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**To:** Mayor and Council

**From:** Sasha Helmkey, Deputy Clerk

**Date:** August 5, 2020

**Subject:** Midhurst Community Centre – Options for Heritage Recognition

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### Report Highlights

- At the July 8<sup>th</sup> meeting, Council passed a resolution requesting that staff prepare a report outlining the process for heritage designation and options available in regards to the heritage evaluation of the Midhurst Community Centre.
- Three options are being provided to Council for the community centre and include: no formal designation under the Ontario Heritage Act (OHA), formal designation under the OHA, and listing the property on the Heritage Register of Property of Cultural Heritage Value or Interest (not designated).
- The aspects of each option have been outlined in the report for Council's consideration.

### Recommendation

That the report from the Deputy Clerk regarding the Midhurst Community Centre – Options for Heritage Recognition, dated August 5, 2020, be received; and,

#### Option 1

That Council support the recommendation from the Heritage Advisory Committee to not formally designate the Midhurst Community Centre, located at 74 Doran Road, a heritage property under section 29 of the Ontario Heritage Act.

Or

#### Option 2

That Council direct staff to begin the formal designation process as outlined under section 29 of the Ontario Heritage Act, to formally designate the Midhurst Community Centre, located at 74 Doran Road, a heritage property.

Or

### **Option 3**

That Council approve listing the Midhurst Community Centre, located at 74 Doran Road, on the Heritage Register of Property of Cultural Heritage Value or Interest (not designated) in accordance with Section 27(1.2) of the Ontario Heritage Act.

### **Background**

At the July 8, 2020 meeting, Council reviewed a report regarding the Heritage Advisory Committee's recommendation to not formally designate the Midhurst Community Centre a heritage property under section 29 of the Ontario Heritage Act (OHA). From this report, Council passed the following resolution:

#### **C232B-2020**

Moved by: Councillor Hanna

Seconded by: Councillor Cabral

That the motion now before Council be referred to staff to provide a further report outlining the process to designate the Midhurst Community Centre in accordance with Section 29 of the Heritage Act.

Carried.

In response, staff have prepared this report to not only outline the process for designation but to also provide options available to Council in regards to the heritage evaluation of the Midhurst Community Centre. The three (3) proposed options are each further explored below and include:

- 1) No formal heritage designation under the OHA
- 2) Formal designation under the OHA
- 3) Listing the property on the Heritage Register of Property of Cultural Heritage Value or Interest (not designated)

### **Option 1 – No Formal Designation under the OHA**

In the July 8<sup>th</sup> report to Council, the recommendation from the Heritage Advisory Committee was presented to not formally designate the Midhurst Community Centre a heritage property under section 29 of the Ontario Heritage Act based on the evaluation that was completed by the Committee on October 22, 2019. Within the report, the reasons for the Committee's recommendation were outlined in relation to the heritage evaluation criteria, and have been summarized below:

- **Design and Physical Value**

The design of the Midhurst Community Centre is not unusual and has been renovated since being built in 1927. These renovations include the addition to the east side of the

building for washroom facilities, updated flooring, windows, kitchen facilities, removal of the stage and addition of structural reinforcements to name a few. A property does not need to be in its original condition as few survive without alterations between their built date and today. However, it is a question of integrity and whether the surviving physical features (heritage attributes) continue to represent and support the cultural heritage value of the property. The alterations of some original heritage features and reworking of the original craftsmanship of the Midhurst Community Centre have not been made in relation to maintaining the heritage character of the building. The construction of the building is one of many examples, made of concrete blocks with a cottage style roof. The building is of no distinct architectural style and is not rare or unique.

- **Historical and Associative Value**

Under this criteria, the Midhurst Community Centre's value was identified with relation to the building being of significant age (built in 1927) and being a part of the regional history of the area. Vespra Township Council meetings were held in the community centre from 1927-1967, it served as a hall and meeting spot for the community and the local Midhurst churches have held their services there before their own buildings were completed. The original safe for the Town Hall is still located downstairs. In 1968, the Midhurst Hall Board was established, continuing its existence as a focal point of the community. This association to a group of primary importance was recognized by the Heritage Committee, scoring a 3 in the "person or group" category under the evaluation. Although many community events have been held at the hall, there is no significant historic event that has occurred at that particular location. As per the heritage guidelines, only a few buildings will rate under this category.

- **Contextual Value**

Under contextual value, the Midhurst Community Centre received its highest score out of the three categories. Although the setting of the building neither adds nor detracts from the area, the site and condition of the building is good and scored high on the evaluation. In regards to the site, the Heritage Committee recognized that the building has not moved since being built and the hall requires minimal work from a heritage aspect. For landscape, the Community Centre scored 0 because there isn't a distinct environmental feature on the property (tree, river, or mountain) that is of historical importance. Under the "landmark" sub category, the hall received the highest score. The Heritage Committee understands the Midhurst Community Centre's cultural value to the area. The hall symbolizes the community for many residents and it has served as the focal point of many festivals (Autumnfest), events, and a meeting spot for service clubs, sports associations, etc.

It's important to highlight that heritage designation helps to recognize and protect the heritage features of the property. The Midhurst Community Centre has history and cultural value which was identified in the evaluation by the Heritage Committee, but what are the features that would be protected on the property? This is a question that

needs to be considered when conducting an evaluation. Evaluating a property not only involves understanding the overall context of a community's heritage and how the property being evaluated fits within that context, but it also involves a clear examination of the property for any physical evidence of its heritage features or attributes. The Midhurst Community Centre, from a community context, is significant and an important landmark to residents. This was very evident to the Committee during and before the evaluation, with community members being eager to share the hall's history and provide supporting material. However, community context is only one element to an evaluation. Site analysis of the Midhurst Community Centre by the Committee showed that, although the shell of the structure itself has relatively remained the same, the heritage attributes are not significant. It is for these reasons the Heritage Advisory Committee did not recommend formal designation of the community centre.

## **Option 2 – Formal Designation under the OHA**

Designation under the Ontario Heritage Act recognizes and protects the heritage features of the property. It promotes awareness and ensures that alterations made to these properties are managed effectively respecting the heritage attributes, and it provides protection from demolition.

Designating a property under section 29 of the OHA is essentially a six step process as outlined below:

- 1) Identifying the property
- 2) Researching and evaluating the property
- 3) Serving Notice of Intention to Designate
- 4) Passing and registering the heritage designation by-law
- 5) Listing the property on the municipal Heritage Register
- 6) Listing the property on the provincial Heritage Register

The first two steps in the process for the Midhurst Community Centre have already been completed. The property was identified by Council in 2018 when the Heritage Committee was approved to complete the evaluations of all community halls, and community members as well as the Midhurst Community Recreation Association provided research on the property. The Heritage Advisory Committee completed the evaluation of the property on October 22, 2019. From this evaluation, the Committee recommended that the property not be designated under section 29 of the Ontario Heritage Act, however Council, after consulting with the Committee, makes the final decision to proceed or not with designation.

If Council wishes to proceed with a designation it's important that a follow-up report be prepared for consideration that contains the written statements and descriptions required to support the designation, such as the identification of heritage attributes. This should be completed prior to moving to the next step of the Notice of Intention to Designate as this information is a requirement of the notice.

## Identification of Heritage Attributes

Heritage attributes under the OHA are identified as the particular features that should be protected for the future. For reference, below are some of the heritage attributes of various designated properties in Springwater:

- Fieldstone walls and chimneys
- Original double entry wood doors with stained glass panels and fixed transom
- Original door hardware
- Wrap around porch built with double columns in the Doric style
- Wood mouldings, double pocket doors, bay windows with stained glass
- Original room layout and building perimeter plan
- Exterior unpainted brick finish and accompanying wood trim
- Original door latches, hinges, switch plates and register grates

Heritage attributes can take many forms as can be seen above. In the Ministry of Heritage, Sport, Tourism and Culture Industries Tool Kit – Designating Heritage Properties (attached as Schedule A), it states that:

The Description of Heritage Attributes lists the key attributes of the property. It is not an exhaustive account of the property's heritage attributes. The identification of heritage attributes is a selective process. Only those principal features or characteristics that together characterize the core heritage values of the property should be included.

The heritage attributes of the Midhurst Community Centre would need to be identified in relation to provincial best practices and guidelines. This process should be completed with the assistance of the Heritage Advisory Committee.

The next step in the designation process would be to provide notice of intention to designate. For this, a notice would be placed in the newspaper outlining Council's intention to designate the Midhurst Community Centre and will include as per legislation:

- The Description of Property so that it can be readily ascertained;
- The Statement of Cultural Heritage Value or Interest which identifies the property's heritage significance;
- The Description of Heritage Attributes outlining the particular features that should be protected for the future; and
- A statement that notice of objection to the designation must be filed with the municipality within 30 days after the date of publication of the newspaper notice.

If no objections are filed with the Township within thirty (30) days after the date of the publication of notice in the newspaper, Council can proceed to pass a by-law designating the property. Once passed, the by-law is registered on the title of the property and notice is provided to the Ontario Heritage Trust and published in the newspaper. To complete the process, the property is then listed on the Township's Heritage Register (designated properties) and the Provincial Register as well.

### Heritage Designation and Property Use

The Midhurst Community Centre is an active facility that is readily used by the community for functions and rentals. When properties are designated, there is a common question as to how this may affect the use of the property. A heritage designation does not change the use of a property. That being said, there is an expectation that the property owner will maintain the heritage attributes and make the commitment to do so, as that is a fundamental reason for designation. With the Midhurst Community Centre being a Township owned property, it is important that the municipality ensures that the heritage attributes are protected for the future. The heritage attributes will be listed within the heritage designation by-law approved by Council.

It should be noted that the Township has designated two (2) of its own properties in the past; Hillsdale Jail and the Penetanguishene Trail. Understanding the importance and significance of these properties has ensured that they are still intact to this day for the public to enjoy. Updates and maintenance have been required for these properties over time and Council has provided funds to do so. Most notably is the replacement of the side windows at the Hillsdale Jail with historically accurate replicas in 2014.

### Making Alterations to the Property

If the Midhurst Community Centre becomes designated, then alterations to the property that affect its heritage attributes must be first approved by Council.

The heritage designation of a property does not exempt the property from complying with regulations and standards under the Accessibility for Ontarians with Disabilities Act (AODA) and the Building Code if extensive renovations are being proposed. These renovations shall be compliant with current regulations and the Building Code.

### Repeal of a Designation By-law

Under the Ontario Heritage Act, there is the ability to repeal a heritage designation by-law by following the process outlined in the Act. Repealing a designation is rare, but it can occur based on varying circumstances such as the structure being relocated or demolished.

### **Option 3 – List Property on the Municipal Heritage Register (not designated)**

Through guides provided by the Ministry of Heritage, Sport, Tourism and Culture Industries, listing a property of cultural heritage value or interest is the first step a municipality should take in the identification and evaluation of a property that may warrant some form of heritage conservation, recognition and/or long-term protection such as designation. Although listing a property that is not designated does not offer formal protection under the Ontario Heritage Act, it does however have a requirement that the owner of a listed property shall not demolish or remove a building or structure or permit the demolition or removal without giving Council 60 days' notice in writing of their intent to do so. This "buffer" period provides the municipality the opportunity to review and evaluate the property and potentially begin the process of formal designation under section 29 of the OHA.

There is a misconception that listing a property on the Municipal Heritage Register does not effectively represent its importance and value to the community. In actuality the opposite is true. A Register of cultural heritage properties:

- Recognizes properties of cultural heritage value in a community
- Fosters civic identity and pride by drawing attention to the heritage and development of a community
- Promotes knowledge and enhances an understanding of a community's cultural heritage
- Provides easily accessible information about cultural heritage value for land-use planners, property owners, developers, the tourism industry, educators and the general public
- Is a central element of a municipal cultural plan that begins with mapping local cultural resources and then leverages these resources for economic development and community building

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

It's important to highlight that the Provincial Policy Statement (PPS) of the Planning Act acknowledges listed properties. PPS Policy 2.6.1 states that "significant built heritage resources and significant cultural heritage landscapes shall be conserved". The PPS goes further and defines built heritage resources as:

"One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic, or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easements under the Ontario Heritage Act, or **listed** by local, provincial, or federal jurisdictions."

Conservation of the Midhurst Community Centre seems to be a key concern of residents. Designation is certainly a way to conserve heritage and the cultural fabric of the community, but so is listing on the Heritage Register as seen in the above PPS policy.

In reviewing Springwater's current Municipal Heritage Register, there are many Township owned properties that are listed and recognized for their cultural and heritage value without being designated. This includes the Midhurst Union Pioneer Cemetery, the Knox Building in Elmvale, and the Elmvale Hydro Service Building to name a few. These properties are significant to Springwater's past and enhance the cultural heritage of our current communities. This could be a viable option in recognizing the Midhurst Community Centre and its value and history.

## **Conclusion**

There are various options available to recognize the Midhurst Community Centre's cultural and historical importance to the community. When reviewing what the best option is, it's important to identify what the intent is. If there are particular features (heritage attributes) of the Midhurst Community Centre that Council wishes to protect for the future, then designation may be a viable option. However, if Council wishes to purely recognize the cultural heritage value of the community centre and its importance to the community, then listing the property on the Heritage Register of Property of Cultural Heritage Value or Interest (not designated) is a suitable option.

If the option to not designate the Midhurst Community Centre is chosen, this does not diminish the historical and cultural contribution that residents feel that the community centre has and still does, make to the community. The current building has been a part of Midhurst for 93 years and this history can be proudly displayed whether or not there is a designation or listing on the Register.

## **Financial Implications**

There are no financial implications related to choosing the option to not formally designate the Midhurst Community Centre or the option to list it on the Heritage Register of Property of Cultural Heritage Value or Interest (not designated). For listing the property, it would be added to the Register that is publicly available on the Township's website.

If Council chooses the option to begin the process to formally designate the Midhurst Community Centre, there will be costs associated with designation such as placing notices in the local newspaper and registering the designation by-law on title for the property. If the Township's intent to designate is appealed during the notice period, then there will be possible costs associated with the matter being heard at the Conservation Review Board.

## Pillars of Commitment

Not applicable.

## Approvals

**Submitted by:** Sasha Helmkey, B.A., Dipl.M.A., Deputy Clerk

**Reviewed by:** Renée Ainsworth, AOMC, Clerk

**Financial Implications Reviewed by:** Jane Corbeil, CPA, CMA, Director of Finance/Treasurer

**Approved by:** Jeff Schmidt, CPA, CGA, Chief Administrative Officer

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## Applicable Municipal Policy or Legislation

[Ontario Heritage Act](#)

## Attachments

Schedule "A" – Ministry Tool Kit – Designating Heritage Properties

## Background or Relevant Reports on Subject

[2020-07-08 Heritage Evaluation – Midhurst Community Centre](#)