

Staff Report

Report To: Community Services Committee
Report From: Jocelyn Wainwright, Heritage Coordinator
Meeting Date: November 16, 2022
Report Code: CS-22-137
Subject: Heritage Conservation and Maintenance Agreement for
1050 4th Avenue West (F.W. Harrison House)

Recommendations:

THAT in consideration of Staff Report CS-22-137 respecting Heritage Conservation and Maintenance Agreement with the Owner of 1050 4th Avenue West, the Community Services Committee recommends that City Council directs staff to bring forward a by-law to approve the Heritage Conservation and Maintenance Agreement between the Corporation of the City of Owen Sound and the property owner of 1050 4th Avenue West, Colleen and Len Greidanus.

Highlights:

- The current owner of the designated property located at 1050 4th Avenue West, otherwise known as the F.W. Harrison House, has made a request to initiate a Heritage Conservation and Maintenance Agreement (HCMA) with the City.
- The property was designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 in 1996 through [By-law No. 1996-030](#).
- The HCMA will allow the property owner to continue participation in the Heritage Property Tax Relief Program.

Strategic Plan Alignment:

The City's Heritage Property Tax Relief Program supports the City Building objective of the Strategic Plan for cultivating vibrant and diverse art, cultural, and heritage environment throughout the City.

Previous Report/Authority:

[Heritage Property Tax Relief By-law \(2009-148, as amended\)](#)

Background:

In 2009, City Council passed [By-law 2009-148](#) to establish a Heritage Property Tax Relief Program. Under the authority of the *Municipal Act*, the *Ontario Heritage Act*, and the City's Community Improvement Plan (CIP), the program was developed to provide a tax incentive to promote heritage conservation. The program was continued under the 2020 CIP and is meant to encourage the owners of designated heritage properties to make regular investments in ongoing maintenance. With the continuous case, major restoration projects can be avoided.

The Heritage Property Tax Relief Program provides a maximum of 20 percent (20%) refund to eligible applications on the municipal, education, and County portion of property taxes.

To be considered eligible, a designated property owner must enter into a legal agreement (either a Heritage Conservation and Maintenance Agreement or an easement agreement) with the City, which details the expectations for using the refund. An agreement is required because designation under the *Ontario Heritage Act* alone does not compel owners to maintain their properties on an ongoing basis.

At present, 15 designated properties have active Heritage Conservation and Maintenance Agreements (HCMAs) with the City, and two (2) have existing easement agreements. There are a total of 17 eligible properties.

The owner of the designated property located at 1050 4th Avenue West, known as the F.W. Harrison House, has made a request to initiate an HCMA with the City to recognize work that has been completed on the building since the authorization of the first agreement and to enable participation in the City's Heritage Property Tax Relief Program.

In accordance with Section 5.2 of the City's [Heritage Property Tax Relief By-law \(2009-148, as amended\)](#), HCMAs are drafted by Staff in coordination with the property owner with recommendations for consideration by the Community Services Committee, acting in its capacity as the Municipal Heritage Committee under the *Ontario Heritage Act*.

The purpose of this report is to present the Committee with the HCMA for final approval by City Council and authorization by by-law.

Analysis:

As noted, the property owner of the designated property located at 1050 4th Avenue West, known as the F.W. Harrison House, has requested to initiate an HCMA with the City. This property was designated by the City under the Part IV of the *Ontario Heritage Act* via By-law No. 1976-030 on March 4, 1996, for its architectural and historical value.

HCMAs, unlike easements, are not registered on property title. Generally, these agreements are intended to be updated every five (5) years but do not expire until the program is terminated or until non-compliance with the program criteria occurs, whichever comes first (see Section 5.3 of [By-law 2009-148](#), as amended).

The HCMA includes a Conservation and Maintenance Plan (attached as Schedule 'A') describing the current conditions of the building and upcoming/ongoing maintenance works. The HCMA focuses on original exterior features on the front (east) façade of the building, which is of heritage value and can be seen from street view on 4th Avenue West.

The current conditions of these architectural features range from good to excellent. The HCMA recognizes these current conditions and the ongoing maintenance required to conserve these distinct heritage features. The owners successfully applied through the Community Improvement Plan for a Façade and Structural Improvement Grant in 2022, which provides property owners with a financial incentive to restore and rehabilitate street-facing exteriors of buildings. The scope of work included repainting exterior features such as the soffit, fascia, corbels, gables, etc., with the majority of work occurring on the front (east-facing) façade. A Heritage Permit was obtained for the Façade and Structural Improvement grant. The work is now complete, and the grant has been paid.

Schedule 'A' of the HCMA (attached as Schedule 'C') contains a statement of cultural heritage value and a description of the heritage attributes, which has been updated to include updated terminology and an up to date (2022) photos of the property. The conservation and maintenance works identified in the HCMA will require Heritage Permit(s).

Financial Implications:

There are no financial implications are a result of this report. The updated HCMA will allow the property owner to continue to participate in the Heritage Property Tax Relief Program in 2022 for the 2021 tax year, and subsequent tax years thereafter.

Applications to the Heritage Property Tax Relief Program commence on January 1 of each year. Each application is assessed on its own merits, considering the eligibility criteria outlined in the City's Community Improvement Plan and program-specific guidelines. It requires approval by the Community Services Committee and City Council.

The annual budget for the Heritage Property Tax Relief Program is \$15,000. Refunds are pro-rated when providing a full 20% rebate to all applicants would exceed the budget.

Properties that are eligible under the City's Heritage Property Tax Relief Program are also eligible under the County's program. The costs for the County portion of tax relief are carried by the County.

Communication Strategy:

The HCMA executed by the Mayor and Clerk will be provided to the property owner for their records.

Designated heritage property owners are provided with information respecting the Heritage Property Tax Relief Program and a reminder to apply in January of each year.

Consultation:

The property owner was consulted in the preparation of the updated HCMA.

Attachments:

- Schedule 'A': Statement of Cultural Heritage Value and Description of Heritage Attributes
- Schedule 'B': Heritage Conservation and Maintenance Plan

Recommended by:

Jocelyn Wainwright, BLA, Junior Planner, Heritage Coordinator

Reviewed by:

Amy Cann, M. PL. MCIP, RPP, Manager of Planning & Heritage

Reviewed by:

Pam Coulter, BA, RPP, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Jocelyn Wainwright, Junior Planner & Heritage Coordinator, at planning@owensound.ca or 519-376-4440 ext. 1250.