



GUIDE TO HERITAGE DESIGNATION FOR PROPERTY OWNERS

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Introduction

Kitchener has its own unique culture and heritage. Our places, spaces, and stories are integral to our identity and place a role in the function and development of the City through various means, including creating a sense of place and cultural identity, attracting investment and specialized industries, and reducing material consumption and waste in landfills.

The *Ontario Heritage Act* is the provincial legislation that provides municipalities with the tools and responsibility to identify, evaluate, and conserve cultural heritage resources that have value or interest to the community.

This guide provides a general overview of individual property designation under Part IV of the *Ontario Heritage Act*. It explains what designation is, what implications it has for properties, and explores how designation helps to conserve heritage properties for the future. For more information on properties designated under Part V of the *Ontario Heritage Act* located within one of Kitchener's four Heritage Conservation Districts, please refer to the specific Heritage Conservation District Plans, available on the City of Kitchener [website](#).

To determine if your property has any heritage status, please refer to the Municipal Heritage Register available [online](#).

What is Designation?

Designation is one tool under the *Ontario Heritage Act* which is used to provide long-term protection for our built heritage resources. It is a legal status conferred to a property.

Designation recognizes the importance of a property to the local community, protects the property's cultural heritage value, and provides guidance for future changes to the property in order to conserve and maintain its heritage value. The purpose of heritage designation is not to prevent changes to properties but manage it so that the attributes and characteristics which make the property special are retained.

There are two types of designation through the *Ontario Heritage Act* that would affect property owners most often. The first is the designation of individual properties (Part IV designations), and the second is designation of properties within an area known as a Heritage Conservation District (Part V designations).



Part IV designated properties are designated through the passing of a designating by-law, which is registered on the property title. A designating by-law identifies the heritage significance of the site and itemizes the specific heritage attributes and other character-defining elements of the property which should be given special consideration. Part V designated properties are properties within geographically defined areas known as Heritage Conservation Districts. Kitchener has four (4) designated Heritage Conservation Districts. The corresponding Heritage Conservation District Plans regulate and manage change through policies and guidelines, and are available on the municipal [webpage](#).

Criteria for Designation

In order for a property to be designated, it must meet criteria established by the Province through *Ontario Regulation 9/06*. The criteria are as follows:

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.

Evaluations are completed by qualified professionals to determine if a property meets enough criteria to be eligible for designation. Per *Ontario Regulation 9/06*, a property may be designated if it meets a minimum of two criteria. It may be listed on the Municipal Heritage Register as a non-designated property of cultural heritage value or interest if only one criterion is met.

Listing vs Designation

Properties which have been identified as having cultural heritage value or interest and are on the Municipal Heritage Register but are not designated are referred to as listed properties.

Alterations

There are no heritage requirements for alterations to listed properties. However, if a building permit is required, Municipal Heritage Staff may provide suggestions on how to ensure the heritage value of the property is protected during the project. A Heritage Permit Application may be required for alterations to Part IV and V designated properties.

Demolition

The City has 60 days to consider a demolition application for a listed property in accordance with *the Ontario Heritage Act*. In this time the City may determine if it wishes to pursue designation. Demolition of designated properties is generally not supported. A proposal to demolish a designated property would require additional studies including a Structural Assessment Report.

Redevelopment

There are heritage requirements associated with development applications for both listed and designated properties. This may include requests for heritage studies such as Heritage Impact Assessments and Conservation Plans.

Benefits of Heritage Designation

Designating a heritage property has benefits for both the community and the individual property owner.

Community

At a community level, there are social, economic, environmental, informational, and aesthetic benefits. This includes:



Social Benefits

- Creating a sense of place
- Enhancing cultural identity



Economic Benefits

- Attracting investment and talent
- Creating opportunities for tourism and other specialized industries



Environmental Benefits

- Reducing material waste in landfills and material consumption through retrofitting and reuse
- Reducing carbon footprint through retrofitting and reuse



Informational Benefits

- Imparts knowledge about the history and tradition of our City
- Imparts knowledge about patterns of land use, resilient development techniques, and more



Aesthetics Benefits

- Influence design to create attractive, distinctive, and interesting places and spaces
- Improve spatial quality of urban areas

Individual

An individual property owner can benefit from heritage designation through:

- Free guidance from City Heritage Staff on good heritage conservation practices for your building
- Bronze plaques to recognize the importance of your property and your contribution towards the conservation of our community's history
- Grants from the City for eligible projects
- Access to the Waterloo Regional Heritage Foundation Grant (managed by the Region)
- Tax refunds of up to 40% of the municipal and education portions of property taxes when a heritage conservation easement or preservation and maintenance agreement is on the property

Heritage Kitchener Committee

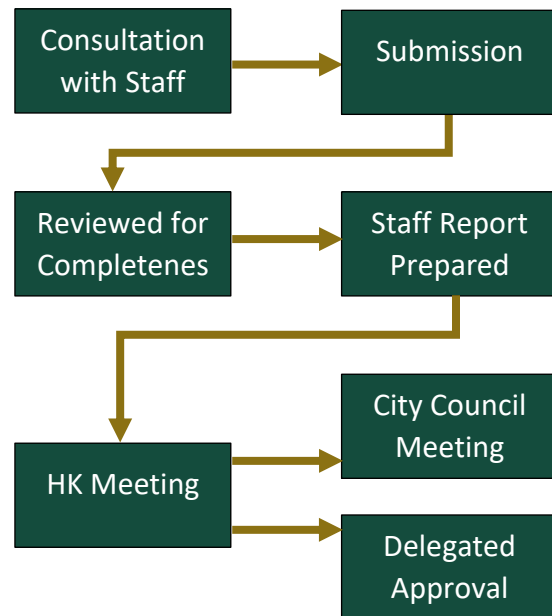
The Heritage Kitchener Committee, or HK, is a municipal advisory committee appointed by the City which focuses on matters related to the conservation of heritage resources within Kitchener. Such committees are legislated under the Ontario Heritage Act and are comprised of volunteers in closely related fields such as architecture, history, museum studies, as well as City Councillors. The responsibilities of HK include but are not limited to reviewing and providing commentary on:

- Designation proposals or appeals, repeals, or amendments to designating by-laws
- Heritage permit applications
- Applications to demolish heritage resources, and
- Easements or covenants on heritage properties

Heritage Permits

Alterations which may affect the heritage attributes of a designated property requires consent from the City. This is done through the Heritage Permit Application process, which is intended to ensure that changes are appropriately managed and respect a property's cultural heritage value. Heritage permit applications are site-specific, and typically include the same kind of drawings required for building permit applications. There is no application fee for a heritage permit application.

The process for a heritage permit application is as follows:



Kitchener follows the Standards and Guidelines for the Conservation of Historic Places in Canada. General heritage principals are as follows:

- Conserve and repair rather than replace historic materials and finishes where feasible
- Repair with like materials or materials that are as similar as possible
- Use historic documentation to guide your work
- Make alterations reversible so that future restoration remains an option
- When introducing elements such as an addition, make the new complimentary but distinguishable from the old
- Care for your building through continuous maintenance

Common Projects Requiring Permits

Examples of typical work that require a Heritage Permit Application include:

- Additions to an existing building including the installation of dormers
- Creation of new accessory structures including detached garages
- Creation of new openings for new windows or doors
- Replacement of windows or doors, where such features are identified as heritage attributes
- Changes in siding, soffit, trim, fascia, or roofing materials
- Removal or installation of porches, verandahs, and canopies
- Painting of masonry where not already painted
- Demolition of all or part of a building

List of Contractors

If you are looking for a contractor experienced in working on historic buildings, you can contact the City of Kitchener and we can help you find one.



Designated Heritage Property Grant Program

Owners of designated properties may be eligible to receive grants toward the conservation of their property. A grant of 50% of eligible conservation work up to a maximum of \$3,000 is available each year, subject to available funding, for projects such as repointing, repair of original windows, replication of front porch elements, reconstruction of a chimney structural repairs, etc. Applications are accepted January 1st to May 31st each year. All projects must follow good heritage conservation practices and be completed within the calendar year. Applications for the Heritage Grant Program can be found on the Heritage Funding [webpage](#). Consultation with heritage planning staff prior to formally submitting your application is encouraged, to confirm whether the proposed work is eligible for a grant. There is an application fee associated with submitting a heritage property grant program.

Heritage Property Tax Refund

Owners of property designated under Part IV and V of the *Ontario Heritage Act* **and** subject to a heritage conservation easement agreement or a preservation and maintenance agreement may be eligible to receive an annual refund of up to 40% of their property taxes for municipal and school purposes, subject to funding available.

Frequently Asked Questions

What are the obligations that come with designation?

Owners may be required to apply for a Heritage Permit when they wish to make alterations to a designated property. This does not include routine maintenance, and usually does not apply to interior changes.

Owners of a heritage property are not obligated to restore or maintain the heritage property beyond what is expected of any other property. Further, the City offers financial incentives to property owners to support maintenance and conservation.

What is the cost of designation?

There are no costs for homeowners to designate their property. The costs associated with designating a property, including advertising the Notice of Intention to Designate, are the responsibility of the City.

Further, designation does not impose any additional expenses beyond the usual expenses required to maintain a property. Studies have shown that maintaining or rehabilitating an older structure consumes less energy and resources than new construction, reduces waste in landfills, and is often less expensive and can be completed more quickly depending on the existing condition of the building.

Will heritage designation impact my insurance premiums?

Insurance companies may increase premiums for older buildings for a variety of reasons, such as outdated wiring or old heating systems. However, designation itself does not place additional requirements on the insurer and therefore does not affect premiums. There is no requirement placed on insurers to replicate destroyed features either.

Will heritage designation devalue my property?

Heritage designation does not negatively impact the value of a property. Studies done within North America, including ones undertaken by the University of Waterloo and the Architectural Conservancy of Ontario, have demonstrated that the values of designated properties rise more consistently than non-designated properties. Further, the value of such properties is more resistant to economic downturns.



Will designation impact the livability or use of my property?

The purpose of heritage designation is to guide alterations to a property, not prohibit change. This ensures that alterations complement rather than compromise the integrity and value of a cultural heritage value. As such, with thoughtful design and careful consideration, new features such as additions or garages can be added.

Designation also does not generally include interior spaces, unless there are rare or unusually significant elements. As such, if a building interior is not included in the designation by-law than it can be altered, or modern conveniences introduced without any heritage requirements.

Designation also does not restrict the use of a property. Uses are regulated by the zoning by-law.

Can I redevelop a heritage property?

There are several instances within the municipality where sites containing heritage resources have been sensitively adapted or redeveloped. This includes individually designated properties such as 404-410 King Street West (The Kaufman Loft) and 883 Doon Village Road, as well as properties within Heritage Conservation Districts, such as 254-262 Queen Street South.



Can I appeal the decision to designate my property?

Property owners can appeal the decision to designate their property. The mechanism for objection is provided by the Ontario Heritage Act. If a formal appeal is received within 30-days of the Notice of Intention to Designate being issued, then the matter is referred to the Ontario Land Tribunal (OLT). A hearing is held, and final decision made by the OLT.



For more information about heritage designation, or for advice or guidance on projects specific to your property, please contact Heritage Planning Staff.

Contact Information

Email: Heritage@Kitchener.ca

Phone: 519-741-2426

More Resources

[City of Kitchener Heritage Properties and Districts Webpage](#)

[Ontario Heritage Act](#)

[Standards and Guidelines for the Conservation of Historic Places in Canada](#)

[Ontario Heritage Trust](#)