



## ACTION REQUEST REPORT

Corporate Services

Report Number: 2026-001

Date: March 5, 2026

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**Prepared For:** Heritage Advisory Committee of the Township of South Glengarry  
**Prepared By:** Kelli Campeau, GM Corporate Services/Clerk  
Kayce Dixon, Deputy Clerk

**Subject:** South Lancaster Heritage Designation Options

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### **RECOMMENDATION:**

THAT Report 2026-001 be received and that the Committee advise Council to:

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| Option 1: | Not proceed with any heritage designations for properties located in South Lancaster.                               |
| Option 2: | Identify individual properties of interest to be investigated for designation in South Lancaster.                   |
| Option 3: | Advise Council to issue RFP for a consultant to complete a Heritage Conservation District Study in South Lancaster. |
| Option 4: | Hold a public consultation to receive feedback from residents.  |

### **BACKGROUND:**

1. At the [July 14, 2025 Council meeting](#), Council received a delegation requesting that South Lancaster be designated as a Heritage Conservation District under the *Ontario Heritage Act* (the "Act").
2. Further to the July 14<sup>th</sup> delegation, the attached document was submitted by South Lancaster residents to support the request.
3. At the September 22<sup>nd</sup>, 2025 meeting, Council directed Administration to consult with the municipal heritage committee regarding the establishment of a Heritage Conservation District or the designation of individual properties in South Lancaster.
4. This report will provide the Committee with an overview of the designation options available under the Act and outlines potential next steps for consideration.

### **ANALYSIS:**

5. The Act provides a framework for the conservation of properties and geographic features or areas that are valued for the important contribution they make to our understanding and appreciation of the history of a place, an event, or people.
6. Pursuant to the Act, municipalities may pass by-laws to formally designate properties of cultural heritage value or interest. Properties can be designated individually or as part of a heritage designation district.

### Designating an Individual Property:

7. The steps for designating an individual property under Section 29 of the Act include:
  - a. Identifying the property as a candidate for designation
  - b. Researching and evaluating the property
  - c. Serving a notice of intention to designate, with an opportunity for objection
  - d. Passing a designation by-law
  - e. Appeal and coming into force
  - f. Listing the property on the municipal register and Ontario Heritage Trust register.
8. Additional details on the above noted steps are provided below.

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| Step 1: Identifying the property                | <ul style="list-style-type: none"> <li>• Must meet the prescribed criteria set out in Section 1 of <a href="#">O. Reg. 9/06</a></li> <li>• Can be suggested for designation by property owner, heritage committee, or by an individual/group in the community.</li> </ul>   |
| Step 2: Researching and evaluating the property | <ul style="list-style-type: none"> <li>• Evaluation of the property must be done before a property can be recommended for designation per the criteria in the Act.</li> <li>• A designation report should be prepared for Council's consideration, containing written statements and descriptions to support the designation.</li> <li>• Council must consult with its Heritage Committee before issuing a notice of intention to designate.</li> <li>• Property owners should be engaged in the process as early as possible.</li> </ul> |
| Step 3: Serve notice of intention to designate  | <ul style="list-style-type: none"> <li>• If Council passes a motion to proceed with designating a property, it must notify the owner as well as the <i>Ontario Heritage Trust</i> and publish a notice of intention to designate in a newspaper having general circulation in the municipality.</li> <li>• When a notice of intention to designate has been served, the subject property is subject to certain interim protections.</li> </ul>  |

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|  | <ul style="list-style-type: none"> <li>• A person may object a proposed designation by notifying the Clerk within 30 days of the date of publication of the notice.</li> <li>• Council must consider the objection and make a decision on whether to withdraw within 90 days of the end of the 30-day notice period.</li> </ul>   |
| Step 4: Passing the heritage designation by-law  | <ul style="list-style-type: none"> <li>• Council may pass the designation by-law if , after the 30-day notice period there are either no notices of objection or Council decides not to withdraw the notice.</li> <li>• The by-law must include the statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.</li> <li>• The by-law must be passed within 120 days after publishing the notice of intention to designate.</li> </ul>   |
| Step 5: Providing notice of the by-law   | <ul style="list-style-type: none"> <li>• The by-law, if passed, must be served on the property owner, the Ontario Heritage Trust, and anyone who objected under the Act.</li> <li>• Notice of the by-law must also be posted in a newspaper, along with appeal rights.</li> </ul>   |
| Step 6: Appeals and coming into force  | <ul style="list-style-type: none"> <li>• Any person who objects the by-law may appeal to the Ontario Land Tribunal.</li> <li>• If notice of appeal is given within the 30-day time period, the Tribunal is required to hold a hearing.</li> <li>• The by-law comes into force on the day after the 30-day notice period ends, if no appeals were given within that time period.</li> <li>• Once the by-law comes into force, the Clerk must ensure that a copy of the in-force by-law is registered against the property and that a copy of the registered by-law is served on the Ontario Heritage Trust.</li> </ul> |
| Step 7: Including property on the municipal register and Ontario Heritage Trust register | <ul style="list-style-type: none"> <li>• Designated properties must be included on the municipal heritage register as well as the Ontario Heritage Act Register.</li> </ul>   |

**What happens after a property is designated?**

9. Designation of a property under the Act gives Council the power to refuse an application for the demolition or removal of a building, structure, or heritage attribute; the owner must obtain written consent from Council prior to proceeding with any of these processes.
10. Any building or structure on the designated property list is subject to the demolition control provisions of the Act.

11. If an owner of a designated property wishes to make alterations to the property that affect the property's heritage attributes, the owner must obtain written consent from Council. The owner should also consult with the Building department to determine if any permits are required.

**Designating a Heritage Conservation District:**

12. A heritage conservation district (HCD) is a geographically defined area with distinct heritage character that is protected by municipal by-law under the Act.
13. Designating an HCD allows the Council of a municipality to manage and guide future change in the district through the adoption of a district plan with policies and guidelines for conservation, protection, and enhancement of the area's character or appearance.
14. Potential HCDs may include residential, commercial and/or industrial areas, rural landscapes, or entire villages/hamlets with features and land patterns that contribute to a definable character and appearance.
15. Apart from a small number of districts where the main use is institutional, the majority of Ontario's designated HCDs comprise of residential or commercial "main streets" districts.
16. The steps for designating an HCD include:

Study Phase:

- a. Request to designate
- b. Consultation with the municipal heritage committee (MHC)
- c. Area study and interim control
- d. Determination of cultural heritage value or interest and identification of heritage attributes
- e. Delineation of boundary of HCD
- f. Public Consultation

Implementation Phase:

- a. Preparation of HCD plan and guidelines
- b. Passing the designation by-law and adoption of the HCD plan
- c. Registration of by-law on title
- d. Identification of necessary amendments to existing by-laws and official plan provisions
- e. Implementing HCD plan

17. Additional details on the above noted steps are provided below.

| <b>STUDY PHASE</b>   |  |
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| Step 1: Request to designate   | <ul style="list-style-type: none"> <li>Any individual resident, business, or property owner can request that an area be designated as an HCD.</li> <li>Council may also decide to designate an HCD on their own accord.</li> </ul>   |
| Step 2: Consultation with MHC  | <ul style="list-style-type: none"> <li>Where a MHC exists, and Council undertakes the study of an area for an HCD, the Act requires that Council consult with the committee about the study.</li> </ul>  |
| Step 3: Area study and interim control                                 | <ul style="list-style-type: none"> <li>The Act sets out the scope for the completion of a study for an area that is being considered for an HCD.</li> <li>Once Council has undertaken a study, they must decide whether to formalize the process by passing a by-law to designate an HCD Study Area. The by-law may only designate the area for a period of up to one year.</li> <li>Council may also put interim control measures into place within the study area through the by-law. The interim control measures may prohibit or set limitations with respect to alterations of property in the HCD area.</li> </ul> |
| Step 4: Determination of cultural heritage value / heritage attributes | <ul style="list-style-type: none"> <li><a href="#">O.Reg. 9/06</a> establishes the criteria for determining cultural heritage value or interest.</li> <li>Per this regulation, at least 25% of properties located within an HCD must meet 2 or more of the 9 criteria for determining cultural heritage value or interest.</li> </ul>  |
| Step 5: Delineation of boundary of HCD                                 | <ul style="list-style-type: none"> <li>The definition of boundaries should come from the findings of the research and the community consultation process.</li> <li>Boundaries should be drawn to include not only buildings or structures, but also the whole property on which they are located.</li> </ul>   |
| Step 6: Public consultation  | <ul style="list-style-type: none"> <li>The Act prescribes that a public meeting must be held prior to the passing of the by-law to designate the HCD.</li> <li>It is recommended that there be several well-advertised public meetings before the draft district plan and by-law are submitted</li> </ul>  |

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|   | for public comment at the statutory public meeting.   |
| <b>IMPLEMENTATION PHASE</b>                                       |   |
| Step 1: Preparation of the HCD plan and guidelines                | <ul style="list-style-type: none"> <li>• The Act requires that an HCD plan be adopted when the by-law to designate is passed.</li> <li>• The plan must include a statement of objectives to be achieved in designating the HCD and provides policies and guidelines that will assist in the protection and enhancement of the cultural heritage value of the district.</li> </ul>                                 |
| Step 2: Passing designation by-law and adoption of HCD plan       | <ul style="list-style-type: none"> <li>• A by-law designating an HCD must adopt an HCD plan for the district.</li> <li>• Following the passage of a by-law, a notice must be served on each property owner located in the district and the Ontario Heritage Trust and published in a newspaper/on the municipal website.</li> <li>• There is a 30-day appeal period following the passage of a by-law.</li> </ul> |
| Step 3: Registration of by-law on title                           | <ul style="list-style-type: none"> <li>• The designation by-law must be registered on the title of all properties in the district.</li> <li>• A copy of the registered by-law must also be registered with the Ontario Heritage Trust.</li> </ul>   |
| Step 4: Proposed changes to by-laws and official plan provisions  | <ul style="list-style-type: none"> <li>• If a district designation is approved, the municipality should proceed with any required amendments to existing by-laws that may conflict with the HCD designation by-law (ie. zoning by-law).</li> </ul>  |
| Step 5: Implementing the HCD plan                                 | <ul style="list-style-type: none"> <li>• The permit application process is the principal mechanism for implementing an HCD plan.</li> <li>• This allows the planning and building staff to assess applications to ensure that they comply with the heritage attributes of the district.</li> </ul>  |
| Step 6: Adoption of HCD plans for previously designated districts | <ul style="list-style-type: none"> <li>• N/A</li> </ul>   |

**What happens after a heritage designation district is established?**

18. The management of an HCD will depend largely on the resources available to the municipality. In municipalities where there is no heritage planning staff, as is

the case in South Glengarry, the municipal heritage committee will likely be more involved with the review of permit applications (ie. requests to demolish or alter properties within the HCD).

19. The Act prescribes steps that must be taken when requests are received for alteration, demolition, removal, and/or new construction within an HCD.
20. Many activities proposed for a property in a HCD require property owners to apply to the municipality for a permit, including:
  - a. The erection of any new building or structure on the property.
  - b. Any alterations of any part of the property that are not minor alterations exempted in the HCD plan or interior alterations to building or structures on the property.
  - c. Demolition or removal of any building or structure on the property.
21. Council must consult with the heritage committee before deciding on the above noted applications.
22. Council may also pass a by-law that sets out additional minimum standards for the maintenance of the heritage attributes of properties within the HCD. It is a best practice that a Heritage Property Standard By-law be established, ensuring that heritage property owners adhere to best practices.

**Next Steps/Options:**

23. In response to the September 22<sup>nd</sup> Council request, the following options are available to the Committee:

|           |   |
|-----------|---|
| Option 1: | Not proceed with any heritage designations for properties located in South Lancaster.                               |
| Option 2: | Identify individual properties of interest to be investigated for designation in South Lancaster.                   |
| Option 3: | Advise Council to issue RFP for a consultant to complete a Heritage Conservation District Study in South Lancaster. |
| Option 4: | Hold a public consultation to receive feedback from residents.  |

**BUDGET IMPLICATIONS:**

24. Financial implications for the above noted options are as follows:

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| Option 1 (do nothing): | <ul style="list-style-type: none"> <li>• No financial impact.</li> </ul> |
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| Option 2 (individual property designations): | <ul style="list-style-type: none"> <li>• Direct costs associated with designated individual properties include: <ul style="list-style-type: none"> <li>○ Legal fees for registration of by-law</li> <li>○ Cost of advertising intention to designate.</li> <li>○ Postage for mailed notices.</li> </ul> </li> <li>• Depending on the number of properties identified for designation, this option is anticipated to cost approximately <b>\$2,000</b>.</li> </ul> |
| Option 3 (establishing HCD):                 | <ul style="list-style-type: none"> <li>• For this option, the municipality would issue an RFP for a consultant to complete a Heritage Conservation District Study.</li> <li>• Preliminary research indicates that the cost for such a study can range from <b>\$50,000 - \$150,000</b> in Ontario.</li> </ul>   |

**OTHERS CONSULTED:**

- CAO Jamie Fawthrop
- GM Planning, Building & Enforcement Joanne Haley
- GM Finance/Treasurer Kaylyn MacDonald

**ALIGNMENT WITH STRATEGIC PLAN:**

N/A

**ATTACHMENTS:**

- South Lancaster Heritage Document – Submitted by residents of South Lancaster.