



Special Council Meeting Agenda

April 29, 2024, 5:00 pm

Location: Essex Municipal Building, 33 Talbot Street South and by livestream at
<https://www.youtube.com/@EssexOntario>

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

This purpose of this meeting is being held for the Heritage Designation Process.

Pages

1. Call to Order

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. Declarations of Conflict of Interest

4. Adoption of Published Agenda

4.1 Special Council Meeting Agenda for April 29, 2024

Moved by _____

Seconded by _____

That the published agenda for the April 29, 2024 Special Council Meeting be adopted as presented / amended.

5. Reports from Administration

5.1 Rita Jabbour, Manager, Planning Services

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RE: Heritage Designation Process

Moved by _____

Seconded by _____

That the presentation from Rita Jabbour, Manager, Planning Services regarding the heritage designation process be received.

6. Delegations

7. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at _____.



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:



Heritage Policy

Built Heritage Resources:



Heritage Policy

Built Heritage Resources:



Heritage Policy

Built Heritage Resources:



Heritage Policy

Built Heritage Resources:



Heritage Policy

Built Heritage Resources:



Heritage Policy

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 Resource in Perpetuity	Provides Temporary protection for Resource
Bylaw adoption required following Public Notification Process	Council Resolution Required. No Public Notification Process
Resources cannot be altered unless application for alteration is made and approved (Planning Services)	Resource can be altered
Resource cannot be demolished or removed unless application is made and approved (Council)	Resource cannot be demolished or removed 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

