Heritage Committee Meeting
Monday, April, 14th 2014 – 7.30.p.m
Municipal Complex, Aberfoyle

AGENDA

DATE: Monday, April 14, 2014
TIME: 7:30 p.m.

1. Calling the Meeting together and Order.

2. Disclosure of Pecuniary Interest & the General Nature Thereof.

3. Approval of Minutes from the previous meeting – November 4th, 2013.

4. Adoption of the Minutes.

5. Set date for Natural Heritage Sign Photo.

6. Discussion regarding Heritage Information on the Township of Puslinch website.

7. Blackbridge Road EA Study, Heritage Conservation District Study (HCD) Report.

8. University of Guelph – Dinner Presentation given by Chair on February 25th, 2014. Follow Up to be given by Chair.

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Continued:

9. Correspondence/Calls to Chair since November 2013 meeting:
   Nancy Silcox – Telephone Call received Jan. 2nd, 2014.
   Merry Gordon – Email regarding Carter/Caulfield house – Jan. 5th, 2014.
   Real Estate Agent – Telephone Call regarding #10 Badenoch St. Jan. 7th 2014.
   Owner of 56 Brock Rd S – Telephone Call – Jan. 16th 2014.

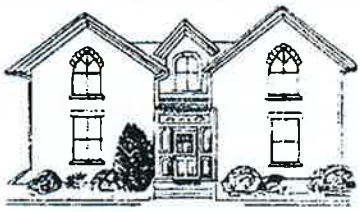
10. Correspondence from Ministry of Tourism, Culture and Sport.
    Land Registry Exemption Letter.

11. Discussion on assigned write ups from 2013 Summer Tour.

12. Discuss Summer Tour /Date. Set up Fall Meeting Date.

13. Adjournment.

Heritage Committee Meeting
Monday November 4th 2013
7:30 pm
Municipal Complex, Aberfoyle



MINUTES

DRAFT

MEMBERS PRESENT

Lynn Crow - Chair
John Levak
Mary Tivy
Don Aubin

TOWNSHIP STAFF

Mayor Lever
Nuala Larwood, Secretary Heritage Committee

OTHERS PRESENT

Doug Mast

Lynn presented Doug Mast with the Guelph Historical Society latest history of the city in appreciation for the years of service he has spent on the Puslinch Heritage Committee.

The members thanked Doug for all his hard work and dedication as part of the Committee.

1. CALL TO ORDER

The meeting was called to order at 7.30 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. MINUTES OF THE PREVIOUS MEETING

(a) Special Heritage Meeting – September 12th 2013.

4. ADOPTION OF THE MINUTES

Moved By: Mary Tivy Seconded By: John Levak HER – 2013-003

5. BLACK BRIDGE RESOLUTION – 2013-216

Copies of the resolution were in the members package for information.

6. NATURAL SIGN UPDATE

The Natural Heritage signs are in place around the Township. Mayor Lever asked that a date be set up for him, the Committee and Marjorie Clark to be photographed at one of the natural heritage signs.

The Secretary to arrange a suitable time and venue.

7. PLAQUING UPDATE

Don confirmed that plaquing had taken place at the following sites:

Watson Cottage	12 Badenoch Street
Crieff Post Office	4092 SideRoad 25 S

8. MINISTRY OF TOURISM, CULTURE AND SPORT CORRESPONDENCE INFORMATION BULLETIN

The Committee discussed the Bulletin, and how it would affect the Committee in the future.

9. SLIDESHOW OF THE SUMMER TOUR

The Chair presented a slide show of the pictures taken on the Summer Tour.

10. OTHER BUSINESS

COMMUNICATIONS:

Lynn provided data on the following:

110 - Plaqued Structures
3 – Declined Plaques'
37 – Not met Criteria
4 – Not Researched
6 – In Disrepair
5 – Historical Interest
11 – Demolished/Burned
172 – Researched properties

Niska Bridge /Bailey Bridge– June 26th 2013
Sandy Nichol correspondence – Commuter traffic East Boundary Road
Lynn provided an update on the Zoning Changes within the Township

11. WRITE UPS WERE ASSIGNED FROM 2013 SUMMER TOUR

Former McLarty Residence – Rear Gore Part 7
6645 Concession 1, RR #2 Puslinch, On, N0B 2J0 - Mary

Lot 24, front conc. 2 University of Guelph property, former Daniel McNaughton farmhouse– Mary

Stone Clubhouse Puslinch Golf Course.
6527 Ellis Road, Cambridge, On, N3C 2V4 – Mary

Former Thompson Farmhouse/Concession 4 Part Lot 11
4661 Sideroad 10 N – John

12. SET UP 2014 MEETING SCHEDULE

NEXT MEETING

Monday, April 14th 2014 at 7:30 p.m. at the Township Municipal Complex

13. ADJOURNMENT

Moved by Don Aubin

The Heritage Committee meeting hereby adjourns at 9:20 p.m.

CARRIED.

REPORT

To: **Council**
Date of Meeting: March 3, 2014
Prepared By: G.Elliott, P.Eng
Approved By:
Department: Transportation & Public Works
Date to Management Committee: February 26, 2014
Report No.: TPW-06/14
File No.:
Ward No.: 1 & 2

Blackbridge Road EA Study, Heritage Conservation District (HCD) Study

Recommendation:

THAT Council receive the Heritage Conservation District (HCD) Study entitled the "Black Bridge Area Cultural Heritage Study" completed by Dr. Robert Shipley of the Heritage Resources Centre, recommending that the Black Bridge Area be designated a Cultural Heritage Landscape under the City's Official Plan and that a further Cultural Heritage Landscape Technical Study with appropriate conservation policies be prepared to form the basis of an Official Plan Amendment, (copies provided separately) and

THAT Council refer Report 14-006-(TPW) to the Municipal Heritage Advisory Committee for review of the proposed staff recommendations detailed below,

AND THAT Council direct staff to report back to Council with the Municipal Heritage Advisory Committee resolution and a presentation of the HCD Study report findings and staff recommendations.

Proposed Staff Recommendations for review by MHAC

THAT Council defer consideration of a Cultural Heritage Landscape Technical Study and designation of the Black Bridge Area as a Cultural Heritage Landscape to a future capital budget at the discretion of the Chief Administrative Officer and Commissioner of Planning & Development, following the completion of other current forecasted heritage priorities and following the completion of further public consultation conducted by the City Planning & Development Department to confirm public support for this heritage preservation mechanism.

Background:

The Transportation & Public Works department has been undertaking the Environmental Assessment (EA) for the Black Bridge Road transportation needs including bridge and road needs on Black Bridge and Townline Roads. In December of 2012, concerns were expressed that the study had not included sufficient consideration of heritage needs. In accordance with Council direction, additional heritage consideration was added to the Environmental Assessment tasks in the form of an expansion of the Heritage Impact Assessment (HIA) works that are required under the EA Study. In addition, a supplementary, separate and distinct study was undertaken to consider the possibility of creating a Heritage Conservation District (HCD) for the Black Bridge Area.

The Heritage Impact Assessment (HIA) works within the EA Study were undertaken by MHBC Consultants as a subconsultant to Bytown Engineering, the prime consultant for the EA Study. These works are continuing.

The Heritage Conservation District (HCD) Study was undertaken by the Heritage Resources Centre with Dr Robert Shipley as the prime resource.

The EA Study is not dependent upon the HCD Study.

These two studies are separate and independent of each other with the exception of the use of common heritage resource inventory information. However, once complete, the HCD Study findings become another background study to be reviewed in conjunction with the EA works.

The HCD Study commenced in January 2013. A study stakeholder group was assembled that included the Municipal and Regional heritage advisory committees and two community interest groups, Heritage Cambridge and the Blackbridge Community Association. The HCD Study proceeded yielding a final draft of the study report that was presented to the stakeholder group on September 17, 2013.

In preparation to bring the report forward to Council, staff have continued consultations with the Township of Puslinch, County of Wellington, interested local residents, the Blackbridge Community Association, and the Municipal Heritage Advisory Committee Chair.

The final report for the HCD Study has been adopted in principle by the stakeholder team including the MHAC and regional Heritage Planning Advisory Committee (HPAC) representatives on the project team. The interest groups of Heritage Cambridge and the Blackbridge Community Association disagree with this adoption in principle. Subsequent to the adoption in principle by the stakeholder team, the Municipal Heritage Advisory Committee reviewed the final HCD Study report entitled the "Black Bridge Area Cultural Heritage Study". At

their meeting of October 19, 2013 MHAC endorsed the HCD Study findings with the following resolution:

> THAT the Cambridge Municipal Heritage Advisory Committee endorses the conclusions of the Black Bridge Area Cultural Heritage Study as prepared by the Heritage Resources Centre and dated August 19, 2013;
>
> THAT the Cambridge Municipal Heritage Advisory Committee encourage the City of Cambridge to establish a Cultural Heritage Landscape Plan for this area; and
>
> THAT the 2014/2015 Work Plan of the Cambridge Municipal Heritage Advisory Committee include the preparation of the Cultural Heritage Landscape Conservation Plan and an Amendment to the City of Cambridge Official Plan for the Black Bridge Road area.

Accordingly, staff are seeking Council direction for a referral to the Municipal Heritage Advisory Committee to review the proposed staff recommendations that are not consistent with the MHAC resolution.

Existing Policy/By-Law:

The 2012 Cambridge Official Plan provides the policy framework for considering heritage preservation mechanisms such as establishing Cultural Heritage Landscapes. The HCD Study Report was completed as an initial step to assess if protection for the area was appropriate. The undertaking of the HCD Study and its findings are consistent with the process expectations within the Official Plan.

Financial Impact:

The completion of the HCD Study entitled the "Black Bridge Area Cultural Heritage Study" was funded through the Black Bridge Road Environmental Assessment Study capital project budget. This HCD Study component of the project is complete and no additional expenditures are required to be funded under the EA Study project, or otherwise, for this initiative.

However, should Council choose to advance this heritage initiative to undertake a Cultural Heritage Landscape Technical Study as recommended within the HCD Study Report additional funding would be required. It is recommended that should Council choose to consider this additional work, this new project initiative should be referred to the Commissioner of Planning & Development for preparation of a work-plan and budget proposal for a future capital budget.

Public Input:

Per Council's direction, public consultation for this project has been completed. The public have been engaged through four primary groups as noted below:

1. Heritage Cambridge
2. Blackbridge Community Association
3. Heritage Resource Centre – neighbourhood consultations
4. General Public consultations through TPW project team

The project team meetings included two primary consultations with Heritage Cambridge and the Blackbridge Community Association. These were held at the start of the project (January 10, 2013) and to review the consultant draft findings (September 17, 2013). These primary sessions were held with representatives of MHAC, HPAC, Council, Consultants and City staff.

Dr Shipley and the Heritage Resource Centre team conducted the formal public consultation of the heritage study. The results of this consultation are shown in their final report "Section 4: Community Consultation". Their team was able to contact and survey 30 of approximately 85 properties in the area in addition to their consultation with other government agencies and the key project stakeholders noted above including Heritage Cambridge and the Blackbridge Community Association.

Tom Hetherington as the president of the Blackbridge Community Association representing 42 of 60 homes in the area, met with the Commissioner of Transportation & Public Works on November 18, 2013 to express concerns for the validity of the study and to seek advice on how to investigate the project further. Upon further review of the study by the Blackbridge Community Association, Mr Hetherington met with Mayor Craig, the City Chief Administrative Officer and the Commissioner of Transportation & Public Works to further express these concerns.

Throughout the project, project staff received various input from a number of residents that expressed opposing views and concerns for the study. City staff met with some of these residents that oppose the heritage protection initiative on December 19, 2013. Among the objectors to the study works are Tom & Linda Lennox, and Les Holdway the owners of two of the primary cultural heritage resources in the Black Bridge area.

The public input provides a consensus of support for the findings of the HCD Study Report that there is cultural heritage value in the Black Bridge Area. However there is essentially no public support for the protection of those assets using the recommended Cultural Heritage Landscape designation in the Official Plan.

Additional details of the public input are discussed in the sections below.

Internal/External Consultation:

The study has been completed with ongoing consultation with internal resources and external agencies as listed below:

- Heritage Resource Centre – Prime Consultant
- Commissioner of Planning & Development
- Heritage Planner – Planning & Develoment
- Municipal Heritage Advisory Committee – 2 representatives
- Regional Heritage Planning Advisory Committee – 2 representatives
- Mayor Craig
- Chief Administrative Officer
- Councilor Representatives – Ward 1 & 2
- Township of Puslinch
- County of Wellington
- EA Study project prime consultant and heritage sub-consultant
- EA Study project TPW Staff

The internal resources and external agencies' involved in the project have reviewed the HCD Study Report entitled the "Black Bridge Area Cultural Heritage Study" and conclude that it provides a consensus of support of the report. The group concluded that the report findings that the Black Bridge Area qualifies as a Cultural Heritage Landscape are consistent with the project objectives. Its protection within the Official Plan would provide a reasonable direction for the area.

It is noted that Heritage Cambridge and the Black Bridge Community Association do not concur with these findings.

Comments/Analysis:

The following is a point form summary of the key process/issues in this initiative:

1. Council directed staff to undertake a Heritage Conservation District (HCD) Study. (i.e. to study what might be needed)

2. Council did not direct staff to implement a Heritage Conservation District (HCD) Plan in the Black Bridge Area. (i.e. immediately impose measures)

3. At the end of an HCD Study is a "decision point" before Council at which time the heritage needs are considered and a decision is made regarding if an implementation of a Heritage Conservation District Plan is warranted or desired.

4. Dr Shipley was hired to complete an HCD Study. Which he did.

5. The HCD Study confirmed there are valued overall landscape heritage assets in the Black Bridge Area. (in addition to designated structures)

6. The HCD Study concluded that a Heritage Conservation District was not the most appropriate preservation mechanism for the Black Bridge Area.

7. The HCD Study also concluded that a more appropriate alternate preservation mechanism for the heritage assets in the Black Bridge Area was available. The new Cultural Heritage Landscape designation which includes protection provisions within the City's Official Plan was recommended.

8. The "agencies" on the stakeholder committee concur with the HCD Study findings and adopted the study in principle.

9. The "public" on the stakeholder committee disagree with the HCD Study findings and oppose the adoption of the report.

10. MHAC reviewed and endorsed the HCD Study, and encourages further consideration of preservation by Council.

11. City Staff although in support of the study findings are not prepared to make a recommendation to Council to adopt and implement the findings of the HCD Study. There is almost a complete lack of public support for the alternate preservation mechanism proposed.

12. It is recommended that the City Staff position be referred to the Municipal Heritage Advisory Committee for their review.

13. The MHAC review will provide a further opportunity for the public to review the future action needs in a separate forum. This will enable a recommendation to Council from Council's advisory committee for heritage issues.

14. A subsequent presentation will be made to Council. That meeting will be the "decision point" to consider the study findings and if further action should be taken to consider implementing heritage protection measures.

Difficult Assignment

The assignment to undertake an HCD Study was very difficult, particularly for the consultant, Dr Shipley. Dr Shipley was caught in the middle of a very contentious issue with vastly opposite view points anchored in the various groups and people involved. Dr Shipley struggled to maintain a professional posture on the assignment and found his work under significant scrutiny from the agencies, community groups, residents and City staff. In the end, Dr Shipley provided a

professional opinion report that met with the objectives of the study. The study did not conclude with a recommendation that was in keeping with public desires and expectations and the public oppose the final recommendations. The contentious issue persists.

Difficulties Encountered

a) **Desire to stop the Road (EA Project)**
Despite public claims formally to Council, the primary motivation to use a Heritage Conservation District was to stop any proposed road or bridge improvements in the Black Bridge area. This was a recurring theme in many public discussions which acknowledged that the heritage resources protections were secondary. This motivation was also confirmed through Heritage Cambridge objections at a recent MHAC meeting.

b) Misinformation about the EA Project
The basic belief above that a Heritage Conservation District would stop the road improvements (EA Project) is incorrect. Even if a Heritage Conservation District existed, road improvements are necessary can be viable and can be implemented. Further, there were many significantly wrong and assumed scenarios or mis-understandings of what the road improvement project would or may do to the area. This misinformation has continued to fuel the desire to stop all road activity. The EA Study is still underway and there are ten scenarios still being studied. None of these include 4 laning of Townline or Black Bridge Roads. None of these include tearing down and throwing away the existing designated bridge structure. The Heritage Impact Assessment Study (HIA) component of the EA work is well underway. It assesses all of the proposed works to find appropriate roadway solutions to meet the sensitive landscape heritage needs of the community and to mitigate negative impacts appropriately. A preferred solution has not been selected yet.

c) Accusations of City Staff Intervention and Duress on Consultant
City staff endured many accusations that staff were exerting undue pressures and duress on Dr Shipley and his team to pre-determine the outcome of the study. It was perceived that staff did not want the Heritage Conservation District to be implemented and stop the road improvements (EA Project) works. The atmosphere of mistrust within the project added to the difficult conditions Dr Shipley had to endure. The City's scrutiny, along with that of the other agencies and public involved challenged the consultant team to ensure fully defensible findings and recommendations were achieved.

d) Misunderstood Terminology and Project Objectives
Despite best efforts to define the HCD Study project and objectives from the outset, there remains a clear misunderstanding within the public

groups of Heritage Cambridge and the Black Bridge Community Association. Following the completion of the HCD Study and the recommendation for a Cultural Heritage Landscape instead of a Heritage Conservation District, Heritage Cambridge and the Black Bridge Community Association have gone on record through the Municipal Heritage Advisory Committee meetings and meetings with City staff and officials that they do not believe the study objectives were met. Further, they do not believe that Dr Shipley conducted an HCD Study in full or in part. They believe what Dr Shipley did was an HIA Study or a Cultural Heritage Study. The "agency" stakeholders have confirmed that Dr Shipley conducted an HCD Study and have adopted it in principle. Further, MHAC reviewed the study process, objectives, and findings to pass a resolution endorsing it formally.

e) **Perceived Lack of Public Consultation**
Heritage Cambridge indicated to MHAC that they believed there were no public meetings and a lack of proper public engagement. Dr Shipley was retained in part because he was the Heritage Consultant that Heritage Cambridge preferred. Dr Shipley's process was also fully explained to Heritage Cambridge by Dr Shipley and agreed to by Heritage Cambridge prior to undertaking the work. To our knowledge, the public consultation undertaken by Dr Shipley was in keeping with his requirements under the Heritage Act for conducting an HCD Study. His works have engaged dozens of residents and resulted in others coming forward to express opinions and concerns as well. The project has been in front of Council in public meetings a number of times and will be again with the final recommendations of the study. The requested referral to MHAC will provide another opportunity for public input as well. City staff are satisfied that there has been ample public consultation to provide the public an opportunity for input and for Council to consider the study recommendations.

Summary Discussion

At the request of the public, Council directed staff to undertake a review of heritage issues in the Black Bridge area. Extensive work has been undertaken and a professionally authored report has been submitted detailing the nature of the heritage resources in the area and a recommended preservation mechanism.

The study identified that the Black Bridge area has cultural heritage value not just in the built form of buildings and the bridge that are designated structures. The heritage value extends to the cultural landscape of the area including such things as the mill pond, and vistas along the Speed River. These findings are supported by a consensus of the stakeholder group.

The study identified a preservation mechanism that the Heritage Professional Consultant believes the most appropriate and beneficial. The preservation mechanism of a Cultural Heritage Landscape designation in the Official Plan is technically supportable by City Staff, Ward Councilors, HPAC and MHAC representatives. The prescribed preservation mechanism however does not satisfy the desires of the public groups engaged throughout the project. Further, any preservation mechanisms are opposed by others within the community including the owners of the other primary built heritage structures in the Black Bridge area.

Despite the technical merit, stakeholder team consensus and MHAC endorsement, the public oppose this Cultural Heritage Landscape approach. The almost unanimous public opposition to this action indicates that it is not in the best interest of the local area residents. As there is essentially no public support, the City Staff are not in a position to be able to recommend to Council that this preservation mechanism recommended from the HCD Study be implemented.

Next Steps & Options

The submitted HCD Study entitled the "Black Bridge Area Cultural Heritage Study" has technical merit and provides for a possible solution to protect the heritage value of the area. It is recommended that the staff recommendations be referred to the Municipal Heritage Advisory Committee for further review.

Upon receipt of an MHAC resolution regarding the staff recommendations for deferral of this study, staff will make a presentation to Council of all study findings for Council consideration.

Ministry of Tourism, Culture and Sport
Culture Services Unit
Programs and Services Branch
Culture Division
401 Bay Street, Suite 1700
Toronto ON M7A 0A7
Tel. 416 314-7144
Fax: 416 212-1802

Ministère du Tourisme, de la Culture et du Sport
Unité des services culturels
Direction des programmes et des services
Division de culture
401, rue Bay, 17e étage
Toronto (ON) M7A 0A7
Tél. : 416 314-7144
Téléc. : 416 212-1802

Ontario

March 6, 2014

Dear Municipal Heritage Committee Members:

I am pleased to send you a copy of the enclosed Letter of Authority from Robert Mathew, Director, Central Production and Verification Services Branch, Ministry of Government Services, regarding the waiving of normal tariff fees at Land Registry Offices for Municipal Heritage Committee members and their assistants. Please note that the waiving of normal tariff fees is effective immediately and valid until March 31, 2015.

Please read the attached letter carefully in order to understand the conditions to which the waiving of tariff fees applies. When conducting research at Land Registry Offices, a copy of the letter must be presented in order that the fees be waived.

I trust that this assistance from the Land Registry Offices will enable you to further research and document heritage properties in your community.

Best regards,

Bert Duclos

Bert Duclos
Heritage Outreach Consultant
Tel: 416-314-7154
Fax: 416-314-1802
Email: bert.duclos@ontario.ca

Enclosure

Ministry of Government Services

ServiceOntario
Central Production and Verification
Services Branch

4th Floor
20 Dundas Street West
Toronto ON M5G 2C2
Tel.: 416 314-4879
Fax: 416 314-4899

Ministère des Services gouvernementaux

ServiceOntario
Direction des services centraux de
production et de vérification

4e étage
20 rue Dundas Ouest
Toronto ON M5G 2C2
Tél. : 416 314-4879
Téléc. : 416 314-4899

March 6, 2014

Mr. Bertrand Duclos, Heritage Outreach Consultant
Municipal Heritage Committees & Assistants
c/o Culture Services Unit
Ministry of Tourism, Culture and Sport
401 Bay Street, Suite 1700
Toronto, Ontario
M7A 0A7

Dear Mr. Duclos:

Further to your e-mail request made on behalf of Municipal Heritage Committees and their assistants, permission is hereby granted to examine closed parcel registers, copies of documents originally registered in paper and copies of plans in the registry office in the Province of Ontario without payment of normal tariff fee and subject to the following conditions:

Information obtained is to be used only for research of a non-commercial historical nature; specific information related to the individual properties must not be released in such a form as to cause embarrassment to the current owners.

Please be advised that a statutory fee is required to access current parcel registers and documents through the automated system.

Permission to investigate land registry office records without charge, does not include the supply of copies of records.

A search of the historical abstract index records must not be done during peak periods of operations.

Where title records being searched are required by solicitors or title searchers, those books must be given up upon request. In effect, solicitors and title searchers, who must make a title search in order to complete a land transaction, must be given priority with respect to the records.

In order to limit the demands on the land registry office staff, the number of records to be produced in one day may be limited at the discretion of the Operations Manager in a specific location.

.../2

All individuals, using this Letter of Authority, must identify themselves to the Land Registry Office Operations Manager, present a copy of this letter and make known to the staff the particular project on which they are working.

By a copy of this letter, I am advising the Operations Manager through their Directors that I have approved your request as noted above. Please contact the Operations Manager in his/her respective office to arrange convenient dates and times. This authorization will be in effect up to March 31, 2015.

Yours sincerely,

Robert Mathew
Director
Central Production & Verification Services Branch

cc: Jacqueline Spencer, Director, Central Region, Retail Office Branch
Louise Larocque, Director, North Region, Retail Office Branch
Tara Meagher, Director, Southwest Region, Retail Office Branch
Debbie Farr, Director, Southeast Region, Retail Office Branch