# 5.5 CULTURAL HERITAGE AND ARCHAEOLOGY

Sarnia has retained a variety of cultural heritage resources that provide links to the City's past. These cultural heritage resources include historic homes and heritage districts, as well as cultural landscapes and archaeological remnants. Many of these resources played a significant role in Sarnia's past and offer important stories for Sarnia's present and future. The City will ensure the protection of its many cultural heritage resources, and support the use and educational potential of these resources.

## 1. Cultural Heritage Resources

The City will protect and conserve its cultural heritage resources, including buildings and structures, monuments or artifacts, cultural heritage landscapes and districts, and archaeological sites, and promote the maintenance and development of an appropriate setting within and around all such resources in accordance with applicable legislation and recognized heritage protocols. In support of these goals, the City may:

- a) designate cultural heritage resources:
- b) establish heritage conservation districts and adopt heritage conservation plans for each district;
- enter into easement agreements and establish guidelines for the protection and management of cultural heritage resources;
- d) designate cultural heritage landscapes;
- e) designate burial places and pioneer cemeteries:
- f) pass by-laws providing for easements or covenants to ensure the conservation of property of cultural heritage value or interest; and
- g) establish policies and/or urban design guidelines to recognize the importance of built heritage and cultural landscape context.

### 2. Sarnia Heritage Committee

The City shall appoint a Municipal Heritage Committee under the Ontario Heritage Act to:

- a) advise and assist Council with the protection of cultural heritage and archaeological resources:
- b) undertake public awareness programs; and
- c) publish information or otherwise stimulate interest in cultural heritage resources.

Prior to enacting or repealing a by-law under the *Ontario Heritage Act*, Council shall first consult the Municipal Heritage Committee.

### 3. Register of Cultural Heritage Resources

The City's Register of Cultural Heritage Resources is an important tool for identifying and monitoring cultural heritage resources. The City shall maintain a register of properties that are of cultural heritage value or interest. These include properties that have been designated under the Ontario Heritage Act and those that have not. For each property, the register shall include the architectural and associative historic and contextual cultural heritage value.

The identification of cultural heritage resources is an on-going process of surveying, inventorying and evaluation. There may be cultural heritage resources that have not yet been identified and listed in the Register. Properties may be identified through development approval processes and evaluated through the submission of a Cultural

Heritage Impact Assessment. Identified cultural resources shall be considered by the City for potential inclusion in the Register.

# 4. Cultural Heritage Value or Interest

A property shall be considered to have cultural heritage value or interest if the property has been designated as being of archaeological or historical significance under the *Ontario Heritage Act*, or in the opinion of the City, satisfies at least one of the following criteria:

- a) the property has design value or physical value because it:
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method;
  - ii. displays a high degree of craftsmanship or artistic merit; or
  - iii. demonstrates a high degree of technical or scientific achievement.
- b) the property has historical value or associative value because it:
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- c) the property has contextual value because it:
  - i. is important in defining, maintaining or supporting the character of an area;
  - ii. is physically, functionally, visually or historically linked to its surroundings; or
  - iii. is a landmark.

### 5. Resource Conservation

Cultural heritage protection does not require that cultural resources remain static. This Plan promotes the continual conservation and use of cultural resources through rehabilitation, renovation, restoration, preservation and reuse. Through the application of heritage protection tools, Sarnia can maintain a legacy of heritage resources that reflect the City's rich past and contribute to its long-term success. Council shall lead by example and ensure that all City owned heritage resources are conserved and maintained in a state of good repair.

For any proposed alteration, addition, demolition or removal of a cultural heritage property, including the erection of new structures in a heritage conservation district, applicants may be required to submit a Cultural Heritage Impact Assessment at the discretion of the City. In all decision-making, the City shall be guided by the following principles:

- a) good heritage conservation practices must be followed in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada;
- heritage buildings, cultural heritage landscapes and archaeological sites, including their environs, are to be protected from any adverse impacts of any proposed alteration, additions, works, or development;
- new additions and features are generally not to be any higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the principal façade so as to make the addition unobtrusive from the public realm; and
- d) non-heritage development within Heritage Conservation Districts shall be designed to fit harmoniously with its immediate physical or broader district context and

streetscapes, and be consistent with the existing heritage architectural style through similar in height, width, mass, bulk and disposition.

Any property, or portions or attributes of a property, may be considered for heritage designation to secure the conservation of significant cultural heritage resources. The City may impose, as a condition of any development approvals, the implementation of appropriate conservation, restoration or mitigation measures to ensure the conservation of any affected cultural heritage resources. In keeping with the provisions of the *Ontario Heritage Act*, the City shall establish minimum standards for the maintenance of heritage attributes of designated heritage properties.

#### 6. On-Site Retention

The on-site retention of cultural heritage buildings and landscape features is a priority of the City, particularly where associate or contextual values have been identified. Before the City considers any application to relocate or demolish a cultural heritage resource, the proponent must address the following alternatives in order of priority:

- a) on-site retention in the original use, and integration with the surrounding and/or new development;
- b) on-site retention as an adaptive use;
- c) relocation to another site within the same development; and
- d) relocation to an appropriate site within the City.

Before the City will approve any development application that would result in the destruction of a cultural heritage resource, the applicant shall provide measured drawings, a land use history including the use/occupants of the property over time, photographs and other available documentation of the cultural heritage resource in its surrounding context.

### 7. Adjacent Development

For all development applications, demolition control applications and infrastructure projects adjacent to a property on the Register or a Heritage Conservation District, the proponent must demonstrate that the proposal is compatible by:

- a) respecting the massing, profile and character of adjacent cultural heritage resources;
- b) maintaining a building width along the street frontage that is consistent with the width of adjacent heritage buildings;
- c) maintaining the established setback pattern on the street;
- d) orienting the development to the street in a similar fashion to that of existing heritage buildings:
- e) minimizing shadowing on adjacent heritage properties, particularly on landscaped open spaces and outdoor amenity areas;
- f) minimizing impact on the heritage qualities of the street as a public space;
- g) minimizing the loss of landscaped open space; and
- requiring local utility companies to place metering equipment, transformer boxes, power lines, conduit equipment boxes, and other utility equipment devices in locations that do not detract from the visual character or architectural integrity of the heritage resource.

### 8. Heritage Conservation Districts

It is the policy of the City to control as fully as possible the demolition, removal or inappropriate alteration of heritage buildings or the erection of inappropriate buildings in a heritage area. The designation of an area as a Heritage Conservation District is an

important means of protecting a cultural landscape through the control of new development and site alteration within the district. Heritage Conservation Districts possess one or more of the following attributes:

- a) a property, group of buildings, features and spaces that reflect an aspect of local history through association with a person, group, activity or development of a community or neighbourhoods;
- b) buildings and structures that are of architectural or vernacular value or interest; and
- c) important physical and aesthetic characteristics that provide context for cultural heritage resources or associations within the area, including features such as buildings, structures, landscapes, topography, natural heritage, and archaeological sites.

The City shall develop Heritage Conservation District Studies and Plans and corresponding design guidelines for all identified Heritage Conservation Districts in accordance with the *Ontario Heritage Act*. Heritage Conservation Districts shall be conserved by approving only those alterations, new developments, demolitions, removals and public works within the district that conform to the policies in the Heritage Conservation District Plan and this Official Plan.

A demolition permit for a building or part of a building within a Heritage Conservation District shall not be issued until plans for a replacement structure have been submitted to the City and Council has approved the replacement structure and any related proposed landscaping features in accordance with the relevant Heritage Conservation District Plan, and the policies of this Official Plan.

# 9. Cultural Heritage Impact Assessments

Cultural Heritage Impact Assessments provide the City with information about the potential impacts that new development may have on a cultural heritage resource and how those impacts may be avoided or mitigated. Cultural Heritage Impact Assessments may be required for development activity on or adjacent to heritage resources.

Cultural Heritage Impact Assessments shall be prepared by a professional with expertise in cultural heritage resources and must:

- demonstrate whether, and by what method, the heritage values and character of cultural resources, as identified by the City, are being retained, improved, adversely impacted, or lost by the proposed development; and
- b) document to the City's satisfaction, the cultural heritage values of the property in cases where there is no designation by-law or approved heritage conservation plan.

Cultural Heritage Impact Assessments are subject to City review. The City shall:

- a) be guided by good heritage conservation practices and heritage conservation principles as identified in Section 5.5(5) of this section, the priorities for on-site retention in Section 5.5(6), and by any other relevant policies of this Plan; and
- may impose conditions of approval to secure the long-term conservation of the resource, including heritage easement agreements.

If a cultural heritage resource is to be demolished and the City has approved the demolition, the Cultural Heritage Impact Assessment must recommend mitigation measures (such as the reuse of material or building elements in the development, or in other developments, interpretation and commemoration) and provide detailed archival documentation.

## 10. Archaeological Resources

The City may require the protection, conservation or mitigation of sites of archaeological value and areas of archaeological potential, as provided for under the *Planning Act*, the *Environmental Assessment Act*, the *Ontario Heritage Act*, the *Municipal Act*, the *Cemeteries Act*, or any other applicable legislation.

Where a development or redevelopment may affect archaeological resources or areas of archaeological potential, a qualified professional must complete an Archaeological Resource Assessment in accordance with provincial standards and guidelines to:

- a) survey and assess the value of the archaeological resource;
- b) assess the impact of the proposed development or redevelopment on the archaeological resource; and
- c) indicate the methods proposed to mitigate any negative impact of the proposed development or redevelopment on the archaeological resource.

Archaeological resources located on a proposed development site will be conserved in accordance with the recommendation of the approved assessment. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

#### 11. Burial Places

When burial places are encountered during any excavation activity in the City, the provisions of the *Cemeteries Act* and its regulations shall apply.

# 12. Partnerships

The City recognizes that stewardship of the community's heritage resources requires strong partnerships amongst a variety of stakeholders. The City therefore encourages partnership arrangements that foster heritage resource stewardship. These partnerships may include City and County representation, members of municipal heritage committees, members of community-based advocacy groups, property owners, and representatives of the development industry.

#### 13. Incentives

It is the policy of the City to encourage the restoration or rehabilitation of privately owned properties under the *Ontario Heritage Act* and *Municipal Act*. Council may pass by-laws providing for grants, tax rebates or loans to the owner(s) of a designated heritage property to pay for all or any part of the cost of the alteration the designated property on such terms and conditions as Council may prescribe provided that the alteration will protect or enhance the heritage characteristics of the property.

# 5.6 CULTURAL VIBRANCY

A flourishing cultural life is a magnet to attracts tourists, residents and businesses to the City and encourages existing residents and businesses to stay. Cultural vibrancy plays an important role in the City's identity and the image it projects beyond the City's borders.

In support of cultural vibrancy, the City recognizes that:

- a) culture is a meaningful and tangible contributor to the residents' quality of life;
- b) cultural industries are an economic driver in the City;

- c) culture helps attract and retain population;
- d) the appearance of the city is a source of community pride and long-term economic competitiveness; and
- e) cultural activities foster community participation and social cohesion.

The City supports and promotes a full range of arts and cultural activities, from community-based endeavours to regionally prominent festivals. Concentrations of cultural activities will be encouraged to create and support arts districts and corridors that can collectively draw visitors, engage communities, and revitalize neighbourhoods.

# 1. Arts, Heritage and Cultural Plan

In support of cultural vibrancy, the City is encouraged to develop an Arts, Heritage and Culture Plan to:

- a) undertake cultural mapping to identify tangible arts, cultural, and heritage resources, and record intangible resources such as unique stories and traditions;
- b) identify cultural initiatives that can revitalize and positively transform communities and improve quality of life;
- c) define and reinforce City and individual neighbourhood identity by enhancing their unique characteristics;
- d) develop high quality amenities and urban spaces that are accessible, inviting, and walkable to stimulate tourism and economic development; and
- e) facilitate the active participation of diverse members of the community.

The City is encouraged to make use of municipally owned facilities and properties, including surplus properties, to support arts education and training programs, non-profit community arts performance venues, meeting venues, and studio, rehearsal and administrative space.

### 2. Public Art

Public art installations, both publicly and privately owned, make walking through the City's streets, open spaces and parks a pleasure for residents, workers and visitors alike. Public art can contribute to the character and identity of a place by creating community legacies that serve as a catalyst for economic development and tourism. Public art will be supported by:

- a) recognizing public participation as essential to any public art planning process;
- maintaining a public art reserve fund to establish new public art and maintain existing art installations, and actively solicit gifts of cash and in-kind contributions to the City;
- c) encouraging public art initiatives on City properties;
- d) encouraging a portion of the capital budget of all major municipal projects to be dedicated to public art; and
- e) encouraging the inclusion of public art in all significant private sector developments.