **contextual** (contributes significantly to the area's character or is a landmark).



Bellevue House National Historic Site of Canada, former residence of Sir John A. Macdonald

The Heritage Designation Process

The decision to put a heritage designation on a property is one that is made for the public's long-term benefit. Anyone can recommend designation, and while it is not required, it is preferable for the property owner to support the designation and work with City staff throughout the designation process.



In Kingston, an application for heritage designation can be submitted through the City's online application system – DASH. Once reviewed, staff will offer a recommendation to the Heritage Kingston Committee based on its adherence to the provincial criteria. The Committee will then either recommend approval or denial to City Council.

Application Process For Alteration, Demolition And New Construction

The application process for designated properties is similar to the designation process described above, in that the application is submitted through DASH ([DASH](#)) and proponent seeks City Council's approval by way of a recommendation from the Heritage Kingston Committee. Such an application is required where alterations are proposed that may affect the property's "reasons for designation," as defined in its designation by-law. Many alterations do not need to go before the heritage committee and Council and can be approved through staff's delegated authority. For more information about the application process, please see the City of Kingston's Heritage Permit webpage at [Heritage Permit webpage](#), or visit the Heritage Resource Centre located in City Hall.



Ongoing alteration work-former Queen Street United Church

Some Common Misconceptions About Heritage Designations

“Heritage designations are put in place to prevent change.” The purpose of a heritage designation is to guide alterations to the property, not to prohibit them. This is to ensure that they complement, rather than compromise, the integrity of its cultural heritage value. As such, when thoughtfully designed, modern features such as new additions and landscape changes can certainly be added to heritage properties.

“All changes to heritage properties must be approved by City Council.” Most designations apply only to the exterior of the property, and most commonly the area which can be seen by the general public. Works that do not require a heritage application include:

- **interior work**, except where specifically designated; and
- **minor alterations, landscaping and maintenance work** as defined in By-law No. 2013-141.

Moreover, many types of approvals have been delegated to the City’s Director of Planning, such as:

- **minor repairs** to existing features;
- **replacing** roofing where there is little or no change in material, colour or design;
- **minor re-pointing** masonry according to the City’s *Policy on Masonry Restoration in Heritage Buildings*;
- **removing or altering** signage within its current configuration and building coverage;
- **repairing or replacing windows** according to the City’s *Policy on Window Renovation in Heritage Buildings*.

Please see Part IV of By-law No. 2013-141 for the full list of potentially delegated works.

A heritage designation does not restrict the owner’s right to sell the property, or its particular use as that is addressed through requirements contained in the applicable planning documents, such as the zoning by-law.

“Heritage designation places a financial burden on the property owner.” The owner of a heritage property is not required to restore or maintain the property beyond what is expected of any property owner. Moreover, the City offers financial incentives to property owners for eligible restoration projects.

“Insurance premiums are higher for designated properties.” Although older properties may involve greater risk due to outdated features, a heritage designation does not prevent these features from being updated and therefore should not affect insurance premiums. Furthermore, since it is not a requirement for destroyed features to be replicated, there should be no added cost to insurance companies or owners in that regard.



Compatible addition at the side of an 1850s limestone cottage, Barriefield Heritage Conservation District



McIntosh Castle, constructed in 1852, Old Sydenham Heritage Conservation District

“Heritage designation negatively impacts property values.” Studies have found that heritage designated properties most often perform at or above the average property in terms of changes in economic value, thus allaying the financial worries of prospective heritage property owners.