



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Adam Coates and Christopher Aspila	Report Date: April 24, 2024
Author's Phone: 519 736-5408 ext. 2147	Date to Council: May 13, 2024
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To: Mayor and Members of Town Council

Subject: Cultural Heritage Risk Mitigation – Student Placement Opportunity

1. **RECOMMENDATION:**

It is recommended that:

1. The Administration **BE DIRECTED** to hire a university student during the fall semester of 2024 to help designate Properties of Cultural Heritage Value or Interest to meet the legislated timeline of Bill 23.

2. **BACKGROUND:**

At the March 21st, 2024 meeting of the Heritage Committee, the committee endorsed, in principle, the hiring of a university student to help designate properties of cultural heritage value or interest.

At the June 8th, 2023 meeting of the Heritage Committee, administration brought a report forward outlining the status of the Heritage Register for the Town of Amherstburg.

That report highlighted that the Heritage Conservation District would address many of the Properties of Cultural Heritage Value or Interest (POI) within the study area. The report also outlined that there are 17 POI that do not fall within the boundary of the HCD. The 17 POI are at risk of being lost if designation is not pursued before the legislated timeline expires on January 1st, 2025.

3. DISCUSSION:

Although the HCD Study Area captures many of the Properties of Cultural Heritage Value or Interest (POI), there are still properties that are at risk. Particularly:

- POI's that are not within the study area boundary;
- Properties that have not been identified as POI's and are outside the study area;
- Any future change to the HCD study boundary as a result of HCD process which may result in more POI being outside the HCD boundary.

The following chart illustrates how effective the current study boundary is at capturing the properties that have cultural heritage significance. This is expected, as the study area boundary reflects the historical fabric of the Town.

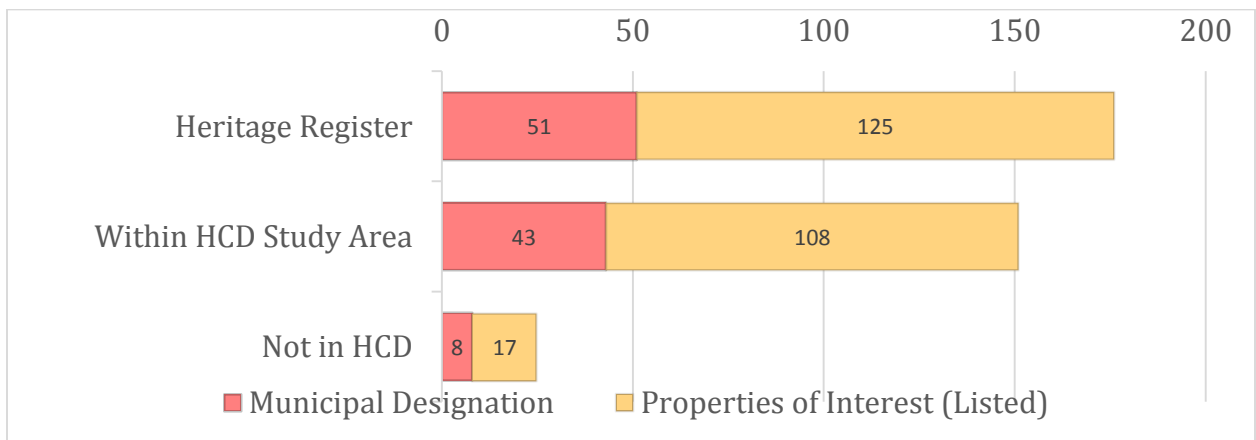


Figure 1 - Heritage Conservation District Study Area

That being said, there are significant cultural heritage assets that are not captured by the HCD. The most vulnerable of these assets are the Properties of Interest. Figure 1 identifies that there are (17) POI which are at risk.

These properties have 252 days remaining until they have to be removed from the register, as of the writing of this report. Once removed, they can not be placed back on the register for five (5) years and would be at risk of being lost.

These properties include:

Street	Address	Type of Designation	Heritage Property / Known As	With HCD Study Area	Days left before removal
Bois Blanc Island	N/A	POI	Boblo Ferry Dock	No	299
Bois Blanc Island	N/A	POI	Boblo Power House	No	299
Bois Blanc Island	N/A	POI	Bumper Car Pavilion	No	299

Bois Blanc Island	N/A	POI	Carousel House (Roller Rink)	No	299
Bois Blanc Island	N/A	POI	Dance Hall	No	299
Bois Blanc Island	N/A	POI	Marine Monument	No	299
Bois Blanc Island	N/A	POI	Washroom Buildings (2)	No	299
Concession 7 South	7631	POI	Parks Homestead	No	299
Dalhousie Street	152	POI	Scratch House	No	299
Front Road South	849	POI	Sarah Elliot House	No	299
Middle Side Road	11	POI	Studio of Gina Laderoute	No	299
Park Street	162	POI		No	299
Park Street	187	POI		No	299
Richmond Street	150	POI		No	299
Richmond Street	300	POI		No	299
Sandwich Street South	130	POI	General Amherst High School	No	299
Simcoe Street	187	POI	Wilcox Hotel	No	299

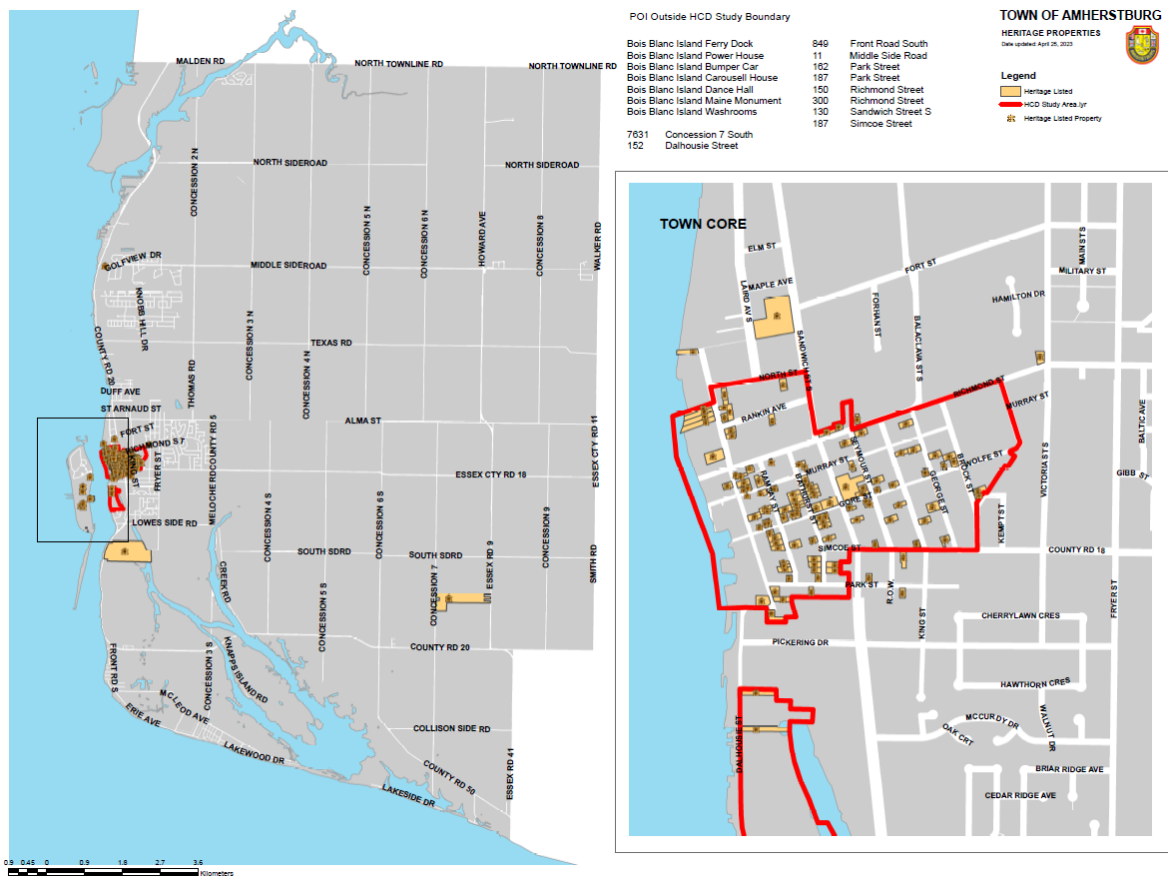


Figure 2 – POI Map

Designation of Properties

In order to designate a property under the Ontario Heritage Act an evaluation of the property needs to be completed. The evaluation should be as comprehensive as possible prior to serving the owner with a “Notice of Intention to Designate.” The evaluation shall include:

- A detailed description of the property (requiring research and site visits);
- A Statement of Cultural Heritage Value or Interest;
- A List of the properties Heritage Attributes (requiring research and documentation); and,
- An evaluation utilizing Ontario Reg. 9/06. (must meet 2 criteria)

Once the initial evaluation has been completed, the Ontario Heritage Act prescribes the process of completing the designation. This includes administrative duties such as:

- Serving notice to property owner;
- Notices in the local paper;
- Coordination with the Ontario Heritage Trust;
- Writing by-laws and council reports;
- Attending public meetings;
- Preparing notice of Passage; and,
- Registration of the designation by-law on title.

Setting Priority

Of the 17 POI that are not within the HCD study boundary there are seven (7) located on Boblo Island. These properties are considered to be at minimal risk of being lost as the owner of these properties has completed a Heritage Impact Assessment as well as a Conservation Plan for all the assets. Administration may want to review these properties holistically and address all of them at once. The remaining ten (10) properties should be evaluated and, if justified, served with a “Notice of Intention to Designate.”.

Further, the HCD is not scheduled to be completed prior to the deadline of January 1st 2025. That means that POI within the study area will be at risk until such time as the HCD By-law is adopted by Council. Council does have a means of protecting these properties after the January 1st 2025 deadline by passing a by-law to designate the study area through section 40.1 (1) of the Ontario Heritage Act. That by-law can be implemented for a period of 1 year and can not be extended. Administration does not recommend this action at this time, and acknowledges that this may be an option as the deadline gets closer.

Potential Heritage assets not yet identified

The identification of potential cultural heritage assets should be ongoing and should balance the available resources of the town and the committee. The focus of identifying these properties should be secondary to designation of current POI. That being said, there may be unidentified potential cultural assets which may take priority. Administration currently has a list of properties that are not POIs, but have the potential to add value to the cultural heritage of the Town in a meaningful way. This may be another task for a

student to help with. This would be a lower priority than pursuing designation of current POIs.

4. RISK ANALYSIS:

There is a moderate to high cultural heritage risk associated with the content of this report. The Town of Amherstburg has 17 properties with non-designated status outside the HCD study boundary. These POIs will be legislatively required to be removed from the register on January 1st, 2025. The Town should prioritize designating the identified properties prior to the legislated deadline. Hiring a student with an interest in Heritage Planning will help to mitigate the cultural risk, and provide practical experience for the successful candidate.

5. FINANCIAL MATTERS:

Funding for this student placement in the amount of up to \$15,000 will be funded from the Planning Professional Fess account 10-5-8010000-0327.

To date the Town has funded the cost of registering designations on title and it is recommended that process remains in place. The cost to register a designation by-law is \$83.11 plus legal fees and tax. The legal fees are charged each time a by-law needs to be registered on a property's title. In order to keep the costs to a minimum, administration is planning on pursuing multiple heritage designations at once, and negotiating the legal fee for registering a group of by-laws at a time.

The by-law registration and associated legal fees will be applied to the Global Legal Account 10-5-1001023-0325. Administration will return to council if it is anticipated that these legal fees may cause a deficit. It is anticipated that some of these registrations will occur in 2025 and be applied to the 2025 operating budget.

It is equally important to note that should a property owner dispute the designation; the matter will be brought to the Ontario Land Tribunal (OLT) and legal costs for the Town will be incurred. Should any appeals be received, use of Planning Legal Fees for OLT, as approved in the 2024 operating budget will be leveraged.

6. CONSULTATIONS:

Manager of Planning Services – Christopher Aspila
Manager of Human Resources - Donna Drouillard
Town of Amherstburg Heritage Committee

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7. CORPORATE STRATEGIC ALIGNMENT:

Vision: Preserving our past while forging our future.

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;">PILLAR 1 Deliver Trusted & Accountable Local Government</p> <ul style="list-style-type: none"> <input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures. <input type="checkbox"/> Deliver transparent and efficient financial management. <input type="checkbox"/> Increase effective communication and engagement with residents. <input type="checkbox"/> Develop our staff team, resources, and workplace culture. <input type="checkbox"/> Continue to deliver strong core municipal services. <input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation. 	<p style="text-align: center;">PILLAR 3 Encourage Local Economic Prosperity</p> <ul style="list-style-type: none"> <input type="checkbox"/> Encourage development of commercial and industrial lands. <input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation. <input type="checkbox"/> Continue to facilitate downtown development for residents and visitors. <input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.
<p style="text-align: center;">PILLAR 2 Invest in Community Amenities and Infrastructure</p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities. <input type="checkbox"/> Increase access to recreation opportunities for all ages. <input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy’s site, Belle Vue) <input type="checkbox"/> Create public access to water and waterfront <input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change. 	<p style="text-align: center;">PILLAR 4 Shape Growth Aligned with Local Identity</p> <ul style="list-style-type: none"> <input type="checkbox"/> Define and communicate a vision for the Town’s future and identity. <input type="checkbox"/> Promote and plan for green and “climate change ready” development. <input type="checkbox"/> Review and implement policies that promote greater access to diverse housing. <input checked="" type="checkbox"/> Protect the Town’s historic sites and heritage. <input type="checkbox"/> Preserve the Town’s greenspaces, agricultural lands, and natural environment.

8. CONCLUSION:

Hiring a university student to help with administration tasks, research, site visits, and documentation will provide the Town with the ability to address the POI and the legislative requirements of Bill 23.




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Christopher Aspila
Manager of Planning Services

Report Approval Details

Document Title:	Cultural Heritage Risk Mitigation – Student Placement Opportunity.docx
Attachments:	
Final Approval Date:	Apr 30, 2024

This report and all of its attachments were approved and signed as outlined below:



Melissa Osborne



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