



## Heritage Designation Frequently Asked Questions

### What does heritage designation mean?

Designation under Section 29 of the *Ontario Heritage Act* gives a property special legal status. Designation applies to real property and helps to protect and recognize the heritage features of that property. A designation is registered on title for the subject property, but the owner still retains control of the property.

### What does "listing" mean?

Listing is an important tool used in the conservation of non-designated heritage properties. Enshrined under the *Ontario Heritage Act*, listing allows for the protection of a culturally significant building or structure from unnecessary demolition. If a property is listed and the owner wishes to demolish or alter the structure, they must give 60 days' notice to Council, who will make a decision on whether or not to issue a permit.

### Can a designated property be demolished?

The alteration process under Section 33 of the *Ontario Heritage Act* helps ensure that the heritage features of a designated property remain intact. If the owner of a designated property wishes to alter or demolish the heritage features of the property, they will need to obtain written consent from Council.

Council has the power to approve or deny an application for a demolition permit. Council may also consent to the application subject to "such terms and conditions as may be specified." The owner may appeal Council's decision to the Ontario Land Tribunal.

### Does designation restrict changes to a property?

Designation does not restrict the property owner from making alterations or repairs to their property; however, approval from Council will be needed if the proposed alterations or repairs affect the designated features of the property.

Before designation occurs, "Reasons for Designation" are discussed with the owner to ensure full understanding. Architectural features mentioned in the "Reasons for Designation" may not be altered without consultation with The Prescott Heritage Committee.

While restoration of the building to original appearance is not required, it is encouraged; existing non-original additions may remain; addition of undocumented details is to be avoided.

Any plan to alter the exterior of a property must be discussed with the Building Department well in advance of obtaining building permits and making contractual commitments.

The Prescott Heritage Committee recommendations will be directed to Council for decision. Designation applies to the entire site, not just the main building.

### **Does designation affect the sale of a property?**

Designation does not prohibit or detrimentally affect the sale of a property, although the by-law protecting the property remains. It does not affect the use to which the property may be put or its assessed value. Some studies have shown that designation actually has a positive impact on the re-sale of a property.

### **What are the legal implications of designation?**

Ownership of the property does not change once it is designated, nor does designation permit the public or Town staff access a designated property without permission from the owner. Designation does not require the property owner to do any additional maintenance outside of ordinary property standards by-laws.

### **What does “designation” not do?**

- It does not prohibit or negatively affect the sale of a designated property. Some studies have even shown that designation actually positively affects resale value.
- It does not oblige the owner to restore and maintain the building beyond what is expected of any property owner.
- It does not affect the permitted uses of the property (under zoning).
- It does not prohibit the development or alteration of the property, but approval from the Prescott Heritage Committee is required if exterior changes to the property are contemplated.
- It does not permit public access to your property.

## **What are the benefits of Owning a Designated Property?**

- Enhanced public experience and protection of local identity that are fostered by heritage designations
- 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.

## **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 Council."*

Most designations apply only to the exterior of the property, and most commonly the area which can be seen by the general public. Any changes discussed with building . Property owners should speak with the Building Department prior to any restoration projects in order to determine if approval from Council is required.

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. The Town provides an opportunity for grant funding through the Community Improvement Plan (CIP) which offers incentives for Heritage Conservation and provides an opportunity to stimulate the preservation of existing historical and cultural assets to facilitate, where warranted, the rehabilitation of these asset to ensure their long-term viability. To promote the restoration of heritage features via engineering studies and/or architectural plans, building façade and structural improvements. Below is a summary of the Incentives for Heritage Conservation funding:

**Area 3 – Heritage Conservation (CIP Page 20)**

<b>Incentive Program</b>	<b>Description</b>	<b>Maximum Incentive Amount Per Eligible Property Unit</b>
Property Improvement Grant	A non-repayable grant, not exceeding 50% of eligible costs; available to assist heritage property owners or tenants to complete studies/plans, improve building façade, accessibility, and interior portions.	\$9,000
Permit & Application Fees	Reimbursement to a maximum amount of the building and/or sign permit and application fees, for work that is approved for the CIP program.	\$1,000 or 10% of building permit fee whichever is higher
Interest Free Loan	An interest free loan not to exceed 50% of the total project value, to a maximum amount, amortized over 5-10 years, to make exterior façade, interior improvements and/or improve barrier free accessibility.	\$100,000

For more information regarding the design criteria and eligibility please see our Community Improvement Plan.

*“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.

*“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.