



HERITAGE KINCARDINE (Municipal Heritage Committee) Mandate Statement & Terms of Reference

Mission Statement

To identify and preserve built structures, historical artifacts, ruins and lands of cultural historical significance or historical value;

Initiate and promote conservation and awareness of the community's cultural heritage assets.

Vision Statement

To continue our efforts to preserve important local history through education, designation and conservation.

Mandate

1.0 Advise Council on designation and alteration of heritage (designated and historic) properties. This includes all statutory requirements under the *Ontario Heritage Act, Parts IV and V* including but not limited to:

Section 27 (1.3) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before including a property that has not been designated under this part in the register under subsection (1.2) or removing the reference to such a property from the register, consult with its municipal heritage committee.

Section 29 (2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before giving notice of its intention to designate a property under subsection (1), consult with its municipal heritage committee.

Section 30 (5) The council of the municipality shall consult with its municipal heritage committee, if one has been established before giving notice of a proposed amendment to the owner of property under subsection (3).

Section 31 (2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before repealing a by-law or part thereof designating property, consult with its municipal heritage committee.

Section 32 (1) An owner of property designated under this Part may apply to Council of the municipality in which the property is situate to repeal the by-law or part thereof designating the property.

Note: Normally Council would send the request to the Municipal Heritage Committee for comment and recommendation.

Section 33 (2) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes that was required to be served and registered under subsection 29 (6) or (14), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration.

Note: Normally Council would send the request to the Municipal Heritage Committee for comment and recommendation.

Section 34 (2) No owner of property designated under section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal.

Note: Normally Council would send the request to the Municipal Heritage Committee for comment and recommendation.

Section 37 (1) Despite subsection 36 (1), after consultation with its municipal heritage committee, if one is established, the council of a municipality may pass by-laws providing for the entering into of easements or covenants with owners of real property or interests in real property, for the conservation of property of cultural heritage value or interest.

Section 40 (3) The council of a municipality has established a municipal heritage committee under section 28; the council shall consult with the committee with respect to the study. *(This section is in regards to Heritage Conservation Districts)*

Refer to http://www.mtc.gov.on.ca/en/heritage/heritage_act.shtml for the latest edition of the Ontario Heritage Act.

2.0 Research and compile inventories of heritage resources. This may include developing a resource base of heritage properties. This process may involve:

- Conducting a survey of the heritage resources within the Municipality.
- Researching properties for both architectural and associative (people or events) significance.
- Developing an evaluation process in order to distinguish properties of heritage significance.
- Using this evaluation process to develop a ranking of properties of historical significance.

3.0 Education and Promotion throughout community. The Committee may work to educate home owners and the community as a whole on the heritage resources within the community and on the importance and methods of proper conservation/preservation. This important role has several components:

- Specific presentations to individual property owners/groups on the role of the Committee, the implications and importance of designation and proper architectural preservation techniques.
- Promotion of reference material, specialist contact names etc. to be located in local library, Municipal Offices or County Museum.
- Public Programming that could take the form of lecture series, bus/walking tours of heritage buildings, Doors Open participation and organization, publications and pamphlets, development of school kits and curriculum based programming (in conjunction with County museum)
- Development of community recognition for architectural preservation through sponsorship of plaque initiatives, awards for restorations and best practices renovations etc.

4.0 Advise/Inform Council with Regard to Municipally-owned Heritage Properties. The Committee's input shall be sought when considering proposed renovations/alterations of municipally-owned heritage properties. (As per Section 30 (5) of the *Ontario Heritage Act*)

This input will be in the form of a report by the committee on:

- Determining if proposed alterations affect the reasons for designation and, if they do, then
- Make recommendations on the appropriate course of action.

Meetings

1.0 Minutes of meetings will be recorded. Adoption of meeting minutes will be included on agenda of next meeting and then posted on the Municipality of Kincardine website as well as included on Council consent agenda.

- 2.0** Meetings shall be conducted with an agenda that is prepared by Staff and reviewed by the Committee Chairperson. The Committee shall follow the Municipality of Kincardine Procedural By-Law and all meetings shall be open to the public.
- 3.0** The Committee shall meet on a monthly basis or as needed, to fulfill their mandate set out in this Terms of Reference. Special meetings may be called by the Committee Chairperson to deal with emerging issues such as training of members, time sensitive and/or issues identified by the Committee Chairperson.
- 4.0** The Committee is encouraged to hold meetings commencing no later than 4:00 p.m. in order to reduce the financial implications for the Municipality.
- 5.0** For consistency of messages, media inquiries should be directed to the Manager of Economic Development & Tourism.
- 6.0** Members having a pecuniary interest in any issue under consideration by the Committee shall declare the pecuniary interest to the Chairperson at the beginning of the meeting or at the earliest time known.
- 7.0** The Committee will meet annually, (in the fall) with the Manager of Economic Development & Tourism to determine goals and objectives for the upcoming year. The Committee will then develop an annual budget for submission to Council to support those well-defined goals and objectives. Ultimate Committee budget approval rests with Council