



Town of Niagara-on-the-Lake

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REPORT #: CDS-26-032 **COMMITTEE DATE:** 2026-02-17
REPORT TO: COTW-Planning **DUE IN COUNCIL:** 2026-02-24
SUBJECT: Expansion of Heritage Conservation District – Draft Plan

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Old Town Heritage Conservation District Plan (Phase 2), prepared by Cultural Spaces, dated February 2026, attached as **Appendix I** to this report, **BE APPROVED**; and
- 1.2 The draft designation by-law required under Part V of the Ontario Heritage Act to designate the Old Town Heritage Conservation District, attached as **Appendix III** to this report, **BE FORWARDED** to Council for adoption.

2. EXECUTIVE SUMMARY

- The expansion of the Queen-Picton (Old Town) Heritage Conservation District (“HCD”) is a key planning initiative identified under Council’s 2022–2027 Strategic Plan.
- The review of the Heritage Conservation District was undertaken to review, update, and expand the existing 1986 Queen-Picton HCD to ensure long-term protection of Old Town’s cultural heritage resources while managing growth and change.
- Launched in 2024, the project has advanced through the Study Phase (Phase 1) and the Plan Phase (Phase 2), with support from staff, the Municipal Heritage Committee, community volunteers, and the Town’s project consultant, Cultural Spaces.
- The Draft Phase 2 HCD Plan has been prepared in accordance with the Ontario Heritage Act, and includes a Statement of Cultural Heritage Value, heritage attributes, district objectives, policies and guidelines for contributing and non-contributing properties, public realm guidance, and implementation measures.
- The Draft Phase 2 HCD Plan identifies 255 contributing properties out of 533 total properties within the proposed expanded district boundary (over 47% contributing) meeting provincial requirements under the Ontario Heritage Act and Ontario Regulation 9/06, that at least 25% of properties within a proposed district boundary must meet the criteria for determining cultural heritage value or interest.
- Staff recommend Council adopt the HCD Plan, including the expanded boundary, and the required designation by-law under Part V of the Ontario Heritage Act.

3. PURPOSE

The purpose of this report is to provide a recommendation to Committee and Council regarding the Draft Plan for expansion of the existing Queen-Picton Heritage Conservation District (the “Queen-Picton HCD”).

The final Draft Plan has been attached as **Appendix I** to this report.

4. BACKGROUND

Project Summary

One of the pillars of Council’s 2022–2027 Strategic Plan is Vibrant and Complete Community, which supports the protection of distinct community assets and sustains a high quality of life for residents through planning for progress, fostering a thriving economy, collaborating with partners to deliver services, and developing long-term strategies and plans to prepare for the future. One of the planning initiatives identified through the Town’s Planning for Progress direction was the review and expansion of the Queen-Picton Heritage Conservation District (“HCD”).

The Queen-Picton HCD expansion project was initiated in 2024. The following is a summary of the work completed to date.

1. CDS-24-131 Information Report to Municipal Heritage Committee

Date: July 26, 2024

Subject: Heritage Conservation District Study – Information and Status Update

Summary: This report provides the MHC and Council with a status update on the planned Queen-Picton Heritage Conservation District (HCD) Study, which is intended to update and potentially expand the existing 1986 HCD protecting Old Town. Staff advise that the initial March 2024 RFP was not awarded and will be reissued in early August 2024. To reduce costs and address the large number of properties requiring review, staff propose forming a volunteer HCD Study Working Group made up of Municipal Heritage Committee members to complete Built Heritage Survey Forms for properties in Old Town between mid-August and September 30, 2024.

2. CDS-24-164 Information Report to Municipal Heritage Committee

Date: October 2, 2024

Subject: Heritage Conservation District Study Volunteer Group – Summary of Findings and Next Steps

Summary: This report summarizes the outcomes of the HCD Study Working Group fieldwork conducted before the consultant-led study formally begins. Staff confirm that 18 volunteers (from the MHC, NOTL Museum/Town Historian, and Niagara Foundation) participated in twelve two-hour fieldwork sessions across Old Town, completing Built Heritage Survey Forms to collect baseline information on built heritage, landscapes, streetscapes and treescapes. The collected data and written feedback will be provided to the successful consultant team to support Phase 1 desktop research and analysis, with the overall study expected to conclude in Q4 2025.

3. CDS-24-190 Information Report to Municipal Heritage Committee

Date: January 8, 2025

Subject: Queen-Picton Heritage Conservation District Study – Phase 1 Update

Summary: This report advises the MHC and Council that the HCD Study contract has been awarded to Cultural Spaces (Ottawa-based heritage consultancy). It outlines that Cultural Spaces received the Working Group survey findings and completed initial site work during the week of November 18, 2024, including consultation meetings with Town staff, MHC leadership, the Town Historian, and heritage organizations. The report explains the Ontario Heritage Act authority for establishing a one-year HCD study area by-law (including potential restrictions on alterations) and notes Cultural Spaces has recommended a study area boundary. A draft Phase 1 report is being prepared for presentation to the MHC in February 2025, with Council feedback to follow through agenda circulation.

4. CDS-25-028 Recommendation Report to Committee of the Whole – Planning

Date: February 4, 2025

Subject: Queen-Picton Heritage Conservation District Study – Study Area By-law

Summary: This recommendation report asks Council to endorse the proposed HCD Study Area boundary and approve enactment of a Study Area By-law under Section 40.1 of the Ontario Heritage Act. The by-law would formally establish the study area for up to one year and impose temporary restrictions on alterations and development within this area while the HCD Study proceeds. The report explains the rationale for the study area boundary recommended by Cultural Spaces based on desktop and field research and identifies that the study area is broader than the eventual proposed district boundary, allowing refinement to meet regulatory thresholds, including the requirement that at least 25% of properties meet CHVI criteria.

5. CDS-25-043 Recommendation Report to Council

Date: Feb 25, 2025

Subject: Queen-Picton Heritage Conservation District Study – Revised Study Area By-law

Summary: This recommendation report requests Council approval of a revised Study Area By-law for the Queen-Picton HCD Study, adding additional exemptions for alterations considered minor or unlikely to impact heritage character. Staff confirm the study area boundary remains unchanged from the earlier report (CDS-25-028), but the by-law has been updated to allow specific activities such as interior alterations, emergency repairs, accessory building permits, secondary units, temporary patios/structures, tree removal under the tree by-law, and signs under the sign by-law. The intent is to maintain study-area protections while reducing unintended restrictions on low-impact activities.

6. Open House

Date: April 1, 2025

Summary: A public open house was held on April 1, 2025, at the Community Centre in Old Town on both the Official Plan Update and Heritage Conservation District Study projects. A series of display boards presented information on the research and analysis conducted by Cultural Spaces, and maps showing the periods of construction, Contributing and Non-contributing Properties, and the recommended expanded HCD boundary. Public comments received were focused on the importance of also protecting the Chautauqua neighbourhood and

the Victory Homes. The public also noted concerns with parking challenges in the existing HCD, and some indicated concern with the 1-year pause on alterations to property within the HCD Study Area.

7. CDS-25-073 Recommendation Report to Municipal Heritage Committee

Date: May 7, 2025

Subject: Queen-Picton (Old Town) Heritage Conservation District Study Status Update

Summary: This report seeks Municipal Heritage Committee endorsement of the draft Phase 1 Study findings and support for advancing the Study Report to Council to obtain direction to begin Phase 2 (Plan Phase). It explains the consultant's draft Phase 1 report recommendations, including an expanded HCD boundary organized into character areas and the identification of contributing/non-contributing properties. The report highlights that 257 of 527 properties (over 48%) are considered contributing within the recommended boundary and outlines key recommendations for Council decision: HCD designation, boundary approval, preparation of an HCD Plan, adoption of the Statement of Significance, consideration of individual designations outside the boundary, and alignment of municipal policy tools.

8. CDS-25-083 Recommendation Report to Committee of the Whole – Planning

Date: June 3, 2025

Subject: Queen-Picton (Old Town) Heritage Conservation District Study: Phase 1 Study Report

Summary: This recommendation report asks Council to receive and endorse the Phase 1 Study Report, approve the recommended expanded HCD boundary, and direct staff to commence Phase 2 (Plan Phase) to prepare an updated HCD Plan. It also recommends amending the HCD Study Area By-law 2025-025 to revise the study area boundary to match the recommended expanded HCD boundary. The report confirms public consultation occurred (including April 1, 2025, Open House) and reiterates the Study's findings that over 48% of properties in the recommended boundary are contributing, supporting the district's eligibility under the Ontario Heritage Act.

9. CDS-25-188 Recommendation Report to Municipal Heritage Committee

Date: December 3, 2025

Subject: Queen-Picton (Old Town) Heritage Conservation District Plan Status Update

Summary: This report presents the draft Phase 2 HCD Plan (Plan Phase deliverable) to the Municipal Heritage Committee and requests endorsement of the Plan's findings and recommendations, in principle, so it can be brought forward to Council for direction to proceed to implementation. It confirms Council endorsed the Phase 1 Study Report on June 25, 2025 and directed the project to move into Phase 2. The report outlines the HCD Plan's structure and key elements, including policies/guidelines for contributing and non-contributing properties, public realm guidance, and implementation measures. It notes the Plan identifies 259 of 528 properties as contributing (over 48%).

10. Public Information Centre

Date: December 4, 2025

Summary: A public information centre was held on December 4, 2025, at the Community Centre in Old Town for Phase 2 of the Heritage Conservation District Study project. A series of

display boards presented information on the contributing properties, character areas and samples of policies and guidelines prepared by Cultural Spaces. Public comments received were focused on the implementation of the HCD Plan, proposed restrictions on properties, and insurance premium concerns arising from designations. The public also noted concern with some outdated guidance documents that would need updating too, such as the Town's list of approved heritage colours for the new expanded HCD.

11. CDS-26-006 Information Report – Public Meeting to Committee of the Whole – Planning

Date: January 13, 2026

Subject: Public Meeting - Old Town Heritage Conservation District Draft Plan

Summary: This information report supports the statutory Public Meeting under Section 41.1 of the Ontario Heritage Act for the draft Phase 2 HCD Plan. No recommendation is made at this stage. The report provides background on the HCD expansion initiative, summarizes consultation completed to date (including the April 1, 2025 Open House and the December 4, 2025 Public Information Centre (PIC)), and notes the one-year Study Area by-law period will conclude February 25, 2026. It outlines the draft plan's core components, confirms 259 of 528 properties are contributing, and advises staff will collect and review public comments before preparing a future recommendation report for Council decision.

12. CDS-26-015 – Recommendation Report to Municipal Heritage Committee

Date: January 14, 2026

Subject: Queen-Picton (Old Town) Heritage Conservation District Plan Status Update

Summary: This report requests further Municipal Heritage Committee input and endorsement of the draft Phase 2 HCD Plan, including boundary/resources and policy/guideline direction for contributing and non-contributing properties, parks/public realm and implementation measures. It confirms Phase 2 work followed Council's June 25, 2025 endorsement of the Phase 1 Study Report and notes that the draft Phase 2 plan was presented to MHC on December 3, 2025, with a PIC hosted December 4, 2025. The report supports moving toward implementation, which will ultimately include Council endorsement of a new HCD By-law.

As per the Staff Report CDS-26-015, the MHC endorsed the Draft Plan, in principle, and supported Staff recommendations to proceed to Council for the adoption of the new HCD Plan.

4.1 Policy and Legislative Framework

The expansion of the Queen-Picton (Old Town) HCD is informed by provincial legislation and municipal policy documents that support the conservation of cultural heritage resources while guiding growth and change in Niagara-on-the-Lake's Old Town. The following legislative and policy framework provides the authority and direction for undertaking the Heritage Conservation District Study, preparing an updated HCD Plan, and proceeding with an expanded district boundary.

4.1.1 Ontario Heritage Act (R.S.O. 1990, c. O.18)

The Ontario Heritage Act ("OHA") is the primary provincial legislation governing the identification, conservation, and protection of cultural heritage resources in Ontario. Part V of the

Act enables municipalities to designate areas as Heritage Conservation Districts to conserve and manage neighbourhoods or areas of collective cultural heritage value.

Under Section 40 of the OHA, Council may undertake a study of any area of the municipality to determine whether the area should be designated as a heritage conservation district. The study must examine the character and appearance of the area, recommend geographic boundaries, consider objectives for designation, and identify any changes required to municipal planning documents and by-laws.

Under Section 40.1, Council may pass a by-law to establish a Heritage Conservation District study area for up to one year. The by-law may include temporary restrictions on alterations, demolition, or construction within the study area to prevent changes that may negatively impact heritage character while the study is being completed.

Following completion of the Study Phase, Section 41.1 of the OHA requires that an HCD Plan be prepared and adopted by Council prior to final designation. The Plan must include a statement of objectives, heritage value, attributes, and policies and guidelines for managing change within the district. The Act also requires statutory consultation, including a public meeting.

Recent amendments to the OHA, including those associated with Bill 23 (More Homes Built Faster Act, 2022), have introduced additional requirements for Heritage Conservation District designation. These include the requirement that at least 25% of properties within a proposed district boundary must meet the criteria for determining cultural heritage value or interest under Ontario Regulation 9/06. A property has cultural heritage value or interest if it has historical, architectural, contextual, or social importance to a community.

4.1.2 Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest

Ontario Regulation 9/06 provides criteria for evaluating whether properties have cultural heritage value or interest. The regulation identifies three key categories:

- Design/Physical Value
- Historical/Associative Value
- Contextual Value

The regulation is used as a guiding tool to determine whether an area meets the threshold requirements for HCD designation and supports the identification of contributing and non-contributing properties within a proposed district boundary.

4.1.3 Provincial Planning Statement, 2024 (PPS 2024)

The Provincial Planning Statement (“PPS”) provides direction on land use planning matters in Ontario and applies to all municipal planning decisions. The PPS requires municipalities to conserve significant cultural heritage resources, significant built heritage resources, and cultural heritage landscapes.

The PPS supports the protection of cultural heritage resources as part of building strong communities, ensuring that growth and development are managed in a way that maintains local identity and heritage character.

4.1.4 Town of Niagara-on-the-Lake Official Plan

The Town's Official Plan provides the municipal policy framework for land use planning and heritage conservation. The Official Plan recognizes Niagara-on-the-Lake's cultural heritage as a defining feature of the community and supports the protection of heritage resources through the identification of heritage conservation districts, listed and designated properties, and cultural heritage landscapes.

The Official Plan supports the review and updating of heritage policies, including heritage conservation district boundaries, to ensure heritage resources remain protected as the Town evolves. The Old Town area is identified as having significant cultural heritage value and contains the Town's only existing Heritage Conservation District.

4.1.5 Queen-Picton Heritage Conservation District Plan (1986)

The Queen-Picton Heritage Conservation District was originally designated in 1986 to protect the commercial core of Old Town and the surrounding historic streetscapes. The existing HCD Plan provides guidance for conservation and alteration of properties within the district boundary.

The expansion initiative is intended to update the existing plan and incorporate adjacent historically significant areas that reflect the evolution of Old Town beyond the original district limits. The proposed draft HCD Plan, if approved, will replace the existing plan and establish updated policies, guidelines, and procedures aligned with current provincial legislation and best practices.

4.1.6 Council Strategic Plan (2022–2027) and Planning for Progress Initiative (2021)

The Council Strategic Plan (2022–2027) and Planning for Progress Initiative identify the review and expansion of the Queen-Picton HCD as a priority municipal project. These initiatives support proactive planning, heritage conservation, and the creation of a complete and vibrant community.

The HCD expansion project aligns with the Town's broader strategic objectives by ensuring the long-term conservation of Old Town's historic character, supporting sustainable tourism, and reinforcing the Town's unique cultural identity.

4.1.7 Municipal By-laws and Implementation Tools

For successful implementation of the expanded Heritage Conservation District, it is recommended that there is alignment with municipal regulatory tools, including:

- the Zoning By-law, to ensure built form and land use policies support heritage conservation objectives;
- the Site Plan Control process, where applicable, to guide compatible development and alterations; and
- the Heritage Permit process under Part V of the OHA, once the expanded district is designated.

5. DISCUSSION / ANALYSIS

5.1 Staff Recommendation

The Old Town Heritage Conservation District Plan (Phase 2), prepared by Cultural Spaces, meets the requirements of the Ontario Heritage Act and provides an appropriate framework for managing change within the proposed expanded Heritage Conservation District (see Figure 2 in the Plan attached as **Appendix I**).

The Draft Plan establishes a clear purpose and policy direction to guide future alterations, new construction, demolition, and public realm improvements within the proposed district boundary. It includes a Statement of Cultural Heritage Value, identification of heritage attributes, district objectives, and detailed policies and guidelines for contributing and non-contributing properties, as well as parks and the public realm. The Plan also provides an implementation framework outlining how the heritage permit process will function under Part V of the Ontario Heritage Act, ensuring consistent decision-making and clear direction for property owners.

Staff recommend Council approve the Old Town Heritage Conservation District Plan (Phase 2), containing the Statement of Significance, and the proposed district boundary, and forward the draft designation by-law to Council for adoption.

5.2 Analysis

The Draft HCD Plan represents the culmination of Phase 2 (Plan Phase) of the Queen-Picton Heritage Conservation District expansion project and responds directly to Council direction provided following the endorsement of the Phase 1 Study Report. The Plan is structured to comply with the Ontario Heritage Act and provides a comprehensive policy tool to manage conservation and change across the Old Town area.

5.2.1 District Eligibility and Contributing Resources

The Draft Plan confirms that the proposed expanded district contains a significant concentration of cultural heritage resources, including historic buildings, streetscapes, landscapes, and civic spaces that reflect Old Town's evolution from 1814 to 1914. The Plan identifies 255 contributing properties within the proposed boundary, representing over 47% of properties within the district, which satisfies the provincial requirements for HCD designation.

This analysis supports the conclusion that the proposed district meets the criteria for designation under Part V of the Ontario Heritage Act.

5.2.2 Clear Policy Direction for Managing Change

A key strength of the Draft Plan is its distinction between Contributing and Non-Contributing properties, ensuring that resources of the highest heritage value receive the strongest protection, while allowing greater flexibility for non-contributing properties where changes may enhance compatibility with district character.

A Contributing Property is defined as a property, structure, landscape element or feature within a Heritage Conservation District that supports the cultural heritage value of the District through the presence of heritage attributes or compatible form, scale, and materials, while a Non-

Contributing Property is defined as a property, structure, landscape element or feature within a Heritage Conservation District that does not support the overall cultural heritage values, heritage attributes, and integrity of the District.

The policies provide clear guidance for alterations, additions, demolition, and new development, reducing uncertainty for applicants and supporting consistent decision-making.

5.2.3 Implementation and Heritage Permit Process

The Draft Plan includes a detailed implementation section explaining how the heritage permit process will operate once the expanded HCD is designated. The Plan confirms that a heritage permit will generally be required for demolition, new construction, rehabilitation projects, and alterations likely to affect the heritage attributes on contributing properties. The Plan also confirms that a heritage permit will generally be required for demolition, new construction, and rehabilitation projects on non-contributing properties.

The Plan identifies classes of minor alterations, for both contributing and non-contributing properties, that may be carried out without a heritage permit, such as in-kind repairs, weatherproofing, and temporary seasonal installations, providing clarity for property owners and reducing administrative burden for routine work.

The Plan further confirms that Council retains authority for complex or sensitive applications with MHC as its advisory committee, while certain approvals may be delegated in accordance with the Town's delegated authority by-law.

This framework is intended to ensure transparency, consistency, and predictability while maintaining the district's heritage character.

5.2.4 Alignment with Municipal Planning Tools

The Draft Plan recognizes that effective implementation of the expanded HCD requires alignment with municipal policy and regulatory tools, including the Official Plan, Zoning By-law, and Site Plan control provisions. The Plan identifies zoning regulations as a key mechanism for supporting heritage conservation objectives and ensuring built form compatibility.

This alignment will be critical to ensure heritage conservation objectives are reflected across the Town's broader land use planning framework.

5.2.5 Long-Term Stewardship and Ongoing Review

The Draft Plan includes implementation recommendations related to public education, staff and Council training, and ongoing community engagement. It also recommends a periodic review of the Plan every ten years to ensure continued relevance.

These recommendations support long-term stewardship of the district and help ensure the Plan remains responsive to evolving legislation and best practices.

5.3 Public Engagement

Public engagement feedback received through written submissions, email correspondence, and the statutory Public Meeting reflected a wide range of perspectives. A total of 20 community members registered to attend the Public Meeting, while 15 written comments were received from the public. Overall, comments demonstrated both support for the intent of heritage conservation and significant concern about the scope, impacts, and implementation of the proposed expanded Queen-Picton (Old Town) Heritage Conservation District. The detailed comments can be reviewed in **Appendix II**.

Everyone who has provided comments during the Open House, Public Information Centre and the Public Meeting on the HCD Expansion has been advised of this report being presented to the Committee.

The following sections provide an overview of the key themes raised through the public consultation process.

5.3.1.1 Formal Opposition to the HCD Expansion

Some residents formally requested that Council reject the proposed expansion, citing concerns that the plan is not feasible in its current form, as there are gaps in the implementation policy. Comments also identified inconsistencies in Town planning.

5.3.1.2 Financial Impacts and Affordability Concerns

A major theme across submissions was concern about the financial burden of expanded designation. Residents and stakeholders raised issues related to:

- increased renovation and maintenance costs
- requirement for specialized materials and trades
- added approval processes and delays
- insurance premium increases or loss of insurability
- potential impacts on property marketability and value
- disproportionate impact on seniors and fixed-income households

These concerns were strongly expressed by residents requesting exclusion of properties or reconsideration of the plan's impacts on homeowners.

5.3.1.3 Concerns About Inclusion of Non-Contributing Properties

Several submissions objected to the inclusion of large numbers of non-contributing properties within the expanded boundary. Concerns focused on the perception that the district extends beyond protecting heritage assets and imposes new regulatory burdens on modern properties. Submissions noted that the proposed plan would regulate substantially more non-contributing properties than contributing ones and could discourage reinvestment.

There were comments about the inclusion of entire blocks in the Queen Street Summer Homes character area, including many homes built in the 1970s–1980s, and requested boundary revisions.

5.3.1.4 Requests to Reconsider Boundaries and Exclusions

A number of property owners requested that their properties be excluded from the district or that boundaries be revised to better reflect heritage value and character area logic. Concerns included the inclusion of residential properties within the Institutional Core and requests for clarification on implications.

5.3.1.5 Requests for Clarification and Corrections to Property Assessments

Some submissions questioned the accuracy of the consultant's findings and requested corrections to property descriptions, contributing status, and construction dates.

5.3.1.6 Concerns About Clarity of Policies and Definitions

Several stakeholders raised concerns that the Draft Plan uses terms such as "compatible materials," "authenticity," "integrity," and "craftsmanship" without sufficient definition. Submissions suggested this may create uncertainty for homeowners, designers, and builders and could lead to inconsistent application.

Some comments identified concerns regarding unclear evaluation methodology, overly restrictive policies, and lack of clarity in how key concepts would be applied.

5.3.1.7 Municipal Capacity and Administrative Burden

Concerns were raised regarding the Town's ability to manage a significantly expanded permit review system. The comments focused on how the Town would resource and process heritage permits and Heritage Impact Assessments for hundreds of additional properties, warning that delays and administrative burden could increase substantially.

5.3.1.8 Requests for Incentives and Supportive Programs

Several comments recommended that heritage conservation should be supported through incentives, such as grants, loans, or tax rebates, to reduce hardship and encourage stewardship.

5.3.1.9 Questions About Missing Areas (Dock Area, John Street East, etc.)

Some engagement feedback questioned why historically significant areas were not included in the proposed district boundary, including the Dock area, John Street East, and other adjacent heritage character areas.

5.3.1.10 Support for Strong Heritage Protection

Some residents expressed strong support for expanding heritage protections and noted that heritage character is at risk due to demolition, incompatible new development, and loss of mature trees. Supportive submissions encouraged Council to adopt stronger tools to preserve Old Town before further loss occurs.

5.3.2 Staff Response to Public Comments

Staff have reviewed all comments received and acknowledge that public feedback reflects a wide range of perspectives. Many submissions expressed support for protecting Old Town's

heritage character, while others raised concerns regarding affordability, implementation, policy clarity, contributing classifications, and the scope of the proposed expanded district.

The following section summarizes staff responses to the main themes raised.

5.3.2.1 Financial Impacts and Property Owner Burden

Staff acknowledge that heritage conservation can involve additional costs, particularly where traditional materials or heritage-sensitive approaches are required. However, the Draft HCD Plan is intended to provide clarity and predictability for property owners by identifying clear policies, guidelines, and processes for alterations and development.

The Draft Plan explicitly states that the HCD Plan does not compel property owners to undertake proactive improvements; rather, it applies when changes are proposed, ensuring that changes respect the cultural heritage value of the District.

Staff also note that the Plan includes a list of minor alterations that generally do not require a heritage permit, such as routine repairs, in-kind replacement, weatherproofing, landscaping without excavation, temporary installations, and similar maintenance activities. This approach is intended to reduce the burden on homeowners for routine work.

Staff further recognize that concerns regarding incentives and financial support have been raised and will be considered as part of the implementation phase, including opportunities for future Council direction related to heritage incentives.

5.3.2.2 Inclusion of Non-Contributing Properties

The Draft Plan distinguishes between Contributing and Non-Contributing properties to ensure that heritage protection is proportionate and based on identified cultural heritage value. The Plan recognizes that contributing properties contain the strongest heritage value, while non-contributing properties are regulated primarily to ensure that alterations and redevelopment do not negatively impact district-wide heritage attributes such as streetscapes, setbacks, massing, landscape patterns, and overall character.

The Plan also confirms that there is generally greater flexibility in the treatment of Non-Contributing properties, provided that alterations improve compatibility with the District's heritage attributes. The following repairs and replacements to existing building elements are exempt from heritage permit requirements:

- Window systems, including replacement of broken windowpanes to original specifications
- Doors
- Shutters
- Siding
- Entryways
- Existing utilities or public works
- Roofs, flashing, and wall cladding

- Decorative trim and architectural details, including dormers, cresting, cupolas, cornices, brackets, columns, balustrades, porches and steps
- Fences and foundations
- Decorative wood, metal, stone, or terra cotta elements
- Repair and installation of eavestroughs
- Painting the same colour as existing and as previously approved by the MHC and Council
- Weatherproofing, including installation of removable storm windows and doors, caulking, and weatherstripping
- Installation of exterior lighting
- Landscaping (hard and soft) that does not require subsurface excavation or grade changes
- Temporary commercial signage that is not permanently installed or affixed and which is designed, or is intended to be displayed, or convey a message, for a definable and specific limited time and which relates to the use of the Premises on which it is located
- Temporary or seasonal installations, including planters, patios, and seasonal decorations

Staff note that the Ontario Heritage Act establishes the framework for district designation as an area-based tool. Heritage Conservation Districts are intended to conserve the overall character of a district as a whole, which includes the relationship between contributing heritage resources and the broader context that surrounds them.

5.3.2.3 Boundary Rationale and Character Area Concerns

The proposed district boundary was developed based on the Phase 1 Study findings and refined through analysis of architectural, historical, and contextual value, as well as the continuity of heritage character across Old Town. The boundary was also developed to reflect the Town's historic evolution and includes distinct character areas representing residential, commercial, institutional, and summer home development patterns.

With respect to areas not included, staff note that the Plan acknowledges the Town contains additional cultural heritage resources beyond the proposed district boundary. These areas may be subject to other planning tools, secondary plan policies, or future heritage planning initiatives.

5.3.2.4 Contributing Classification Disputes and Requests for Corrections

Staff acknowledge that contributing status is based on the best available information obtained through the Phase 1 Study, including historical research, fieldwork, and property evaluation criteria. Where residents have submitted additional documentation (e.g., architectural drawings or historical records), staff have reviewed the materials and worked with the consultant to confirm accuracy and determine whether revisions to the property inventory were warranted.

5.3.2.5 Clarity of Terms and Policy Interpretation

Staff acknowledge the importance of clear and consistent terminology. The Draft Plan is intended to function as a guiding policy document and includes detailed guidelines for managing change across contributing and non-contributing properties. The Plan also relies on established heritage conservation principles to support compatibility and long-term protection of cultural heritage value.

Staff have reviewed feedback received regarding terminology and policy clarity and have worked with the consultant to refine wording where necessary to improve transparency and ease of interpretation for homeowners, applicants, and decision-makers. These changes include, but are not limited to, a revised Implementation chapter, inclusion of a 'How to use this Plan' chapter and providing further clarity on classes of alterations that are exempt from the heritage permit process.

5.3.2.6 Heritage Permit Process and Municipal Capacity

Staff note that the Draft Plan provides a structured implementation framework and describes how heritage permits will be administered. The Plan clarifies that permits are required primarily for alterations likely to affect heritage attributes, and that routine maintenance and minor work may not require a permit.

The Plan also recognizes delegated authority for certain approvals and confirms that Council retains authority for more complex or sensitive applications, in consultation with the MHC.

Staff acknowledge that implementation will require appropriate resourcing and administrative coordination. These considerations will be addressed through the implementation phase and future reporting to Council, including the development of internal processes and guidance materials.

5.3.2.7 Support for Heritage Conservation and Need for Stronger Protections

Staff acknowledge and appreciate the support expressed for protecting the heritage character of Old Town. The Draft Plan is intended to address these concerns by establishing district-wide policies, guidelines, and heritage permit procedures to manage future change and ensure that development is compatible with the area's cultural heritage value.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

1.1 Planning for Progress

Action

1.1 b) Planning for Progress Initiatives

7. OPTIONS

- 7.1** Option 1: Approve the Old Town Heritage Conservation District Plan (Phase 2) and forward the draft designation by-law to Council for adoption (**Recommended**)
- 7.2** Option 2: Refuse the Old Town Heritage Conservation District and maintain the current Queen-Picton HCD from 1986 (Not Recommended)

8. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report. The HCD Plan is a funded project through a Council-approved budget.

Through the extensive public engagement conducted for the project, there have been concerns raised by some community members about the financial implications of being included within the expanded District. These concerns arise from the ongoing insurance issues as well as the expectations of maintaining a designated property. Discussion on this matter has been included throughout the report.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications arising from this report.

10. COMMUNICATIONS

A comprehensive communication strategy, as discussed below, will be implemented to support transparency, public awareness, and legislative compliance as the Town proceeds with the next steps in the Old Town Heritage Conservation District (“HCD”) expansion process.

10.1 Ongoing Public Notification and Accessibility

Staff will continue to provide timely public information through multiple communication channels to ensure broad community awareness of the updated and expanded HCD. This will include updates through the Town’s website, project webpage, email notifications, and social media, as well as public notices issued in accordance with statutory requirements. Clear information will be provided regarding the purpose of the HCD Plan, what the designation means for property owners, and how the heritage permit process will operate.

Statutory notice will be provided in accordance with the Ontario Heritage Act, including notice of Council’s consideration of the Heritage Conservation District Plan and the designation by-law.

10.2 Direct Outreach to Property Owners

Recognizing the volume of public interest and the concerns raised during engagement, staff will continue direct outreach to property owners within the proposed HCD boundary. This will include mailed information packages, frequently asked questions, and clear summaries of the Draft Plan’s policies, including which types of work require a heritage permit and which may be exempt. Where possible, staff will provide guidance resources to help residents understand how to navigate future permit requirements.

10.3 Education and Implementation Communication

Should Council proceed with the adoption of the HCD Plan and the enactment of the designation by-law, staff will implement an education-focused communication approach to support a smooth transition into implementation. This may include public information sessions, workshops for homeowners and contractors, and the development of plain-language guidance documents outlining the heritage permit process, common applications, timelines, and best practices for heritage-compatible alterations.

10.4 Ongoing Communication Following Designation

Following designation, the Town will continue to communicate updates regarding implementation, heritage permit requirements, and available resources. The Town will also provide ongoing communication regarding future updates to related municipal tools, including alignment with the Official Plan, zoning provisions, and site plan control processes, as identified in the HCD Plan.

11. NEXT STEPS

With the Study Phase (Phase 1) and Plan Phase (Phase 2) now completed, a draft Designation By-law has been prepared (**Appendix III**), which includes the designation of the expanded heritage conservation district, adoption of the heritage conservation district plan, and repeal of the Town's existing Queen-Picton Heritage Conservation District and associated Plan.

Following the passage of the by-law, notice is required to be published in the local newspapers and served by mail to each property owner within the HCD. There is a 30-day appeal period that begins the day after notice is issued in the newspaper. If no appeals are received, the by-law comes into force the day following the conclusion of the appeal period. If an appeal is received, the by-law will come into force when all appeals have either been withdrawn, dismissed or resolved by the Ontario Land Tribunal (OLT).

The Study Area by-law, passed by Council in February 2025, which placed restrictions on alterations to properties within the HCD study area for a period of one year, will conclude on February 25, 2026. After February 25, 2026, and until the new designation by-law comes into force, the Town's existing HCD plan will remain in effect within the existing district boundary. Properties within the proposed expanded district boundary, located outside of the current district, will not be subject to restrictions on alterations until the new designation by-law comes into force. Staff recommend that the draft Designation By-law (**Appendix III**) be brought forward to the February 24, 2026, meeting of Council for adoption, to ensure time is minimized between the expiration of the Study Area By-law and the new Designation By-law taking effect.

Following a Council decision, staff will bring forward any necessary implementing by-laws and administrative procedures required to support the heritage permit process and the implementation of the approved Plan.

12. CONCLUSION

The Old Town Heritage Conservation District Plan represents the culmination of Phase 2 of the Heritage Conservation District expansion project and provides a comprehensive framework to guide the long-term conservation and management of Niagara-on-the-Lake's historic core. The Draft Plan has been prepared in accordance with the requirements of the Ontario Heritage Act and establishes a clear Statement of Cultural Heritage Value, identifies heritage attributes, and provides policies and guidelines to direct appropriate alterations, new development, and demolition within the proposed expanded district.

The Old Town Heritage Conservation District Plan provides a strong foundation to support the preservation of Niagara-on-the-Lake's cultural heritage resources and historic streetscapes, while establishing the necessary tools to manage growth and change in a manner that respects the Town's unique identity. Staff recommend that Council approve the Old Town HCD and forward the designation by-law to Council for adoption.

13. PREVIOUS REPORTS

- **CDS-24-131** – Heritage Conservation District Study – Volunteer Working Group
- **CDS-24-164** – Heritage Conservation District Study Volunteer Working Group – Summary of Findings
- **CDS-24-190** – Heritage Conservation District – Phase 1 Status Update
- **CDS-25-028** – Heritage Conservation District Study
- **CDS-25-043** – Heritage Conservation District Study – Revised Study Area By-law
- **CDS-25-073** – Heritage Conservation District Study
- **CDS-25-083** – Heritage Conservation District Study
- **CDS-25-188** – Heritage Conservation District Plan
- **CDS-26-006** – Heritage Conservation District Plan – Information Report – Public Meeting
- **CDS-26-015** – Heritage Conservation District Plan Update

14. APPENDICES

- **Appendix I** – Heritage Conservation District Plan Final
- **Appendix II** – Public Comments
- **Appendix III** – Draft Designation By-law

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