



Town of Essex Heritage Committee

Terms of Reference

Mandate

The Essex Municipal Heritage Committee (EMHC) is a statutory committee of Council established by bylaw and is the resource base for information and knowledge for Council, administration and the community on all matters of heritage.

The EMHC will advise Council on local heritage matters and assist Council in carrying out its programs for heritage conservation.

Introduction

Significant built heritage resources and cultural heritage landscapes are an important irreplaceable asset to the Town of Essex. The conservation of these resources is fundamental to creating community pride and identity and attracting new growth and tourism, all of which have important social and economic impacts on our community.

Built and cultural heritage resources can include but are not limited to any buildings and structures, cemeteries, natural heritage features, archeological sites, spiritual sites, cultural heritage resource collections and intangible heritage resources.

The benefits from conservation of the Town of Essex's built and cultural heritage resources accrue not only to the present but also to future generations. The immediacy of such conservation and heritage planning comes from the fact that, what is not saved and preserved today, cannot be saved and preserved tomorrow.

The **Ontario Heritage Act (the Act)** provides a framework for assisting municipalities in their efforts to conserve properties of significant heritage value or interest. It also enables and encourages citizen participation in heritage conservation.

Under Section 28 of the Act, municipal Councils are authorized to establish through bylaw, a Municipal Heritage Committee (MHC) made up of five (5) or more people.

Purpose of the Essex Municipal Heritage Committee (EMHC)

In accordance with Part IV of the Ontario Heritage Act, Council is required to consult with the Essex Municipal Heritage Committee:

- When updating the list of properties on the register.
- Before serving notice of intention to designate a property.
- Before amending a bylaw of property designation.
- Before repealing a bylaw or part thereof designating a property.
- Before considering an application from an owner of designated property to repeal the bylaw or part thereof designating the property.
- On an application to alter a designated property where the alteration is likely to affect the heritage attributes as set out in the designating bylaw.
- Before delegating power to an employee or official of the municipality to consent to minor alterations of individually designated property.
- On an application to demolish or remove any building or structure on designated property.
- Before passing bylaws providing for the entering into easements or covenants with owners of real property, or interest therein, for the conservation of properties of cultural value or interest.

Under Part V of the Ontario Heritage Act on Heritage Conservation Districts, Council is required to consult with the Essex Municipal Heritage Committee:

- Before passing a bylaw to define a study area for future possible designation as a heritage conservation district.
- Before a proposed heritage conservation district is passed.
- Before Council delegates by bylaw its power to grant permits for the alteration of property situated in a heritage conservation district.
- On an application to demolish or remove any building or structure on property in a heritage conservation district.

These statutory powers give rise to the following responsibilities of a municipal Council:

- Setting the municipal budget to be used for heritage conservation;
- Carrying out heritage conservation policies under the Town's Official Plan and its amendments;
- Receiving recommendations from and consulting with the Municipal Heritage Committee (MHC), where one is established; and
- Having due regard for the MHC's advice on designation, alterations to designated property, demolition, repeal of designation bylaws, and other matters relating to heritage conservation in the municipality.

Role of the Town of Essex Municipal Heritage Committee (EMHC)

The activities of a Municipal Heritage Committee are largely determined by their provincially and municipally legislated role. The Essex Municipal Heritage Committee will:

1. Advise Council on all matters of built and cultural heritage resources;
2. Advise Council on all applications pertaining to a heritage property or a heritage district for the purpose of:
 - Designation or de-designation
 - Alteration, addition or demolition
 - Loans or grants; or

- Easement agreements
3. Advise and assist with the development and maintenance of an inventory of the town's heritage resources;
 4. Advise and assist with the development of municipal heritage conservation guidelines and significance criteria, and with municipal heritage policies, plans and programs; input to be included in the development of policies, land use plans and related to the Town's Official Plan;
 5. Advise and inform Council of new heritage legislation and funding initiatives, either directly through reports and minutes or indirectly through noted input in reports developed by Essex administration;
 6. Advise and develop working relationships with owners of heritage designated properties such as, providing advice to property owners on appropriate conservation and maintenance practice;
 7. Develop an annual budget for submission to Council along with well-defined goals and objectives for the upcoming year. EMHC is ultimately accountable to Council for its financial transactions;
 8. Advise and assist with the development of education programs and promote the activities of the EMHC, through the production of newsletters, descriptive guides, exhibits and other educational material;
 9. Advise and inform Council with regard to provincially-owned heritage properties;
 10. Liaise with other organizations to promote the municipality's built and cultural heritage resources;
 11. Advise and inform Council with regards to national historic sites.

Organization of the Essex Municipal Heritage Committee (EMHC)

The EMHC should be composed of people who reside within the Town of Essex and demonstrate a strong commitment to the Terms of Reference. A cross section of individuals should attempt to be chosen in order to bring to the EMHC relevant

technical and professional expertise as well as strong advocacy, communication and organizational skills.

- A. The Committee shall not exceed 9 members, including the Council appointee(s). The minimum number of members shall be five (5), as stipulated in the Act.
- B. The regional representative of the Provincial Ministry will be invited to provide support to the EMHC in an advisory manner.

Meetings

Please refer to the Town of Essex Local Boards/Committees Procedures and Best Practices Manual.

Role of the Chair

Please refer to the Town of Essex Local Boards/Committees Procedures and Best Practices Manual.

Role of Members

Please refer to the Town of Essex Local Boards/Committees Procedures and Best Practices Manual.

Role of Municipal Staff

Please refer to the Town of Essex Local Board/Committees Procedures and Best practices Manual.