

Subject: Establishment of Municipal Heritage Advisory Committee**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2020-055; and

THAT Council approve the Terms of Reference for the establishment of a Municipal Heritage Advisory Committee attached to this report; and

THAT Council direct staff proceed with the advertisement for community members to apply for the Municipal Heritage Advisory Committee; and

THAT the appointment of community members to the Municipal Heritage Advisory Committee occur after the temporary provincial and municipal coronavirus COVID-19 pandemic restrictions on meetings of advisory committees has been lifted.

Background:

On November 4, 2109 Council passed a resolution requesting that staff bring a report to Council regarding the re-establishment of a Heritage Committee. Also at the Special Council meeting of February 24, 2020 where Council established its strategic planning priority and goals for the remainder of its term, the establishment of a Heritage Advisory Committee was identified as a strategic goal of Council and at that time, Council was informed that staff would bring a report to them in April.

Analysis:Legislative Authority and Context

The *Ontario Heritage Act* provides the legislative authority for Council to establish a municipal heritage committee. Section 28 of the *Ontario Heritage Act* states that a municipality may by by-law establish a municipal heritage committee to advise and assist the Council on matters relating to Part IV and Part V of the Act and such other heritage matters as Council may specify by by-law. There is no requirement

that any municipality must have municipal heritage committee, but rather the Act is permissive and states that a municipality may establish such a committee by by-law, therefore it is at Council's discretion should it wish to establish a municipal heritage committee.

Part IV matters under the Act that a municipal heritage committee would provide advice on relate to properties that are individually designated under the *Ontario Heritage Act* by a municipality or the Minister as being of cultural heritage value or interest to the community, i.e., designated properties. The Town of Pelham currently has eight such properties:

1. 1544 Pelham Street – Kinsman House – designated in 1984
2. 495 Canboro Road – Pollard House – designated in 1985
3. 417 Tice Road – Rice Moore Home – designated in 1994
4. 1732 Cream Street – Comfort Maple – designated in 2000
5. Maple Street – Fenwick Flag Pole – designated in 2013
6. 1732 Cream Street – Comfort House – designated in 2016
7. 1141 Maple Street – Quaker Meeting House – designated in 2018
8. 808 Canboro Raod – United Church Manse – designated in 2018

Part IV of the Act also provides for the keeping of a register of non-designated properties that Council believes to be of cultural heritage value or interest that a municipal heritage committee could provide advice and assistance on. A considerable amount of work has been conducted by staff on the preparation of a register of non-designated properties, however to date it remains incomplete.

Part V matters under the Act that a municipal heritage committee would provide advice on to Council relate to heritage conservation districts. The Town does not currently have a heritage conservation district.

The Act also specifies that the Committee shall not be comprised of no fewer than 5 members appointed by Council.

In February 2015 the by-law that established the previous Heritage Pelham Advisory Committee was rescinded and the previous Committee ceased to function. Since that time, staff have been reporting directly to Council on cultural heritage matters.

Terms of Reference for Municipal Heritage Advisory Committee

Staff have prepared Terms of Reference for a Municipal Heritage Advisory Committee (MHAC) for Council's consideration. The Terms of Reference provide that the mandate of the MHAC is to advise Council on matters relating to the

conservation of significant built heritage resources and significant cultural heritage landscapes within the Town of Pelham including:

- The establishment and maintenance of a register of properties of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, and to encourage the conservation of the heritage attributes of these properties;
- The designation of individual properties by By-law under Part IV of the *Ontario Heritage Act*;
- Any amendments and repealing of Part IV designation by-laws under the *Ontario Heritage Act*;
- The establishment of heritage conservation district (s) under Part V of *Ontario Heritage Act*, and to encourage the conservation of the heritage attributes of the district(s);
- Heritage permit applications to alter or demolish cultural heritage resources of properties designated under Part IV or Part V of the *Ontario Heritage Act*;
- The establishment and maintenance, including additions and deletions, of a register of properties of cultural heritage value or interest that are not designated under the *Ontario Heritage Act* in accordance with appropriate evaluation criteria; and
- Reviewing and providing cultural heritage conservation comments to Council regarding development applications, demolitions and other municipal projects that have a direct impact on cultural heritage resources

The objective of the MHAC is to advise Council on matters of cultural heritage conservation including:

- The support of cultural heritage conservation and adaptive reuse within the community;
- The review of policies that relate to cultural heritage resources in the community, including resources owned by the Town;
- Review and evaluate potential financial incentive programs;
- The use of sound cultural heritage conservation practices in the conservation of significant built heritage resources and significant cultural heritage landscapes;
- Recommend best practices for cultural heritage conservation;
- Research and preparation of reference materials regarding the significant cultural heritage resources in the community.

The Terms of Reference state that the MHAC shall consist of five (5) members from the community at large and one (1) member of Council as an ex-officio member along with being supported by Planning Staff also as ex-officio member(s).

Appointment of members to the MHAC by Council shall be based on the applicant's demonstrated knowledge, expertise, or skill set related to conservation and/or

restoration of cultural heritage buildings, structures and/or cultural heritage landscapes. As such preference will be given to persons with experience in the following professions:

- Heritage Architect
- Structural Engineer
- Archivist
- Landscape Architect
- Restoration Tradesperson (mason, carpenter, etc.)
- Building Inspector
- Architectural Historian
- Heritage Planner
- Historian

Should Council wish to establish a Municipal Heritage Advisory Committee, staff should be directed to prepare the appropriate advertisement advertising community members to apply to be on the Committee. However, due to the current temporary restrictions in place regarding meetings and the cancellation of all Town advisory committees (except the Cannabis Control Committee that meets via teleconference), as a result of the provincial and municipal restrictions relating to the coronavirus COVID-19 pandemic, the appointment of members to the MHAC will take place once the restrictions related to the pandemic have been lifted.

Financial Considerations:

Should Council proceed with the establishment of Municipal Heritage Advisory Committee, a budget for this Committee will need to be established as part of the 2021 budget and going forward. Currently within the Planning budget there is only a budget of \$1350 for materials and supplies related to heritage that is available. A total budget of \$5,000 per annum is recommended. The \$1,350 is likely adequate as a pro-rated amount for 2020.

Alternatives Reviewed:

The alternative is to not establish a municipal heritage advisory committee and maintain that responsibility with staff as has been the case since the previous committee was dissolved in 2015.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

The establishment of a Municipal Heritage Advisory Committee will help support building strong communities and cultural assets. The Municipal Heritage Advisory Committee will have a particular interest in support and advancement of cultural heritage matters under Parts IV and V of the *Ontario Heritage Act*.

Consultation:

The Town Clerk and CAO were consulted on the preparation of this report and the Terms of Reference for the Municipal Heritage Advisory Committee.

Other Pertinent Reports/Attachments:

Terms of Reference for Municipal Heritage Advisory Committee

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