
TO: GENERAL COMMITTEE

SUBJECT: CONSERVATION OF BUILT HERITAGE COMMUNITY IMPROVEMENT PLAN

WARD: ALL

PREPARED BY AND KEY CONTACT: L. MUNNOCH, SENIOR PLANNER (HOUSING), EXT. 4416

SUBMITTED BY: M. BANFIELD, RPP, EXECUTIVE DIRECTOR OF DEVELOPMENT SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That Council approve the proposed Conservation of Built Heritage Community Improvement Plan (CIP) Project Area, as described in Appendix "A" to Staff Report DEV003-25.
2. That Council approve the proposed Conservation of Built Heritage Community Improvement Plan (CIP) attached as Appendix "B" to Staff Report DEV003-25.
3. That Council provide direction to allocate money from the CIP Reserve Fund (\$79,437.51) to the implementation of the proposed Conservation of Built Heritage Community Improvement Plan (CIP) if approved.
4. That the written and oral submissions received relating to the application, have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, including matters raised in the submissions and identified within Staff Report DEV003-25.
5. That pursuant to Sections 17(22) and 28(5) of the *Planning Act*, no further public notification is required prior to the passing of the by-law.

PURPOSE & BACKGROUND

Report Overview

6. The purpose of this Staff Report is to bring forward the proposed Conservation of Built Heritage CIP for Council approval.
7. The proposed Conservation of Built Heritage CIP would effectively:
 - Act as an incentive, to encourage property owners to list, and designate, their property.
 - It would provide municipal support to the conservation of the City's built heritage resources, which when in private ownership, rely fully on private funds.
 - It would demonstrate the City's partnership in heritage conservation, by providing some municipal support to the costs associated with ownership of a heritage property, based on the established restrictions by the City.

- Act as the continuation of a previously successful grant program, with necessary revisions to reflect changes in Provincial legislation, and revisions to eligibility requirements.
8. The report provides background information, policy analysis, and a review of the feedback received through the public engagement process.

Background

9. On November 28, 2022, Bill 23, the More Homes Built Faster Act, 2022, received Royal Assent. Through this, there have been several changes made to the *Ontario Heritage Act*, including an expiration date set for properties listed on a municipal heritage register, initially set for January 1, 2025. Once removed from a municipal heritage register, a property may not be re-listed for another five years.
10. On June 6, 2024, Bill 200, the Homeowner Protection Act, 2024, received Royal Assent further amending the *Ontario Heritage Act* by extending that expiration date to January 1, 2027. This was to allow municipalities additional time to reevaluate their registers and provide additional time to designate more properties.
11. On March 8, 2023, Council adopted motion 23-G-038, which provided the following direction:
- 3. That staff schedule a statutory public meeting, in accordance with the Planning Act, as soon as possible to initiate the process for the following amendments to the City's Community Improvement Plan:
 - Update section 8.2 to provide further clarity with respect to the eligibility requirements for renovations and improvements to heritage buildings that qualify for funding through the Preservation of Built Heritage Grant Program.
12. On June 4, 2024, Council adopted motion 24-G-143, which provided the following direction:
- 3. That at the time of the writing this report the CIP Reserve Fund had a total of \$4,559,047.00 which shall be reallocated as follows:
 - That \$162,082.50 of the existing CIP Reserve Fund be retained for processing any outstanding approved grants under the existing heritage grant program, with remaining funds set aside for a new Conservation of Built Heritage CIP.
13. A Public Meeting took place on June 12, 2024, to receive feedback on the draft Conservation of Built Heritage CIP, which was prepared by staff in Development Services. A summary of public and Affordability Committee comments received at that meeting are provided below, together with staff comments related to the feedback received.
14. On June 25, 2024, staff brought the proposed Conservation of Built Heritage CIP to the Heritage Barrie Committee. A summary of Committee's comments is also provided below.

CONSULTATION SUMMARY

Public and Affordability Committee Comments and Staff Response

15. Su Murdoch, a professional heritage consultant, and owner of a designated heritage property in Barrie, provided written comments. She highlighted her support of the City maintaining a grant program for heritage property, however, had concerns around the proposed CIP. Her concerns included the use of certain outdated terminology, limiting funding eligibility to only designated heritage property, coordination of the proposed CIP with other legislative processes outlined under the *Ontario Heritage Act*, and the amount of funding proposed.
- Staff have reviewed, and updated terminology where appropriate, and have clarified the use of the term “built heritage”.
 - The proposed CIP grant program is revised to include designated, listed, and properties subject to a conservation easement agreement.
 - The funding amount is not proposed to change.
16. Comments were raised about the types of property eligible for grant funding.
- Consideration was given to the types of eligible property for grant funding, including separating funding based on the type of classification (e.g., listed, designated, subject to an easement agreement). Ultimately, staff are proposing a grant program available to all municipally identified heritage property, being designated, listed, or property subject to a heritage conservation easement. This is proposed, because all properties have restrictions against them, and higher ownership costs associated with being considered heritage property.
17. Comments were raised about the review staff undertook of other municipalities, if any, and their use of financial incentives/grants for heritage conservation.
- Many municipalities already provide some form of financial assistance to property owners of heritage properties. The following scan was done of local, and other, municipalities, within southern Ontario:

Table 1: Scan of Southern Ontario Municipalities for Heritage CIP Programs

Municipality	Do they provide grant funding, or other assistance, through a Heritage Conservation Improvement Plan (CIP)? Yes/No (Y/N)
Town of Innisfil	N - Does not provide a grant program through a CIP targeting heritage property, however, does provide tax relief for heritage property owners.
Town of New Tecumseth	Y - Provides a grant program through the Community Improvement Plan, grants are only available for property within the Beeton Heritage Conservation District.

Municipality	Do they provide grant funding, or other assistance, through a Heritage Conservation Improvement Plan (CIP)? Yes/No (Y/N)
Town of Bradford West Gwillimbury	N - Does not provide a grant program through a CIP targeting heritage, however, does provide tax relief for heritage property owners.
Town of Collingwood	Y - Provides both a grant program for heritage property, and property within a Heritage Conservation District, and a tax relief program for heritage property.
City of Brantford	Y - Provides a heritage grant program for heritage property.
City of Peterborough	Y - Provides a grant program for only property within the Downtown Heritage Conservation District. The City of Peterborough also provides property tax relief for heritage property.
City of Welland	Y – Provides grant funding for revitalization, and to reinforce diversity in the downtown area.
City of Waterloo	Y – The Uptown Community Improvement Grant provides assistance, in part, to conserve heritage features of property.
City of St. Catharines	Y – A Façade Improvement Program provides assistance, in part, to conserve the façades of heritage property.
City of Cambridge	Y – Financial assistance is provided specifically for heritage property owners through a heritage grant program.
City of London	Y – Provides some level of financial assistance for heritage properties City-wide.
City of Ottawa	Y – Provides financial assistance for heritage properties City-wide.

18. The Heritage Barrie Committee recommended that City Council provide tax relief to heritage properties, as is available to municipalities under the *Municipal Act*, however, City Council did not wish to pursue a tax relief program.
19. The Heritage Barrie Committee was consulted, their comments included support for the continuation of the CIP, and for the provision of grant funding for heritage properties. Members had concerns with the application of the CIP, the amount of funding proposed, not including listed properties, and the fairness of providing 60% of the eligible work to a maximum of \$10,000.00, versus providing the full amount of \$10,000.00.

- Staff have reviewed, and proposed changes to the CIP to address errors in process, or application of the grant program.
- The proposed CIP grant program is revised to include designated, listed, and properties subject to a conservation easement agreement.
- The funding amount is not proposed to change.

Department and Agency Comments and Staff Response

20. As part of the review, staff circulated the Conservation of Built Heritage CIP to related City departments and our partner agencies for comment. No comments were received for consideration or clarification as it relates to the CIP.

Revisions to the first draft of the Conservation of Built Heritage Grant Program

21. Revisions to the draft issued for public meeting for the Conservation of Built Heritage CIP, including the proposed grant program, were made based on the consultation feedback. Minor changes have included certain sentence restructuring and/or rewording to provide clarification of the intent, and to make the document easier to read and understand.
22. One major change from the draft to the final version, includes the expansion of the program to include listed properties, in addition to designated properties. This is intended to encourage property owners to list, and ultimately designate, as it would provide a municipal contribution to the conservation of all the City's built heritage resources and demonstrate the City's partnership in heritage conservation.

LEGISLATION AND POLICY ANALYSIS

Ontario Planning Act, R.S.O. 1990

23. Section 28 (2) and (4) of the *Planning Act* provides municipalities with the authority to designate a community improvement project area and approve a community improvement plan, in accordance with subsections (5) and (5.1).
24. Section 28(1) of the *Planning Act* defines a "community improvement project area" as "an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason." The proposed Community Improvement Project Area for the Conservation of Built Heritage CIP includes all lands within the City of Barrie municipal boundary, as illustrated on Schedule "A" of the Draft By-law in Appendix "A".
25. Section 28(7) prescribes council's authority regarding grants or loans. Therefore, if a municipality chooses to exercise its authority to undertake a community improvement initiative Council is permitted to make grants or loans providing that it be done for the purposes of carrying out a community improvement plan that has come into effect.
26. In accordance with the *Planning Act*, notice of the proposed Conservation of Built Heritage CIP was circulated to members of the public, local stakeholders, public bodies and agencies, and the Province. A public meeting was also held on June 12, 2024. If the recommendations of Staff Report DEV003-25 are accepted, a by-law would be brought forward to Council to approve the proposed Conservation of Built Heritage CIP attached as Appendix "B" to Staff Report DEV003-25.

Municipal Act, R.S.O. 2001

27. Section 106(3) of the *Municipal Act* gives municipalities the authority to provide financial assistance and other incentives through a CIP, without contravening the provisions in Sections 106(1) and 106(2) that otherwise prohibit municipalities from directly or indirectly assisting manufacturing businesses or other commercial or industrial enterprises through the granting of bonuses, which includes giving or lending property/money; guaranteeing borrowing; leasing or selling municipal property below fair market value; or giving a total or partial exemption from any levy, charge, or fee.

Provincial Planning Statement, 2024 (the "Provincial Planning Statement")

28. Section 4.6 of the Provincial Planning Statement includes policies related to cultural heritage and archaeology. The Provincial Planning Statement directs planning authorities to conserve built heritage, and cultural heritage resources, as well as encourages planning authorities to implement proactive strategies for conserving significant built heritage resources.
29. The Provincial Planning Statement, defines a built heritage resource as:
- "...a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community."* (Provincial Planning Statement, 2024, p.40).
30. The Provincial Planning Statement considers significance, when regarding cultural heritage and archaeology as:
- "... resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act."* (Provincial Planning Statement, 2024, p.52)
31. Considering the above, staff are of the opinion that the introduction of Conservation of Built Heritage CIP for the City of Barrie is supported by the *Planning Act*, the *Municipal Act*, and is consistent with the Provincial Planning Statement, 2024.

City of Barrie Official Plan 2051 (the "Official Plan")

32. The Official Plan includes reference to CIPs in Section 7.3, "Tools to Support Economic Growth". The Official Plan envisions the continued use of CIPs for various needs, including the redevelopment of underutilized areas.
33. Section 9.6 "Community Improvement Plans" recognizes community investment to realize the community vision and Council strategic planning objectives. Policy of this Section, supports the establishment of a CIP City-wide, with policy 9.6 b) identifying:
- "... The City's broad intentions for community improvement are to support the ... construction, reconstruction and rehabilitation, built heritage preservation, improvement of energy efficiency, or mitigation of greenhouse gas emission ... within a community improvement project area."* (Barrie Official Plan 2051, p.192).
34. Furthermore, policy 9.6 d) supports the City in establishing financial incentives to direct investment, keeping with strategic priorities, by way of municipal by-law.

35. The Official Plan includes multiple references to heritage conservation and supports the objective of conserving the City's built heritage resources. Policy 3.2.5 speaks to the integration of new development within historic neighbourhoods, and the integration of historic facades with infill development.
36. Policy 8.4.1 speaks to the conservation of designated heritage property, the City's support in the designation of individual properties under Part IV of the *Ontario Heritage Act* and sets out a process to adopt a Heritage Conservation District.
37. Policy 8.4.2 speaks to development, and site alteration, on, and adjacent to, protected heritage lands. It established that resources will be protected and conserved and encourages the adaptive re-use of any listed heritage property.
38. Policy 8.4.3 speaks to property located within Historic Neighbourhoods, established on Map 8 "Cultural City Features". It continues to reenforce the need to conserve heritage property and sets out policies to conserve the character of these areas.
39. Policies 3.2.5, 8.4.1, 8.4.2, and 8.4.3, are referenced, to demonstrate the established responsibility under the Official Plan of heritage conservation of cultural heritage resources, including built heritage resources.
40. Considering the above, staff are of the opinion that the introduction of Conservation of Built Heritage CIP for the City of Barrie is supported by the Official Plan.

IMPLEMENTATION

Application Review

41. The proposed Conservation of Built Heritage CIP contains only one, reserve-funded grant program. As detailed in the proposed Conservation of Built Heritage CIP, staff are recommending that the applications for the CIP program be implemented as follows:
 - Applications for the grant program, are to be accepted through scheduled intake periods and awarded to a successful applicant through review by the Grants Review Committee. Staff would intake all applications within the specified intake period and arrange for a meeting of the Grants Review Committee, once the intake period has concluded. A recommendation report, including analysis of each application and their demonstration of meeting the set-out eligibility criteria, would be completed by staff. This report would be presented at the Grants Review Committee meeting.
 - A minimum of two quotes for eligible work are required with each application, the average of these quotes will be taken, and 60% of that average (to a maximum of \$10,000.00) would be available for funding through this grant program.

Legal Agreements

42. The proposed Conservation of Built Heritage CIP enables the City to enter into legal agreements with all successful applicants to outline the terms, duration, and default provisions of the grants awarded. These agreements would be registered on title, and will include the requirement that construction/renovation, etc., must be completed within one year of the grant approval.

Monitoring and Reporting

43. If approved, staff would prepare an annual report on the Conservation of Built Heritage CIP, including record of the amount of funding provided, and number of applicants received within that intake period.

ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS

44. There are no environmental and/or climate change impact matters related to the recommendation.

ALTERNATIVES

45. The following alternatives are available for consideration by General Committee:

Alternative #1

General Committee could refuse the enactment of the proposed Conservation of Built Heritage CIP.

This alternative is not recommended, as staff have proposed a CIP and grant program which aligns with the previous CIP grant program and clarifies eligibility requirements as per Council Motion 23-G-038. The proposed Conservation of Built Heritage CIP would incentivize the designation of heritage property, contribute to the conservation of the City's built heritage resources, provide some municipal contribution to the costs associated with ownership of heritage property, and act as a continuation of the previously successful grant program.

Alternative #2

General Committee could choose to revise, or direct staff to investigate alternative direction, for the proposed Conservation of Built Heritage CIP.

Although this alternative is available, it is not recommended. Staff have proposed a CIP and grant program which aligns with the previous CIP grant program and clarifies eligibility requirements as per Council Motion 23-G-038. The proposed CIP would provide financial assistance for listed, designated heritage property, and property subject to a heritage conservation easement. Financial assistance is important to these types of heritage property, as each has higher costs of maintenance, and renovation.

FINANCIAL

46. The initial costs associated with the Conservation of Built Heritage CIP grant program, would be provided from the existing CIP Reserve Fund, and would be \$79,437.51, as of writing this report.
47. Finance and Development Services staff would make any additional annual funding recommendations through annual budget deliberations as warranted.

LINKAGE TO 2022-2026 COUNCIL STRATEGIC PLAN

48. The recommendation(s) included in this Staff Report support the following goals identified in the 2022-2026 Strategic Plan:

- Thriving Communities

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49. In accordance with Council's goals, the proposed Conservation of Built Heritage CIP would provide opportunity for investment into our community's history, supporting vibrant community areas including the City's downtown.

Attachments: Appendix "A" – Community Improvement Project Area By-law
Appendix "B" – Conservation of Built Heritage Community Improvement Plan (January 2025)