



**City Of Kingston
Heritage Kingston
Special Meeting Number 10-2017
Minutes
Wednesday September 13, 2017 at 9:30 a.m.
Council Chamber, City Hall**

Committee Members Present

Councillor Peter Stroud; Chair
Councillor Liz Schell
Paul Carl
Patricia Fiori
Peter Goheen
Catherine Hyett
Megan Kerrigan
Donald Taylor

Regrets

Mac Gervan
Sherman Hill
Jamie McKenzie-Naish

Staff Members Present

Mr. Bolognone, City Clerk
Ms. Agnew, Director, Planning, Building & Licensing Services
Ms. Campbell, Manager, Cultural Heritage
Mr. Hunt, CAO
Ms. Jaynes, Deputy City Clerk
Mr. Leary, Senior Planner
Ms. Nicholson, City Solicitor
Mr. Thompson, Committee Clerk

Others Present

Members of the Public were present

Meeting to Order

The Chair called the meeting to order at 9:33 a.m.

Approval of the Agenda

Moved by Councillor Schell
Seconded by Mr. Carl

That the agenda be amended to include the addendum, and as amended, be approved.

Carried

Confirmation of Minutes

There were none.

Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Presentations

There were none.

Briefings

There were none.

Business

- a) **Cultural Heritage**
- b) **Policy Development and Implementation**
- c) **Heritage Assets**
 - i. **Pump House Steam Museum**
 - ii. **MacLachlan Woodworking Museum**
- d) **Statutory Business**

e) Working Group Reports

i. Heritage Properties Working Group

ii. Cultural Heritage Working Group

iii. Heritage Assets Working Group

f) Update regarding Emergency Approvals

Motions

a) Proposed motion regarding Committee Review

Councillor Stroud spoke to the Committee regarding the framework for the meeting.

Councillor Schell referenced clause two of the recommendation regarding the proposed review of procedures and sought clarification regarding whether staff has already reviewed procedures. Mr. Bolognone responded that the Committee is aware that staff spent two years reviewing heritage process which resulted in the merger of built and cultural heritage. He indicated that the review is complete and stated that Council has directed how Heritage Kingston is to operate. He noted that the Committee has only been in operation for a year and a half and indicated that Council will not adjust how the Committee is currently operating. He clarified that the motion will not move the cultural heritage agenda forward. He indicated that a working group tasked with a review would not be created unless Council determines that a review is necessary. He stated that while the purpose of the meeting is to talk about the motion, the ramifications of the Committee's decision will not transpire in the way that the committee believes it will happen. He stated that cultural heritage and built heritage will continue to be merged moving forward.

Councillor Schell referenced clause three of the recommendation and questioned if staff have already reviewed this matter. Mr. Bolognone replied that Council has made a decision regarding how the Committee is to function. He stated that further review would not generate a different response from staff.

Ms. Fiori commented that a new initiative should be reviewed to ensure that it is working. She commented that she believes that the Committee should be evaluated to ensure that it is achieving its objectives.

Mr. Carl stated that he believes that a review would be worthwhile. He indicated that the fourth whereas clause suggests that the Committee is not protecting the City's built heritage and questioned if staff could comment regarding whether the City is not legally protecting built heritage. Ms. Agnew mentioned that Heritage Kingston has completed more work in the last two years than the previous committee completed in five years. She spoke to the number of designations and listings considered as well as the review of the Barriefield HCD plan. She elaborated that the Committee has done tremendous work with respect to designation and indicated that approximately one hundred alteration permits have been approved by the Committee. She stated that under part iv. and part v. great work has been done.

Councillor Stroud sought clarification regarding whether the Committee is meeting Ontario Heritage Act requirements. Ms. Agnew responded that staff reviewed legislative requirements and indicated that the City is exceeding expectations of what is required and are also advancing the cultural heritage debate.

Mr. Taylor noted that the motion is intended to recognize that the Committee is not working and serves as an attempt to prevent the Committee from failing completely. He commented that the Committee has had problems with quorum and indicated that some members have considered resignation. He was of the opinion that Heritage Kingston was set up against strong opposition from both the museums advisory committee and heritage committee. He stated that the former heritage committee was too busy. He commented that basically the objections regarding Heritage Kingston were ignored. He mentioned that the Committee was told they could review their mandate after one year.

Mr. Taylor spoke to issues related to procedures and indicated that no improvements to the procedures have occurred. He indicated that the composition of the Committee is not the concern and mentioned that the staff members involved with heritage are doing a good job. He commented that the City has done a good job with respect to designating properties. He noted that a heritage resource centre has also been established. He mentioned that the working groups are all working quite well. He commented that designating properties is not enough and stated that heritage properties must be protected and that is the problem. He indicated that the Committee is supposed to have expertise in built heritage as the applications are sometimes complex. He noted that there are only four built heritage people on the Committee and indicated that the limited built heritage interest is evident by the limited DASH uptake. He mentioned that normally only three members attend site visits. He suggested that there is an imbalance in the structure and composition of the Committee.

Councillor Schell commented that the motion inspired her to give some thought to the experiences of other committees which were recently established. She utilized the Arts

Advisory Committee as an example and noted that they were responsible for the creation of the Culture Plan. She spoke to the Culture Plan and indicated that it stressed the importance of staff administering the small details while Heritage Kingston is mandated to examine broader issues. She stated that Heritage Kingston is not supposed to function as a group of experts. She commented that the mandate of the Committee states that the membership should include a diversity of skills. She clarified that the mandate indicated that experience is required rather than expertise. She noted that Mr. Zelmer is the only expert who has served on a heritage committee recently. She spoke to the current composition of the Committee and stated that there is expertise regarding a broad range of issues. She emphasized that Council has indicated that museums, culture and stories are to be discussed in relation to built heritage. She stated that the motion suggests that built heritage should be looked at more closely and commented that some members want to go back to the structure of the old committee where applications are discussed at length with the applicants. She referenced the correspondence provided by Mr. Gervan suggests that the new part v. process is working better from a professional standpoint. She indicated that the motion seeks to move the Committee backwards. She stated that there is a need to move forward and implement the Culture Plan. She emphasized that the Committee must embrace culture, museums and stories. She stated that the Committee must stop complaining about the agenda and the inclusion of cultural heritage. She noted that Council has directed the Committee to move forward. She suggested that some Committee members do not understand the intention of the review and clarified that the motion seeks to re-establish a committee that is only interested in built heritage simply because a few members do not appreciate the new mandate.

Ms. Fiori indicated that she is supportive of the Councillor Schell's comments. She stated that while she supports a review in a general sense she does not have concerns with the merger of cultural heritage and built heritage. She noted that she agreed to participate on the Committee and suggested that there should be greater emphasis on stories. She mentioned that she assumed that the Committee would be more focused on holistic concepts. She reiterated that Committee members have knowledge in many areas. She stated that she believes that the Committee is often too preoccupied with small details. She suggested that the Committee should be more focused on engaging the community with respect to heritage.

Mr. Carl stated that at times the Committee has met for considerable lengths of time. He commented that it would be beneficial to examine what the Committee has done over the past year. He noted that the Committee is composed of citizens and reiterated that Council has provided the Committee with a mandate. He was of the opinion that the motion should only state that a review be conducted to determine whether the Committee is conducting themselves within their defined mandate. He commented that the Committee must remain a citizen committee and indicated that the working groups are supposed to be the experts and provide advice to the Committee. He mentioned that the Committee is intended to

review the experts work. He reiterated that Council has provided the Committee with a mandate. He emphasized that the Committee should only review whether they are working within their mandate. He commented that the stories behind the stone are important. He indicated that he is offended by the second whereas clause.

Mr. Goheen noted that he believes that there is a need to review the procedures. He was of the opinion that the past year has been difficult for the Committee for many reasons. He stated that the Committee should be reviewed. He mentioned that the Committee may receive additional education due to a review.

Councillor Stroud requested that Councillor Schell resume the role of Chair.

Councillor Stroud mentioned that in Sydenham District residents choose to live in the area due its heritage. He spoke to the positive impact that heritage has on the community. He commented that owning a heritage building suggests that the owner respects heritage. He indicated that applicants before the Committee have assumed the burden of owning a heritage building. He mentioned that permits cost time and money. He stated that the more processes that are in place the more it becomes difficult for applicants to receive their permit. He stated that the average citizen thinks of heritage from a tourism standpoint and does not want to get involved. He commented that Committee members volunteered to help heritage and mentioned that the threats of members quitting the Committee is not productive. He indicated that he is in agreement with previous speakers and stated that a review is necessary. He commented that the motion before the Committee goes too far. He reiterated that there is a need to promote heritage to the average citizen.

Councillor Stroud resumed the role of Chair.

Ms. Kerrigan stated that she finds it problematic that the Committee is debating a motion when Council determines the mandate. She commented that she does not want there to be factions on the Committee. She indicated that the Committee should receive some additional clarity regarding the mandate and move forward.

Ms. Hyett noted that she is in agreement with Ms. Kerrigan. She stated that there is confusion regarding the role of the Committee with respect to the mandate. She mentioned that she feels useful during a site visit and commented that she does not feel very helpful during meetings.

Councillor Stroud requested that staff provide information regarding the current state of the Committee.

Ms. Angew stated that she is pleased with the work that the Committee has achieved. She noted that the community is also learning more about built and cultural heritage. She

mentioned that staff are proposing that the heritage properties grant budget be increased. She stated that there are major projects coming to the Committee such as the Portsmouth HCD and the Kingston penitentiary site. She noted that staff will continue to provide support regarding DASH.

Councillor Stroud mentioned that at the last meeting, Ms. Campbell provided an interesting briefing regarding cultural heritage landscapes and asked that Ms. Campbell speak about future items that will be coming before the Committee. Ms. Campbell stated that traditionally cultural heritage projects involve a longer process. She noted that the transition team requested that staff provide the Committee with information to ensure that the Committee would fulfill its mandate. She mentioned that staff have provided the Committee with fourteen briefings. She indicated that the briefings have provided preparatory information which will be required for the development of plans and strategies. She noted that a considerable amount of work will be coming before the Committee shortly. She indicated that separating built and cultural heritage would be counterproductive. She spoke to the cultural heritage working groups and the heritage assets working group.

Mr. Leary provided the Committee with a summary of the work completed by the Committee. He spoke to the role of staff with respect to processing applications. He suggested that the Committee should continue to look at big picture items. He explained that when a report comes before the Committee the details have already been worked out and commented that there is not a need for a major review. He stated that huge strides have been made internally.

Councillor Stroud requested that the CAO provide comment regarding whether the merger of built and cultural heritage was the direct result of the Culture Plan. Mr. Hunt responded that from a strategic sense, history and heritage fit together. He explained that the City spent several years developing the Culture Plan. He mentioned that staff looked at how the stories shape Kingston and aid community development. He indicated that the Culture Plan allows for the City to move forward and celebrate our history. He stated that the City requires an oversight Committee to align with Council's vision. He spoke to the importance of following legislation. He noted that there is increased integration across departments and stated that staff operates collectively. He reiterated that the bigger picture strategy required the merger of the committees.

Councillor Stroud asked Mr. Hunt if he is pleased with the Committee's direction. Mr. Hunt replied that there are always some issues when a new group is formed. He stated that the discussion that has occurred is useful to understand the importance of the big picture. He stated that staff have done a good job in presenting facts and providing philosophical vision. He indicated that the City is making progress on the cultural heritage front and commented that there is more work to implement the Culture Plan. He reiterated the importance of integrating built heritage with cultural heritage.

The Chair afforded members of the public with an opportunity to provide comment.

Ms. Finley mentioned that she has observed heritage committee meetings in Kingston for some time. She commented that she believes that the City is not very interested in looking at how the Committee can function better. She stated that she finds Heritage Kingston to be dysfunctional. She mentioned that it is her understanding that the working groups are doing some wonderful work. She questioned if a working group could meet regularly to review applications. She commented that the Committee was told that there would be an opportunity for a review in a year and stated that it is good to review. She stated that details are extremely important for built heritage. She indicated that the best composition for the Committee is professional staff working with people that have knowledge. She spoke to the new part v. process. She stated that she was told that she should not participate in the transition team process.

Mr. Taylor referenced difficulties with procedures. He commented that alterations and renovations are tricky things. He commented that the Committee requires members with real experience in heritage renovations and commented that a lot of the experience is lost in the new structure. He commented that the committee is no longer allowed to ask questions of applicants regarding part v. applications. He commented that the public needs expert help as the owner is at the mercy of a builder. He indicated that most trades people do not have experience in heritage work. He commented that it is important to have dialogue about heritage buildings. He commented that one of the major problems is the use of delegated authority. He commented that major alterations are being approved via delegated authority and referenced 77 Gore Street as an example. He commented that windows are being replaced against the windows policy. He reiterated that there needs to be interaction with home owners. He stated that input from the owner should be visible on DASH. He commented that applications should be looked at by people involved in heritage. He stated that minor issues like signs and accessible entrances should be dealt with by staff. He reiterated that there are big problems with procedures.

Councillor Stroud provided the Committee with information regarding the motion from a process standpoint.

Councillor Schell reiterated that the staff have indicated that the proposal outlined in clause two and three of the recommendation have already been completed. She stated that clause four of the recommendation is too broad. She noted that she will not support the motion.

Councillor Schell commented that she does not think that most Committee members understand DASH and its power. She stated that the motion as presented does nothing to

move the Committee forward. She reiterated that the Committee should move forward and address big picture items. She commented that a massive review is not necessary.

Mr. Carl was of the opinion that the majority of the motion tells the proposed review committee what the findings should be. He stated that the Committee should only review what could be done more effectively. He commented that cultural heritage and built heritage should be tied together.

Councillor Stroud asked staff if applications could be reviewed by a working group. Ms. Nicholson responded that staff reviewed process in relation to legislation. She stated that the process being followed by the Committee is the correct process. She indicated that staff has a clear understanding of the law and its application. She commented that the right tools are in place for the Committee.

The Committee recessed.

The Committee consented that the motion be withdrawn at the request of the mover and seconder.

Moved by Mr. Taylor
Seconded by Mr. Goheen

Whereas the Heritage Kingston committee has been operational for more than a year and it is appropriate to review its functioning and effectiveness; and

Whereas essentially all of the business of the committee since inception has been concerned with applications for built heritage alteration permits according to the Ontario Heritage Act, which only a minority of committee members have the interest and the expertise to deal with; and

Whereas lengthy meetings dealing with items of little significance to many members have led to attendance and quorum problems and the prospect of multiple resignations; and

Whereas members of the committee, the public, and community heritage groups have expressed concerns that the City's procedures relating to alteration permit applications are not protecting the City's built heritage as required by the Ontario Heritage Act, and that revisions are needed to provide consistency with provincial guidelines and with practices in other municipalities, and to provide more support and assistance to heritage property owners:

Therefore be it Resolved That Heritage Kingston recommends that City Council direct staff to undertake a review of the composition, mandate, and procedures of Heritage Kingston, and for this purpose to strike a working group, to be recommended by the Nominations Committee, comprising a member of Heritage Kingston, a heritage planner, a

former member of Kingston's municipal heritage committee, a member with experience of heritage committee operation in a different municipality, a member with experience of civic museums and collections, and a member of the public, - the review to include the following components:

1. to hold one or more open meetings where members of the public and representatives of interested community groups are invited to make presentations and provide input,
2. to evaluate the city's current procedures relating to applications for built heritage alteration permits under the Ontario Heritage Act for effectiveness and for consistency with provincial and federal guidelines and with procedures in other Ontario municipalities,
3. to recommend committee restructuring and mandates to allow the provision of advice more effectively to Council on matters relating to protection of the City's built heritage in accordance with requirements of the Ontario Heritage Act, to the City's museums and civic collections, and to general cultural heritage issues of interest to the City,
4. to recommend procedures for dealing with heritage permit applications for properties designated under Part IV and Part V of the Ontario Heritage Act, including procedures for approval under delegated authority, that allow more efficient time utilization for both heritage staff and committee members.

Withdrawn

Notices of Motion

There were none.

Other Business

There was none.

Correspondence

There was none.

Date and time of Next Meeting

The next meeting of Heritage Kingston will be held on Wednesday October 4, 2017 at 9:30 a.m.

Adjournment

Moved by Ms. Hyett
Seconded by Councillor Schell

That the meeting of Heritage Kingston now adjourn.

Carried

The meeting adjourned at 11:23 a.m.