

# MUNICIPAL HERITAGE REGISTERS



Town of Tillsonburg - Museum, Heritage, Culture and  
Special Awards Advisory Committee

November 20, 2024

# ONTARIO HERITAGE ACT (OHA)

- Part IV – Conservation of Property of Cultural Heritage Value or Interest
  - Municipal Heritage Committee – to advise and assist Council
  - Municipal Register
  - Designation by Municipality (process to designate and process for alteration/demolition)
  - Conservation Easements
  - Grants and Loans
  - Designation by Minister
- Part V – Heritage Conservation Districts (process to designate and process for alterations/demolitions)
- Regulations
  - [O. Reg. 385/21 – General](#) (prescribed events, amend/repeal by-law, required information and material for application to alter/demolish)
  - [O. Reg. 9/06 – Criteria for Determining Cultural Heritage Value or Interest](#)

# OTHER PARTS OF THE OHA

- Part II – Ontario Heritage Trust (Crown agency, formerly the Ontario Heritage Foundation, is a property owner, maintains [Ontario Heritage Register](#), holds [conservation easements](#))
  - [Compilation of Municipal Heritage Registers](#)
- Part III – Standards and Guidelines for Provincial Heritage Properties (owned by Crown or prescribed public body)
- Part VI - [Archaeological Resources](#)
- Part VII – General (e.g. no compensation, offences and restoration costs, regulation making authority, etc.)

# PLANNING ACT

- Provides basis for policy-led system and creates ‘tool box’ for municipalities. See [Citizen’s Guide to Land Use Planning](#)
- Lists matters of Provincial interest - Item 2(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest
- [Provincial Planning Statement \(2024\) – Section 4.6 Cultural Heritage and Archaeology](#)
- Official Plans – municipal vision, goals/objectives, policies
- Zoning By-laws – implements Official Plan, through detailed, legal requirements for land use
- Development processes/tools – site plan control, OP/Zoning amendments, minor variances, subdivision/consent to sever
- Ontario Building Code Act/Ontario Building Code – zoning by-laws and heritage designation by-laws are ‘applicable law’ that must be complied with before Building Permit issued

# OXFORD COUNTY

- Oxford County Official Plan (OP)
  - [Chapter 3.0 Natural and Cultural Resource Management Policies](#), 3.3 Cultural Resource Policies
  - [Chapter 8.0 Town of Tillsonburg Land Use Policies](#), 8.3.2.2 Central Area Strategy
  - [Appendix 4](#) provides an inventory of heritage properties
- Eight area municipal Zoning By-laws
- Four area municipalities have Heritage Committees under OHA – City of Woodstock, Town of Ingersoll, Town of Tillsonburg, and Township of Norwich

# MUNICIPAL HERITAGE REGISTERS

- OHA states that the “clerk of a municipality shall keep a register of property situated in the municipality that is of cultural heritage value or interest” (i.e. designated under Parts IV and V)
- Must be accessible to the public on the municipality’s website
- May also include a list of properties that have not been designated if the municipality believes the property to be of cultural heritage value or interest
  - must meet one of the criteria in O. Reg. 9/06
  - must provide notice to owner, who can object to Council
  - no requirement for permission to alter (i.e. heritage permit)
  - owner is required to give municipal council at least 60 days’ notice of their intention to demolish or remove a building or structure
  - not eligible for grants or loans under OHA



# RECENT CHANGES TO OHA - DESIGNATION

- Designation
  - Must be included in Register at the time of a prescribed event under Planning Act (complete application for OPA, ZBA, Subdivision), then have 90 days to give notice of intention to designate, unless owner and municipality agree to extend
  - Must meet two criteria to be designated (previously only one)
  - 25% of the properties in an area must meet two criteria to be designated as an HCD
  - Prescribed contents for HCD plan

# RECENT CHANGES TO OHA - REGISTER

- Register
  - Must post register on a publicly accessible website by Jan 1, 2023
  - Must review all properties on heritage registers by Jan 1, 2025 (since amended to Jan 1, 2027). Any non-designated properties on the register as of that date must be removed and can not be re-listed for a period of five years.
  - Meet one criterion to be included in Register (previously only ‘Council believes to be of cultural heritage value or interest’) and must include a statement explaining why the property is of value.
  - Notice and objection process for new and existing listings
  - Any new listings can only remain on Register for two years



# O. REG. 9/06 - CRITERIA

Property that has not been designated under Part IV of the Act may be included in the register if the property meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.

# WHAT DOES THIS MEAN FOR HERITAGE REGISTERS?

- Adds structure and recourse for property owners
- Adds administrative complexity to maintaining the Register
- Increases costs for municipalities that don't have in-house expertise to evaluate properties for designation
- Some say reduces uncertainty for developers, others say that developers like knowing that their property is of potential interest
- Can't designate any resources that were unknown prior to a development process (e.g. hidden from public view, missed in inventory work, no comprehensive inventory exists, identified through public comments, etc.)
- Existing properties on Register must be removed, even if the owner doesn't object or is the municipality itself
- Can still maintain informal inventories and support with planning policies/requirements for applications

Thank you – Questions?

**Meghan House**  
Policy Planner

Community Planning  
County of Oxford  
519-539-9800 x3219  
[mhouse@oxfordcounty.ca](mailto:mhouse@oxfordcounty.ca)