

Role of Municipal Heritage Committees

*Presenter:
Wayne Morgan*



Presenter:

- Chair of a municipal heritage committee (MHC) for twenty years
- Staff advisor on heritage conservation to Toronto Council and MHC for 6 years
- Currently a heritage planning consultant
- Professional planner and member OAHP
- Director and VP of CHO



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Overview

Municipal Heritage Committee (MHC) is:

a committee appointed by council to **advise** *it on heritage conservation matters as set out:*

- *under the Ontario Heritage Act (OHA);*
- *in the municipal by-law establishing the committee; and*
- *in any other Council documents, procedures or directives*



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Appointing a MHC is discretionary

- Council may appoint a MHC composed of not less than 5 members - *OHA* Section 28
 - Currently 151 MHCs in the province

OHA is property based



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – individual properties:

Council must consult with its MHC:

- before adding or removing a property that has not been designated in the Register of Properties of Cultural Heritage Value - Section 27 (1.3)

“Listed Properties”

- MHC could recommend listings to Council
 - ensure Council supports MHC process for recommending listings



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – designation of individual properties:

Council must consult with its MHC:

- before giving notice of Council’s intention to designate a property - Section 29 (2)

“Designated Properties”

- MHC could recommend designations to Council
 - ensure Council supports MHC process for recommending designations and the property has merit.



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – designation of individual properties:

Council must consult with its MHC:

- before giving notice of a proposed amendment to designation by-law - Section 30.1 (5)

“Amending a designation by-law”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – de-designation of individual properties:

Council must consult with its MHC:

- before repealing all or part of a designation by-law whether initiated by the Council or the property owner - Section 30.1 (2) and 32(2)

“Repealing a designation by-law”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – individual properties:

Council must consult with its MHC:

- before deciding on a application to alter the heritage attributes of a designated property
- Section 33 (4)

“Altering a designated property”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – individual properties:

Council must consult with its MHC:

- before passing a by-law delegating Council's authority to a municipal employee or official to approve applications to alter the heritage attributes of a designated property

- Section 33 (15)

“Delegating authority to approve alterations”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – individual properties:

Council must consult with its MHC:

- before deciding on an application to demolish a building or structure on a designated property

- Section 34 (2)

“Demolition”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part IV – individual properties:

Council must consult with its MHC:

- before passing a by-law entering into a heritage easement or covenants
 - Section 37 (1)

“Heritage easement agreement”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part V – Heritage Conservation Districts (HCDs):

Council must consult with its MHC:

- With respect to a HCD study
 - Section 40 (3)

“HCD study”

- MHC could recommend areas to Council for study as HCDs



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part V – Heritage Conservation Districts (HCDs):

Council must consult with its MHC:

- Before approving a by-law adopting a HCD plan
 - Section 41 (6)

“HCD plan”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part V – Heritage Conservation Districts (HCDs):

Council must consult with its MHC:

- Before deciding on an application to demolish or remove a building or structure in a HCD

- Section 42 (4.1)

“Demolition in a HCD”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Ontario Heritage Act – role of MHC

Part V – Heritage Conservation Districts (HCDs):

Alterations to properties within a HCD:

- There is no requirement in the OHA that the MHC be consulted
- However the HCD plan may set out a role for the MHC

“Alterations in a HCD”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Municipal By-law creating a MHC

Additional MHC activities in the municipal MHC By-law vary among municipalities.

The following are some typical examples.



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Municipal By-law creating a MHC

Advise Council on heritage conservation legislation such as:

- Property standards for heritage properties
 - *OHA*, Section 35.3
- Grants for heritage properties; *OHA* Section 39
- Property tax reductions
- Provincial/federal legislation & policies
 - e.g., Parks Canada's Standards for Historic Places



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Municipal By-law creating a MHC

Public education - heritage conservation:

- Conduct walking tours
- Brochures about community heritage
- Workshops regarding heritage conservation
- Plaques
- Displays on community heritage
- Deal with public enquiries about heritage

“MHC should advise council of public education initiatives”



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Municipal Procedures affecting MHCs

Council may require MHC consultation on planning matters:

- on studies such as:
 - official plans and amendments
 - Secondary plans or area studies
- On applications involving properties with heritage resources
- Understand the Provincial Policy Statement issued under the *Planning Act*



Municipal Procedures affecting MHCs

Council may require MHC consultation:

- on building permit applications involving properties on the Heritage Register
- on heritage permit applications within a HCD
- ***MHC should ensure that it has an effective and quick process for dealing with such applications***



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

To carry out its Role, a MHC should:

- Understand the *Ontario Heritage Act*
- Understand the planning process
- Be prepared to research the heritage values of properties
 - If municipality does not have heritage staff, MHC should be prepared to assist or do this work
- Monitor heritage properties



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

To carry out its Role, a MHC should:

- Learn from the experience of other MHCs
- Develop and maintain effective Council communications through such means as:
 - Reports/meeting minutes to Council
 - Municipal Councillors appointed to the MHC
 - Through informal discussions with municipal councillors and staff
- Understand municipal committee procedures



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

MHC role is advisory

- Council will consider the advice of a MHC but is not required to follow that advice.
- If Council does not follow the MHC advice:
 - Understand why
 - Look for ways to improve the provision of such advice in the future
 - **DO NOT ADVOCATE FOR AN OUTCOME CONTRARY TO COUNCIL'S DECISION**



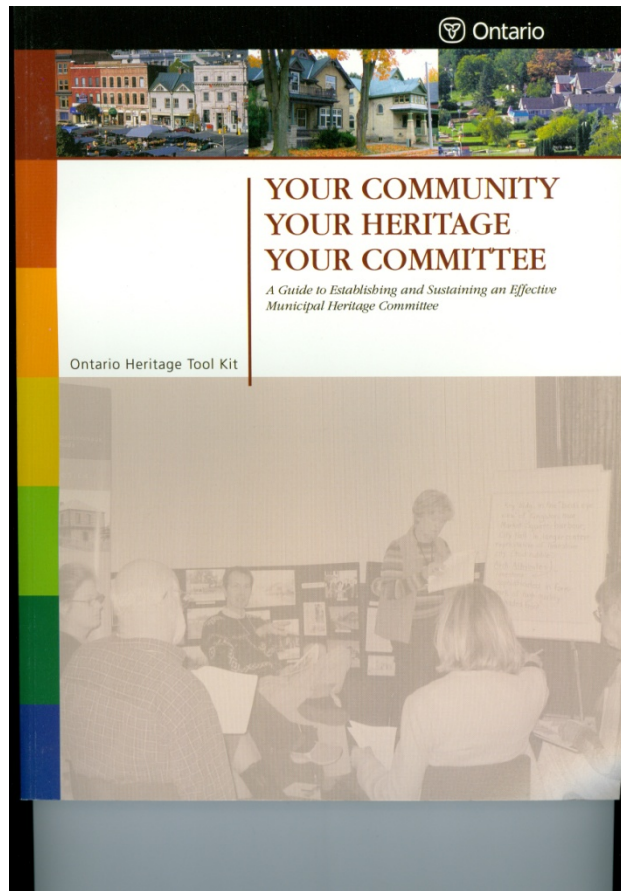
MHC role is an opportunity

- To bring a heritage conservation perspective to the municipal decision making process
- For individual members, to better understand the historical development of their community – a continuous learning process



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

Additional resource on MHC role



Ontario Heritage Tool Kit – Ministry Website



CHO - PCO
Community Heritage Ontario
Patrimoine communautaire de l'Ontario

To understand how other MHCs are pursuing their mandate:

- Join us at CHO/PCO

