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Mono council removes property from heritage status

Written By **James Matthews**

Mono removed a property from its heritage list because it complicated the property owner's financial life.

Council made the decision during its July 16 meeting. Mayor John Creelman said the removal of 991492 Mono-Adjala Townline, a property that dates to 1876, was a matter of principle.

?The owner of the house did not want to be on the registry,? he said. ?Moreover, it was forcing decisions having to do with remortgaging that were potentially negative for the property owner.?

Creelman said he doesn't think a homeowner should have to participate in a registry of heritage properties to the detriment of their interest rates or even getting a mortgage.

It's simply unfair, he said.

?The business about the way in which houses get on the registry bothered me from day one,? Creelman said. ?That a committee makes that decision, puts it in front of council, we pass a motion, and then the property owner has to basically jump through hoops to get off the registry if they wish.?

Cathy Cavallo, the owner of 991492 Mono-Adjala Townline, has stated that the objection is due to the inability to secure a mortgage with a preferred vendor. The owner's mortgage agent has confirmed this.

What follows is the story as written in a report to council.

Mono council passed a bylaw in January 2022 to add 232 properties to the town's Municipal Heritage Register. As required by the Ontario Heritage Act, each owner was informed their property was added to the register.

Legislation gives landowners an opportunity to submit an objection to their property being added to the register. And there is no restriction on when a property owner may request that their property be removed from the register.

Thirty-two property owners of the initial 232 requested to be removed from the register.

Council approved in May 2022 the removal of 17 properties. And, in response to an objection received in January 2023, council removed another property from the register because the landowner stated that he was being denied property insurance due to being on the register.

The More Homes Built Faster Act 2022 amended the Ontario Heritage Act, affecting all properties on a Municipal Heritage Register as of Dec. 31, 2022. The amendment requires that council ?remove the property from the register if the council of the municipality does not give a notice of intention to designate the property ... on or before Jan. 1, 2025.?

These properties may not be added back on the registry until Jan. 1, 2030.

A formal objection to being on the Municipal Heritage Register was received from Cavallo on Aug. 30, 2023. An objection can be submitted at any time.

?Why are we talking about this 11 months later?? said Councillor Elaine Capes, a member of the Mono Heritage Advisory Committee.

A representative of Cavallo said Cavallo has been trying to get a meeting with town council to discuss the matter.

Creelman said a meeting was on the books but it was cancelled by the property owner.

Cavallo's representative said there's insurance on the property right now, but that could change in the future.

?Her insurance company at the moment has no issue,? she said. ?But, in the future, that could change because they have to abide by other companies as well. That could change any day and she could be denied insurance for her property.?

If Cavallo needs to shop around for new insurance in the future, she fears any prospective carrier would deny the property because it is on a heritage registry.

?This is a very big issue,? the representative said.

Should the property owner wish to sell the property, the heritage designation would make it difficult for prospective buyers to get a mortgage.

Fred Simpson, the town's clerk, said 991492 Mono-Adjala Townline is not designated a heritage property. Rather, it is on the registry as having the potential to be of heritage significance.

There are about 285 such properties in Mono listed as having potential heritage value, he said.

?What this means is the only restriction on the property owner is if they go to demolish a building, then they must give the municipality 90 days to review the property and either grant the demolition or proceed with the designation,? Simpson said.

Simpson said there's been one other property owner who claimed difficulty in getting insurance because of the registry.

?We haven't heard this from any other property owners,? he said. ?This is not registered on title, but if I property owner discloses to a bank, the bank can do whatever they wish.?

Simpson said he's spoken with an insurance industry regulator who confirmed that an insurance company has the right to set any standard they wish.

?We're not talking about insurance here,? Creelman said. He added that council has a grasp on the issue and needs to make a decision.

?My understanding is this home is not designated as a heritage home,? said Coun. Ralph Manktelow. ?It is listed and that is a huge difference. If that difference is made apparent to mortgage holders or insurance companies, as I did with my house, it makes a significant difference.?

Cavallo's representative said the banks don't understand the difference between a property registered or merely being listed as having heritage potential. It's a red flag and banks don't care what it means, she said.

?This wasn't brought up to me or by Cathy Cavallo,? she said. ?We only know this because she applied for the mortgage with me and when the lender researched her home, they saw this and decided to turn it down.?

The other option for Cavallo is a private lender. And those operators charge high interest rates.

Coun. Melinda Davie said there have to be other reasons why a property is removed from the heritage listing.

?It's important to the town?? Cavallo said. ?Should it be important how it affects the homeowner? It's affecting me. I had to pay more for my mortgage because it's on a registry.?

She said the skyrocketing interest rates repeatedly inflated by the Bank of Canada was difficult enough to live with.

?Interest rates went up and I was stuck,? Cavallo said. ?When I bought the house, it wasn't on a registry. Nobody told me about a registry.?

?Except that you knew that the building was made in 1876,? Davie said. ?That's a pretty extraordinary house.?

?I bought it because I loved it,? Cavallo said. ?(Heritage) has nothing to do with it.?

Creelman said Cavallo isn't the only person on the registry who wants to be taken off.

?We have dealt with previous applications,? Creelman said. ?I don't know whether we've granted any, but I think we've turned down most.?

Simpson said another property owner lobbied for removal because of insurance difficulties. The town granted that removal, he said.

?This is not a signal to everyone out there that it's open season to come off the registry,? Creelman said.