

Springwater Official Plan

Section 27 – Heritage Policies

27.1. Introduction

- 27.1.1. The maintenance of the Municipality's cultural heritage resources will contribute to the preservation of the Township's character by balancing the potential impact of new development and redevelopment, with the integrity of existing heritage resources. Consequently, it is the intent of the Plan that the Township's cultural heritage resources be conserved, preserved *and maintained* wherever possible and that all development *shall* occur in a manner which respects the Township's physical cultural heritage. The cultural heritage resources of the Township generally include, but are not limited to archaeological sites of historic and prehistoric origins including cemeteries and unmarked burials; buildings and structural remains of historical and architectural value; rural, village and urban areas of development which are of historic and scenic interest; identified heritage districts and cultural heritage landscapes. The specific objectives of this policy are the following: **[Modified by OMB Sept. 23/09]**
- 27.1.1.1. To prevent the demolition, destruction, inappropriate alteration or use of cultural heritage resources.
- 27.1.1.2. To encourage development which is adjacent to significant cultural heritage resources to be of an appropriate scale and character.
- 27.1.1.3. **That Council will consult and seek the advice of the Heritage Committee when making decisions regarding the conservation of cultural heritage in the Township. It is recognized that most of the aboriginal sites in the municipality relate to the Wendat Nation and organizations representing the descendents of the historic Wendat Nation have a right to be consulted on development decisions relating to those sites. The Township will develop a protocol with the representatives of these organizations to provide for giving notice, receiving comment, and dealing with issues arising in these matters. [Modified by OMB Sept. 23/09]**
- 27.1.1.4. To encourage and foster public awareness, participation and involvement in the preservation, improvement, **maintenance** and utilization of cultural heritage resources. **[Modified by OMB Sept. 23/09]**
- 27.1.1.5. To **create and maintain** a heritage resource information base, resulting in comprehensive heritage site inventories *and registers* and heritage master plans. **[Modified by OMB Sept. 23/09]**

27.2. Policies

27.2.1. A **Heritage** Committee (LACAC) may be established pursuant to the Ontario Heritage Act or any successory legislation to advise and assist Council in all matters related to cultural heritage resource conservation, including matters related to Parts IV and V of the Act or the appropriate successor legislation. The goals and objectives of the Committee **shall** include the need to consider cultural heritage resources throughout the Township. **The Heritage Committee** or any other committee **shall** prepare, publish, maintain and monitor an inventory or **register** of cultural heritage resources; undertake public awareness programs; advise and assist Council with respect to the implementation of the provisions of this section; and participate in duties and responsibilities specified in Schedule 'A' of By-law #96-025 or its successors. In particular the Committee *shall*: **[Modified by OMB Sept. 23/09]**

27.2.1.1. Be prepared to consider and advise on the **preservation, conservation and maintenance** of cultural heritage resources throughout the Township. **[Modified by OMB Sept. 23/09]**

27.2.1.2. Adhere to the Ontario Heritage Act or any successor legislation; as well as guidelines and procedures which may be established by the Ministry of Citizenship, Culture and Recreation *and* other guidelines as may be endorsed by Council. **[Modified by OMB Sept. 23/09]**

27.2.1.3. Be prepared to act in a review and advisory capacity during the development planning process to assist in the accomplishment of the heritage conservation goals and objectives outlined in this plan.

27.2.1.4. Advise Council on measures which may enhance public appreciation of cultural heritage features including the undertaking of studies, surveys or other methods to formulate and implement plans and programs that promote public awareness and conservation of the Township's cultural heritage resources.

27.2.2. Heritage Designation Policy

27.2.2.1. Pursuant to the Ontario Heritage Act, and in consultation with the **Heritage Committee** Council may, by by-law: **[Modified by OMB Sept. 23/09]**

- a) Designate properties to be of historic and/or architectural value or interest.
- b) Define the Township, or any area or areas within the Township as an area to be examined for designation as a heritage conservation district.

- c) Designate the Township, or any area or areas within the Township, as a heritage conservation district.
- 27.2.2.2. The identification of the Township's cultural heritage resources will comprise an important component of the preservation process. Council **shall** direct and cause to be prepared and published, an inventory or register of identified significant resources including buildings, structures, monuments or artifacts of historical and/or prehistoric value or interest and areas of unique, rare or effective urban composition, streetscape, landscape or archaeological value or interest. The listed resources will be described, documented and evaluated according to an established heritage resource evaluation criteria formulated by **the Heritage Committee** and adopted by Council. **[Modified by OMB Sept. 23/09]**
- 27.2.2.3. To assist in the preparation of the inventory **or register** and in the future identification of other cultural heritage resources, Council **shall** encourage both the public and private sectors including ministries, agencies, heritage consultants, and development proponents, to undertake analysis and/or surveys to identify sites of archaeological, **historical and architectural** significance. **[Modified by OMB Sept. 23/09]**
- 27.2.2.4. Council recognizes that there *are* archaeological *remains* of prehistoric and early historic habitation as well as *areas of* archaeological potential areas within the Township. Council may require an archaeological survey, impact assessment, preservation or rescue excavation of significant archaeological resources and areas having archaeological potential which might be affected in any future development, in co-operation with the Ministry of Citizenship, Culture and Recreation or the appropriate government agencies having jurisdiction. **[Modified by OMB Sept. 23/09]**
- 27.2.2.5. All archaeological impact assessments and impact mitigation reports are to be undertaken by archaeologists licensed under the Ontario Heritage Act, in compliance to guidelines set out by the Ministry of Citizenship, Culture and Recreation or the appropriate government agency having jurisdiction,
- 27.2.2.6. Council may adopt by-laws under the Ontario Land Use Planning and Protection Act, or any successor legislation, for prohibiting any land use activities on a site which is a significant archaeological resource. In addition, there is the potential for co-operation with the Ministry of Citizenship, Culture and Recreation or the appropriate government agency having jurisdiction in conserving and designating resources of archaeological value pursuant to Part VI of the Ontario Heritage Act or any successor legislation.
- 27.2.2.7. When inventoried or designated built heritage properties, features and districts are affected by development proposals, Council may require a heritage impact statement.

- 27.2.2.8. Council **shall** support the preparation of a Heritage Master Plan which is undertaken by specialized heritage consultants including individuals licensed under the Ontario Heritage Act or any successor legislation. The Heritage Master Plan will identify and map cultural heritage resources including known provincially registered archaeological sites, areas having archaeological potential, designated and listed heritage buildings, features, landscapes or districts. A Heritage Master Plan will also outline policies, programs and strategies to conserve significant cultural heritage resources. **[Modified by OMB Sept. 23/09]**
- 27.2.2.9. Council **shall** employ relevant legislation to encourage the preservation and enhancement of cultural heritage resources which may include the Heritage Act, the Planning Act, the Municipal Act, the Environmental Assessment Act, and the Aggregate Resources Act. **[Modified by OMB Sept. 23/09]**
- 27.2.2.10. It is the intent of this Plan to encourage the **conservation**, restoration or rehabilitation of heritage resources identified in the heritage inventory. Accordingly, Council may use available Government and non-government funding assistance programs and may pass by-laws providing for the making of grants or loans for the purpose of paying for the whole or any part of the cost of the alteration of such resources, on such terms and conditions as Council may prescribe, where such alteration will serve to protect or enhance the heritage characteristics of the resource. Financial assistance may be facilitated through the establishment of a Heritage Trust Fund and public and private donations. **[Modified by OMB Sept. 23/09]**
- 27.2.2.11. Council **shall** investigate and **where appropriate allow** various methods to provide incentives. Incentives may include, but not be limited to increased density provisions. Site Plan Control provisions and relief from parking requirements pursuant to the Planning Act. **[Modified by OMB Sept. 23/09]**
- 27.2.2.12. In the heritage designation of real property under the current Parts IV and V of the Ontario Heritage Act, **the Heritage Committee** and Council will ensure that landowners are consulted and informed about all aspects of heritage conservation measures which may affect the subject property or buildings. **Consent of the owners shall not be a condition of designation.** **[Modified by OMB Sept. 23/09]**
- 27.2.2.13. To give effect to these policies, Council may institute a procedure for demolition review; and may consider heritage easement agreements **and heritage trust donations to ensure long term preservation of heritage resources.** **[Modified by OMB Sept. 23/09]**

- 27.2.2.14. In regard to major public works and any significant heritage properties under municipal ownership or stewardship, Council will have regard to these heritage policies in this Official Plan.
- 27.2.2.15. *Council may enter into agreements with qualified archaeological and built heritage consultants, to provide for comment on development applications and on impact assessments and impact mitigation reports, to ensure uniformity of approach and to ensure that there is adequate peer review. [Modified by OMB Sept. 23/09]***