

## **Main Street South Heritage Conservation District Frequently Asked Questions (FAQs)**

### **What is a Heritage Conservation District (HCD)?**

The *Ontario Heritage Act* enables a municipality to designate defined areas of special cultural heritage value or interest as a Heritage Conservation District. This allows City Council to manage and guide future change in the district through adoption of a district plan with policies and guidelines for the conservation, protection, and enhancement of the area's special character, including demolition control.

District designation also helps a municipality to identify properties eligible for incentives to encourage and assist in the maintenance and restoration of heritage attributes. The character of a district is formed by the overall heritage quality of buildings, streets, natural features, and open spaces of an area.

### **How is a Heritage Conservation District designated?**

Council may identify an area within the municipality to be examined for designation as a Heritage Conservation District, often in response to local neighbourhood initiatives. Part V of the *Ontario Heritage Act* defines the process of establishing a Heritage Conservation District. Generally speaking, it involves a two-stage process: 1) a District Study, and 2) the District Plan and designation by-law.

The primary purpose of the District Study is to further examine the heritage significance of an area and propose a boundary. The overall objective of a District Plan is to provide policies and guidelines that will assist in the protection and enhancement of the cultural heritage values of the District. Extensive consultation takes place with the community. After the Study and District Plan are completed and consultation with the Brampton Heritage Board has occurred, City Council may pass a by-law that establishes the Heritage Conservation District and implements the District Plan.

### **Does Brampton have any Heritage Conservation Districts?**

Yes, the City of Brampton currently has one HCD. The Village of Churchville has been an HCD since 1990.

### **What is the difference between designation under Part IV and Part V of the *Ontario Heritage Act*?**

Designation under Part IV relates to an individual property that is of cultural heritage value or interest, whereas designation under Part V relates to an area that contains multiple properties that collectively have cultural heritage value.

Both types of designation are registered on title, and require a statement of cultural heritage value or interest and a description of heritage attributes. They differ mainly in scope and the processes of their implementation.

All properties within the boundary of a Heritage Conservation District are designated under Part V of the *Ontario Heritage Act*, including properties previously designated under Part IV of the *Ontario Heritage Act* and properties containing new dwellings

### **What are the benefits of a Heritage Conservation District (HCD)?**

The benefits of a Heritage Conservation District include, but are not limited to:

- Maintain the character of the community
- Enhanced quality of life
- Potential for economic spin offs like tourism
- Enhance community identity, pride and involvement
- Financial incentives
- Cultural and economic vitality

### **Will a Heritage Conservation District designation affect my property values?**

Recent studies have shown that designated properties tend to sell on par or better than non-designated properties. They also tend to resist downturns in the real estate market. Two Canadian studies on the topic include:

[The Effect of Heritage Conservation Districts on Residential House Prices in Toronto, Ontario April 2010, Murray X. White, Ryerson University](#)

[Heritage Conservation Districts Work! – Heritage Conservation District Study, 2009, Architectural Conservancy of Ontario, Robert Shipley, University of Waterloo](#)

### **How does a Heritage Conservation District (HCD) affect my property insurance?**

As noted by a publication issued by the Ministry of Tourism, Culture and Sport, your insurance premiums should not go up as a result of heritage designation. Usually a variety of other factors such as out-dated wiring, and old heating systems found in older buildings cause insurance companies to increase insurance premiums.

More information is available via the following link:

[http://www.mtc.gov.on.ca/en/publications/Heritage\\_Insurance.pdf](http://www.mtc.gov.on.ca/en/publications/Heritage_Insurance.pdf)

### **How does a Heritage Conservation District (HCD) affect my property taxes?**

Property designation should not have an impact on your assessment, which is used to determine the amount of property taxes you pay. The value of your property is determined by the Municipal Property Assessment Corporation (MPAC).

### **Will district designation stop the buying or selling of property?**

Designation does not prohibit real estate transactions from continuing in the normal manner.

### **How will HCD designation affect the resale value of my house?**

HCD designation does not, in itself, change the value of a property. If there is any impact at all, heritage designation is likely to help a home maintain or increase its value because most property owners take pride in the character of their neighbourhood. Upkeep of the community also makes an HCD more attractive to home buyers who like the stability that heritage designation brings to the built form of the community.

HCD designation is intended to bring certainty to all homeowners that any future additions or alterations visible from the public realm will not be out of character with the neighbourhood or negatively impact surrounding properties. It increases the stability of the neighbourhood, complementing zoning by-laws which, for example, regulate the size of a new building relative to the size of the property.

## **Does heritage designation freeze an area and prevent change and development?**

Designation does not freeze an area in time, nor is it meant to prevent change. It's not 'if' change can happen, it's 'how' or 'how best'. When a property is designated under Part V of the *Ontario Heritage Act*, certain alterations, as specified in the Heritage

Conservation District Plan, must go through the Heritage Permit process. The Heritage Permit Process allows a municipality to guide the change that happens in a Heritage Conservation District. Far from freezing alterations or new development, change that helps enhance the identified character of the district is encouraged.

## **What work does not require a Heritage Permit?**

Heritage Permit is not required for proposed work that constitutes general maintenance or repairs that are minor in nature. As stated in the draft Main Street South Heritage Conservation District Plan, work that does not require a heritage permit includes:

- Minor repairs using the same materials, finishes and profiles;
- New roof shingles using the same materials;
- Repaving walkways and driveways;
- Weatherproofing including caulking, weather stripping and insulating;
- Exterior painting of wood, stucco or metal finishes;
- Interior work, provided that it does not impact the exterior;
- Structural repairs that do not affect the exterior or overall structural integrity of the building;
- Construction of patios, gazebos, toolsheds and other small accessory buildings provided that they are located at the rear of the property;
- Pools, ponds, fountains, sculptures not visible from the public realm;
- Landscaping that does not require heavy machinery or alter the topography of a designated property; and
- Minor installations, including small satellite dishes, lighting, flag-poles, skylights, vents and mechanical electrical equipment not visible from the public realm.

### **How long does the Heritage Permit approval process take?**

The *Ontario Heritage Act* stipulates that Council has 90 days to make a decision on a Heritage Permit. Council may delegate approval to staff for certain kinds of Heritage Permits.

Minor Heritage Permits such as exterior alterations can be approved by staff within a few days to a month if all of the necessary information is provided in the Heritage Permit. Major Heritage Permits such as additions, demolition, and new construction require approval by Council.

Please refer to Section 4.3 of the draft Main Street South Heritage Conservation District Plan for further information.

### **How will the Heritage Conservation District affect the changes that I or previous owners have already made to my buildings and property?**

The Heritage Conservation District Plan does not require property owners to change their property back from how it looks today. The Heritage Conservation District addresses exterior renovations and alterations made after the designation by-law is passed by Council. Property owners will be asked to follow the Heritage Conservation District Plan for any future change they make to the exterior of their property.

### **Does the Heritage Conservation District designation affect the interior of my home?**

No, unless the interior renovation alters the exterior of the building that is visible from the public realm.

### **What happens if a building is destroyed by fire, or some other accident? Would it have to be rebuilt as it was?**

If a building on a heritage property is completely or partially destroyed by natural forces, the designation does not oblige the owner to replicate any lost heritage attributes. A replacement building, for example, can be of a different design that follows the District Plan.

### **Do I need permission for general maintenance?**

General maintenance work, such as minor exterior repairs, repainting of exterior trim, wood, and metal, and replacement or repairs to an existing asphalt roof does not require additional heritage approvals.

### **Can I replace doors, windows and roofs with more energy efficient materials?**

Yes. Heritage Permits are granted for the installation of more energy efficient doors and windows, as long as existing historic doors and windows cannot be repaired or upgraded to make them more energy efficient and replacements are in keeping with the original character of the house. One thing to remember is that the most 'green' and efficient material may be the existing (presumably wood) material.

It should be noted that in some cases, doors and windows may be identified as heritage attributes that should not be replaced. Instead they should be repaired or restored in ways that make them more energy efficient, such as by adding exterior storm windows.

### **Can I paint my house in any colour I choose?**

Yes. A Heritage Permit is required for painting masonry that has not previously been painted. Paint can cause a considerable amount of damage to brick and is not recommended.

The guidelines do not specify that certain colours to be used; however, if a homeowner wishes to make a historically appropriate colour selection, paint stores have sample books of heritage colours to choose from.

### **I live in a house that is modern in age and design. What does HCD designation mean for me?**

The HCD plan is typically more permissive when it comes to the type of renovations and alterations allowed for modern "non-contributing" properties that are not considered to add to the heritage character of the district, as recognized by the Heritage District Plan.

Nonetheless, exterior alternations to “non-contributing” properties may be deemed to be inappropriate to the Heritage Conservation District and refused as not in keeping with the character of the District in some cases.

**I see ‘public realm’ mentioned a lot in the District Plan. What is the ‘public realm’?**

The public realm is considered any publicly owned streets, pathways, right of ways, parks, or publicly accessible open spaces. Since protection of cultural heritage

resources is for the public good, it is important that alterations visible from the public realm maintain the character of the District.

**How are Heritage Permits evaluated in an HCD? Is the process objective?**

In Heritage Conservation Districts, Heritage Permits are evaluated using the District Plan. Each Heritage Permit application is considered on a case-by-case basis. Guidelines and policies ensure that City staff follow a specific process. Heritage Permit applications are also circulated to staff from various applicable divisions/departments, who work as a team to process more extensive alterations.

**What happens if the Light Rail Transit (LRT) comes through the Main Street South Heritage Conservation District?**

The LRT and Heritage Conservation District are not mutually exclusive. Both can exist in the same space. There are provisions in the HCD Plan and guidelines that ensure changes in the public realm maintain the character of the District.