



**City of Kingston
Report to Council
Report Number 19-120**

To: Mayor and Members of Council
From: Peter Huigenbos, Acting Commissioner, Community Services
Resource Staff: Colin Wiginton, Cultural Director, Community Services
Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: May 21, 2019
Subject: Terms of Reference, Heritage Kingston Review Working Group

Executive Summary:

On February 5, 2019, Council passed the following amended motion calling for the formation of a working group to review Heritage Kingston:

Whereas the Heritage Kingston committee has been operational for more than a year, and a review after a year was contemplated when it was established; and

Whereas members of the committee, the public, and community heritage groups have expressed concerns about the functioning and effectiveness of the committee's operations;

Therefore Be It Resolved That City Council establish a working group to undertake a review of the composition, mandate, and procedures of Heritage Kingston; it being understood that the membership of the working group would be recommended by the Nominations Advisory Committee, and would include a heritage staff member, cultural staff member, and preferably two members with experience in built heritage from current or previous municipal heritage committees, a member with general cultural heritage interests, a member with experience of civic museums and collections, and a member of the public; it being further understood that the working group would submit recommendations to Council within a year from its establishment.

The purpose of this report is to request approval from Council for the proposed Terms of Reference for the Heritage Kingston Review Working Group (Exhibit A). Members will be appointed to this working group through the City's nominations process as directed in the motion, which includes public notice. The Nominations Advisory Committee will review the

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applications and make recommendations to Council for approval. The working group will report on its progress through Heritage Kingston and its findings will be submitted to Council for consideration through a staff report within one year of its establishment as required.

Recommendation:

That a Heritage Kingston Review Working Group be established in accordance with the Terms of Reference outlined in Exhibit A to Report Number 19-120; and

That the City Clerk be directed to invite the public to submit applications to participate on the Heritage Kingston Review Working Group; and

That the composition of the Heritage Kingston Review Working Group consist of:

- (a) Six (6) members of the public who are not employees of the City of Kingston, members of Council, or representatives of a local community group or neighbourhood association, but who represent the following areas or interests:
 - Two (2) representatives with experience in built heritage from current or previous municipal heritage committees;
 - One (1) representative with general cultural heritage interests;
 - One (1) representative with experience in museums and/or collections;
 - One (1) representative from the Indigenous community;
 - One (1) representative from the general public; and
- (b) Two (2) members will be City staff represented by:
 - The Director of Planning, Building & Licensing Services, or a designate heritage staff member;
 - The Cultural Director, or a designate cultural staff member; and

That the applications be forwarded to the Nominations Advisory Committee for consideration and recommendation to Council for final approval; and

That the Heritage Kingston Review Working Group be directed to inform Council when it has completed its mandate and thereby be dissolved.

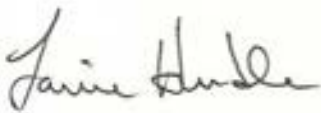
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Authorizing Signatures:



**Peter Huigenbos, Acting
Commissioner, Community
Services**



**Lanie Hurdle, Acting Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Gary Dyke, Commissioner, Corporate Enterprise Services	Not required
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Sheila Kidd, Commissioner, Transportation & Public Works	Not required

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Discussion:**Heritage Kingston Mandate**

Heritage Kingston is an 'Advisory Committee', meaning it is established to provide advice to Council in accordance with the committees' mandate. The committee also regularly provides support and advice to City staff and to relevant community partners and groups who are recognized as stakeholders with a vested interest in the conservation, preservation and interpretation of Kingston's history and heritage. The City of Kingston's [Committee By-Law Number 2010-205](#) defines the mandate for Heritage Kingston as follows:

"The mandate and activities of Heritage Kingston will address the broad array of issues, opportunities and projects related to Kingston's cultural heritage and lead by example in terms of responsible stewardship. By definition, cultural heritage includes a combination of tangible, intangible and natural resources and it is the responsibility of Heritage Kingston to apply its knowledge and expertise in all these areas. Heritage Kingston is also appointed in accordance with the *Ontario Heritage Act* that provides a framework within which municipalities can ensure the conservation of properties of cultural heritage value or interest. In all matters, Heritage Kingston's role is advisory and consultative and is involved in educating and informing the community about matters related to Kingston's cultural heritage."

Tangible heritage resources include those physical aspects of heritage that we can see or touch. These include built heritage resources such as heritage buildings, monuments, structures and installations, as well as archeological resources, artifacts, historic objects and archives. Intangible heritage resources are those that help shape the community and our connections to each other. These may include traditional knowledge, skills and practices; local festivals, traditions and events; and performances. Natural heritage resources include a range of environmental features such as flora and fauna, ecosystems and geological structures that are specific to a given locale and that are also considered character-defining.

The City of Kingston is a historic city, known for its cultural identity and respectful sense of its past. People enjoy living in, working in and visiting Kingston due in part to its vibrant and unique culture and historic character. Heritage Kingston plays an important role in preserving this character and in helping to educate and inform the community regarding cultural heritage matters.

Motion to Review Heritage Kingston

On February 5, 2019, Council passed the following amended motion calling for the formation of a working group to review Heritage Kingston:

Whereas the Heritage Kingston committee has been operational for more than a year, and a review after a year was contemplated when it was established; and

Whereas members of the committee, the public, and community heritage groups have expressed concerns about the functioning and effectiveness of the committee's operations;

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Therefore Be It Resolved That City Council establish a working group to undertake a review of the composition, mandate, and procedures of Heritage Kingston; it being understood that the membership of the working group would be recommended by the Nominations Advisory Committee, and would include a heritage staff member, cultural staff member, and preferably two members with experience in built heritage from current or previous municipal heritage committees, a member with general cultural heritage interests, a member with experience of civic museums and collections, and a member of the public; it being further understood that the working group would submit recommendations to Council within a year from its establishment.”

The purpose of this report is to request approval from Council for the proposed Terms of Reference for the Heritage Kingston Review Working Group (Exhibit A). Members will be appointed to this working group through the City's nominations process as directed in the motion, which includes public notice, and the review of applications by the Nominations Advisory Committee, and final approval made by City Council.

Proposed Terms of Reference

The proposed Terms of Reference for the new Heritage Kingston Review Working Group are attached as Exhibit A. The Heritage Kingston Review Working Group will undertake a review of the composition, mandate and procedures of Heritage Kingston. Council has approved that there will be seven (7) members appointed to the working group and that the Heritage Kingston Review Working Group will be co-chaired by the designated staff members from the Planning, Building & Licensing Services and Cultural Services Departments.

In preparing this report, staff are also recommending the addition of an eighth member to the Heritage Kingston Review Working Group representing the Indigenous community. This recommendation is intended to reflect Council's commitment to Reconciliation as a priority currently being pursued through such initiatives as Engage for Change: #YGK Reconciliation Journey. It is also meant to take into account a definition of cultural heritage that is understood to include tangible, intangible and natural resources. These are all areas of responsibility that should be considered by a municipal heritage committee as defined by the Province of Ontario to ensure their work develops in ways that recognize the historical continuity of the community in which they function.

The Terms of Reference also make it clear that the Heritage Kingston Review Working Group will not function as a decision making committee of Council. The working group's role is proposed to be consultative and advisory. The working group will act within the legal advisement of the City of Kingston Legal Counsel in the interpretation and application of legislative and statutory guidelines related to the mandate of Heritage Kingston.

The working group's term is understood to be one year from the date it is established or until it fulfills its mandate and is dissolved by Council. It is proposed that the Heritage Kingston Review Working Group meet monthly with additional meetings held at the call of the Chair(s) if needed. The working group meetings will be open to the public.

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Nominations Process

It is understood that the selection of Heritage Kingston Review Working Group members will be facilitated through the City's nomination process, which includes public notice, the review of applications by the Nominations Advisory Committee and final approval made by City Council. As part of this process, advertisements will be placed in The Kingston Whig-Standard and on the City's website seeking community volunteers to be part of the Heritage Kingston Review Working Group.

It is anticipated that the nominations process will be opened in May of 2019 for applications and the appointments will be based on the applicants' experience and qualifications identified in the Terms of Reference.

Reporting

The working group will report on its progress through Heritage Kingston through meeting notes that will provide opportunities for discussion at the committee-level with members of Heritage Kingston as part of its regularly scheduled meetings. Once the working group has completed its work, its findings will be submitted to Council for consideration through a staff report within one year of its establishment as required.

Existing Policy/By-Law:**Provincial***Heritage Act**Planning Act***Notice Provisions:**

Not applicable

Accessibility Considerations:

Not applicable

Financial Considerations:

Heritage Kingston Review Working Group membership will be on a volunteer basis with no associated remuneration.

Contacts:

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Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252

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Staff Consulted:

Jennifer Campbell, Manager, Cultural Heritage, Cultural Services

Greg Newman, Manager, Policy Planning, Planning, Building & Licensing Services

Exhibits Attached:

Exhibit A Proposed Terms of Reference for the Heritage Kingston Review Working Group

Proposed Terms of Reference for Heritage Kingston Review Working Group

Committee Name: Heritage Kingston Review Working Group

Reporting to: City Council

Composition (As appointed by Council):

Five (5) members of the public who are not employees of the City of Kingston, members of Council, or representatives of a local community group or neighbourhood association, but who represent the following areas or interests:

- Two (2) representatives with experience in built heritage from current or previous municipal heritage committees;
- One (1) representative with general cultural heritage interests;
- One (1) representative with experience in museums and/or collections;
- One (1) representative from the Indigenous community;
- One (1) representative from the general public; and

Two (2) members will be city staff represented by:

- The Director of Planning, Building & Licensing Services, or a designate heritage staff member; and
- The Cultural Director, or a designate cultural staff member.

The Heritage Kingston Review Working Group will undertake a review of the composition, mandate and procedures of Heritage Kingston.

Term of Appointment: One (1) year from the date it is establishment or until it fulfills its mandate and is dissolved by Council.

Meetings: Meetings to be scheduled monthly. Additional meetings may be held if needed at the call of the Chair(s).

Mandate/Terms of Reference:

1. The Heritage Kingston Review Working Group's role is to undertake a review of the composition, mandate and procedures of Heritage Kingston. This will be anticipated to include:
 - a. Consultation with cultural heritage stakeholders, which can include public meetings, surveys and personal interviews with previous members of Heritage Kingston;
 - b. A review of the previously completed work, findings and recommendations of the Heritage Kingston Transition Team completed and approved by Council in 2016;

2. The Heritage Kingston Review Working Group will act within the legal advisement of the City of Kingston Legal Counsel in the interpretation and application of legislative and statutory guidelines related to the mandate of Heritage Kingston;
3. The activity of the Heritage Kingston Review Working Group will be reported to Heritage Kingston through circulation of meeting notes;
4. Heritage Kingston Review Working Group meetings will be open to the public;
5. The Heritage Kingston Review Working Group will be co-chaired by the designated staff members from the Planning, Building & Licensing Services and Cultural Services Departments; and
6. The findings of the Heritage Kingston Review Working Group will be submitted to Council for consideration through a staff report.