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# Special Council Meeting

## Heritage Designation Process

Monday April 29, 2024

# Purpose of Meeting

To inform Council of the **Heritage Designation Process** and the benefits of **Heritage Conservation** to the Town of Essex

# Purpose of Meeting

## *Another Landmark To Disappear . . .*

At a meeting of Enterprize Lodge, IOOF, Essex, held on Thursday evening of last week, the members present ratified the sale of the Lodge owned Municipal Building (Town Hall), to Burstyn Bros, for \$32,500.

The Lodge officers are looking for a suitable place to build a new Temple.

We understand they have until March to vacate or sooner on 90 days notice. When the Oddfellows move then the present building will be wrecked and a new Commercial type building erected on the site. Earl Burstyn advises that they have two or three prospective lessees interested, so it will depend on type of business as to the Model and size of building to be built.

The Town Hall, as the building has been known, was built by the Lodge, in the late 1890's, at request of Essex Town Council, as the Town, at that time, could not afford to finance a Municipal Building. The cost on completing, was slightly less than \$9,000. Many years later the basement was dug and furnished at a cost of about \$5,000.

You can't stop progress, but to most of us older citizens it will seem a shame to tear down such a sturdy structure, with so much of the Town's Lore en-



cased within its walls. The hall brings back memories of School Concerts, Church Concerts, Dances, the annual visits of Guy Brothers and the Sunny South Troupe, both Minstrel shows,

who always played to full houses on their 2 night stands; also our own home Talent Minstrels. Yes, it will be a sad day for a lot of us when the building is demolished.

# Heritage Policy



# Heritage Policy

## ***Planning Act***

The conservation of features of significant architectural, cultural, historical and archaeological interest is a matter of Provincial Interest (s. 2)

Council and Local Boards **must** have regard to matters of Provincial Interest when carrying out their responsibilities under the Planning Act (i.e. the approval of Official Plan and Zoning Bylaw Amendments, Consents and Minor Variances)

# Heritage Policy

## ***Provincial Policy Statement (PPS, 2020)***

Significant *built heritage resources* and *cultural heritage landscapes* must be *conserved*.

Development and site alteration is **prohibited** on lands containing *archaeological resources* or *areas of archaeological potential* unless the resource has been conserved.

# Heritage Policy

## **Conservation**

*The Identification, Protection, Management, and Use of Built and Cultural Heritage Resources and Landscapes* and archaeological resources in a manner that ensures the heritage value is retained.

# Heritage Policy

## **Identification:**

*Archaeological Resources*

Artifacts, archaeological sites including marine.

**Identification and evaluation of resources based on archaeological fieldwork**

*Areas of Archaeological Potential*

Areas with the likelihood to contain archaeological resources.

**Criteria to identify established by Province. To be confirmed by licensed archaeologist**

# Heritage Policy

## **Identification:**

### *Built Heritage Resources*

Buildings, structures, monuments, or installations

### *Cultural Heritage Landscape*

A defined geographic area which may include spaces, views, archaeological sites or natural elements that share a common meaning or association.

***Have been identified as having cultural heritage value by a community.***

# Heritage Policy

## Built Heritage Resources:



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## Cultural Heritage Landscapes:



# Heritage Policy

## Cultural Heritage Landscapes:



# Heritage Policy

## Cultural Heritage Landscapes:



# Heritage Policy

## Protection:

### *Ontario Heritage Act*

- Council may designate an individual property (s. 29) or area as a Heritage Conservation District (s. 41)
- Council may list a non-designated property on the Heritage Register (s. 27)

# Heritage Policy

Designation	Listing
Protects Heritage <b>Resource in Perpetuity</b>	Provides <b>Temporary</b> protection for Resource
<b>Bylaw adoption</b> required following Public Notification Process	Council Resolution Required. No Public Notification Process
Resources <b>cannot be altered</b> unless application for alteration is made and approved (Planning Services)	Resource <b>can be altered</b>
Resource <b>cannot be demolished or removed</b> unless application is made and approved (Council)	Resource <b>cannot be demolished or removed</b> unless 60-day notice is provided to Council

***Must meet prescribed criteria to be designated or listed***

# Heritage Policy

## **Protection and Management:**

Ontario Regulation 9/06

- A property to be listed must meet min. of one (1) of nine (9) criteria for determining cultural heritage value
- A property to be designated must meet min. two (2) of the nine (9) criteria
- An area to be designated a minimum of 25% of properties must meet min. of two (2) of nine (9)

***Criteria related to Design and Physical Value, Historical or Associative Value, Contextual Value***

# Heritage Policy

## **The Wirag House**

(1215 Iler Road)

1. Has contextual value because it is historically linked to its surroundings (Iler Settlement)
2. Has associative value because it has direct associations with a person that is significant to a community (Solomon and Eliza Iler)

Designated under s. 29



# Heritage Policy

## Charles Roberts' Home

(138 Albert Street)

1. Has design value because it is an early example of an architectural style (Second Empire)

2. Has associative value because it has direct associations with a person that is significant to a community (Charles Roberts)

Listed under s. 27



# Heritage Policy

Town of Essex **does not** have a Heritage Conservation District

Areas for future consideration:

- **Colchester Heritage District** (Schoolhouse, Christ Church, Rectory, Cemetery)
- **Essex Heritage District** (Train Station, Essex House, Adjacent Properties)

# Heritage Policy

## Use:

- A Heritage Designation or Listing **does not** prevent the use of the property, structure or buildings
- Zoning Bylaw dictates the use of the lands or buildings

# Heritage Policy

## Use:

- Repurposing of heritage buildings must retain the cultural heritage resource



# Heritage Policy

## *Bill 23, More Homes Built Faster Act*

- Properties listed on the Register as of December 31, 2022, must be removed on or before January 1, 2025 if no notice of intention to designate is given
- Property cannot be listed again for five (5) years

# Heritage in the Town of Essex



# Heritage in the Town of Essex

- Heritage Register Available on Website
- Twelve (12) Designated Properties
- Twenty-two (22) Listed Properties
  - All listed properties must be designated or removed from Register by January 1, 2025

# Next Steps



# Next Steps

## **Spring 2024:**

1. Planning Services will be researching/reviewing listed properties to determine which properties are candidates for designation
2. List of candidates to be presented to Heritage Committee for Review and Support
3. Report with Recommendation to initiate Notice of Intention to designate to be submitted to Council for decision. Notice served on Owner.

# Next Steps

## **Summer 2024:**

1. Observation of 30-day objection period for Notice of Intention to Designate
2. Council considers any objections to Notice
3. Council considers adoption of designation Bylaws
4. If adopted, notice is published and served on Owner
5. Observation of 30-day appeal period

# Next Steps

## **Fall 2024:**

1. Notice of Adoption is final if no appeals
2. If appeal is served, file to be forwarded to Ontario Land Tribunal

# Questions

