

## Heritage Sub Committee Meeting Agenda

**Date:** Monday, May 12, 2025  
**Time:** 6:00 pm  
**Location:** L.R. Wilson Heritage Research Archives  
286 King St, Port Colborne, ON L3K 4H2

**Pages**

**1. Call to Order**

**2. Adoption of the Agenda**

**3. Disclosures of Interest**

**4. Approval of Minutes**

**4.1 March 17, 2025, Heritage Subcommittee Meeting**

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**5. Staff Updates**

**5.1 Recommendations and Minutes from the Heritage Subcommittee**

Council approved the recommendations of Report 2025-75 - Recommendations and Minutes from the Heritage Subcommittee at their meeting on April 8, 2025.

**5.2 Humberstone Hall Childcare Centre Update**

Council approved the recommendations of Report 2025-78: Community Engagement on Licensed Childcare in Port Colborne - Update at their meeting on April 8, 2025. More information on the status of this project is available here: Brief update on community input for expanding childcare availability in Port Colborne.

**6. Order of Business**

**6.1 New Proposed Amendments to the Ontario Heritage Act, Schedule 7 of the Protect Ontario by Unleashing our Economy Act, 2025**

On April 17, 2025, new proposed amendments to the Ontario Heritage Act were released to request comments: [Environmental Registry of Ontario File No. 025-0418](#). The commenting period for these proposed changes ends on May 17, 2025.

**6.2 Heritage Designation Project Status**

**6.3 Talwood Manor - 303 Fielden Avenue**

**7. New Business**

**8. Adjournment**

## **Heritage Sub Committee Meeting**

**Date:** Monday, March 17, 2025  
**Time:** 6:00 pm  
**Location:** L.R. Wilson Heritage Research Archives  
286 King St, Port Colborne, ON L3K 4H2

**Members Present:** Cheryl MacMillan  
Eric Beauregard  
Jeffrey Piniak  
Gary Hoyle  
Joseph (Luke) Brazeau  
Bonnie Schneider  
Arlene Lessard (Museum Board)

**Staff Present:** Diana Vasu, Planner  
Michelle Vosburgh, Archivist

### **1. Call to Order**

The Chair called the meeting to order at 6:00 p.m.

### **2. Adoption of the Agenda**

**Moved By** Cheryl MacMillan

**Seconded By** Jeffrey Piniak

That the Heritage Subcommittee agenda dated March 17, 2025, be approved as presented.

**Carried**

### **3. Disclosures of Interest**

#### **3.1 Bonnie Schneider - 2148 Third Concession Road - Heritage Research Report**

Member Schneider declared a conflict of interest on item 6.6 (2148 Third Concession Road - Heritage Research Report) as this property was her childhood home.

**4. Approval of Minutes**

**4.1 February 24, 2025, Heritage Subcommittee Meeting**

**Moved By** Jeffrey Piniak

**Seconded By** Bonnie Schneider

That the February 24, 2025, Heritage Subcommittee meeting minutes be approved, as amended.

**Carried**

**5. Staff Updates**

**6. Order of Business**

**6.1 5446 Sherkston Road and 825 Pleasant Beach Road**

**Moved By** Cheryl MacMillan

**Seconded By** Jeffrey Piniak

That the Heritage Subcommittee recommend to Council that 5446 Sherkston Road and 825 Pleasant Beach Road be designated under the Ontario Heritage Act based on the design, historical, and contextual value of the building as it is a rare, unique, representative or early example of a style, type, expression, material or construction method, it displays a high degree of craftsmanship or artistic merit, it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community, and it is physically, functionally, visually or historically linked to its surroundings.

**Carried**

**6.2 Recommendations for Council - Motions to Designate Properties**

The Planner summarized why this memo has been prepared for Council.

Councillor Beauregard asked why no further information was provided on the subject properties, noting that the rest of Council may wish to discuss the properties in depth during the meeting.

The Planner stated the memo would be updated to highlight that further information on each property would be provided with future reports to Council that will be required to formally begin the designation process for each property.

**Moved By** Gary Hoyle  
**Seconded By** Cheryl MacMillan

That the Recommendations for Council - Motions to Designate Properties be received for information.

**Carried**

### **6.3 Statements of Significance**

The Planner presented the Statements of Significance to the Heritage Subcommittee and asked if the members had any suggested revisions.

The members did not suggest any revisions.

**Moved By** Bonnie Schneider  
**Seconded By** Jeffrey Piniak

That the Statements of Significance be approved as presented.

**Carried**

### **6.4 Tactical Plan**

**Moved By** Jeffrey Piniak  
**Seconded By** Cheryl MacMillan

That the Tactical Plan be approved as presented.

**Carried**

### **6.5 Firelane 2 Pillars - Heritage Research Report**

The Archivist noted that the stone pillars at the entrance of Firelane 2, at the west side of Pinecrest Road, are not currently designated under the *Ontario Heritage Act*.

The Chair highlighted that the discussions about the Firelane 2 pillars began because the Committee believed the pillars were already designated.

Councillor Beauregard asked whether the Committee is interested in pursuing designation for the pillars.

**Moved By** Jeffrey Piniak  
**Seconded By** Bonnie Schneider

That the Firelane 2 Pillars - Heritage Research Report be received for information.

**Carried**

**6.6 2148 Third Concession Road - Heritage Research Report**

Bonnie Schneider declared a conflict on this item. (Member Schneider declared a conflict of interest on item 6.6 (2148 Third Concession Road - Heritage Research Report) as this property was her childhood home.)

The Archivist highlighted that some additional information was added into this report after the preliminary report came to the Committee a few months prior.

Members of the Committee discussed whether the property meets the criteria for designation, and if so, how likely it would be that the significant features are still present.

**Moved By** Cheryl MacMillan

**Seconded By** Gary Hoyle

That the 2148 Third Concession Road - Heritage Research Report be received for information.

**Carried**

**7. New Business**

**8. Adjournment**

The Chair adjourned the meeting at 6:45 p.m.

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Chair

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Staff Liaison

# Proposed Amendments to the Ontario Heritage Act, Schedule 7 of the Protect Ontario by Unleashing our Economy Act, 2025

ERO.(Environmental Registry.of.Ontario) number	025-0418
Notice type	Act
Act	Ontario Heritage Act, R.S.O. 1990
Posted by	Ministry of Citizenship and Multiculturalism
Notice stage	Proposal
Proposal posted	April 17, 2025
Comment period	April 17, 2025 - May 17, 2025 (30 days) Open
Last updated	April 17, 2025

This consultation closes at 11:59 p.m. on:

**May 17, 2025**

## Proposal summary

A proposal to make legislative amendments to the *Ontario Heritage Act* to provide new and modified tools to improve enforcement and compliance and allow for exemptions to archaeological requirements where it could potentially advance a provincial priority.

## Proposal details

Schedule 7 of the proposed *Protect Ontario by Unleashing our Economy Act, 2025*, proposes legislative amendments to the *Ontario Heritage Act* (OHA) to update enforcement and compliance with respect to the protection of artifacts and archaeological sites. The schedule also includes a proposed amendment that would allow for the exemption from archaeological requirements where it could potentially advance specified provincial priorities. Further details about the proposed changes are outlined below.

## Exemption for property

- The proposed amendments, if passed, would authorize the Lieutenant Governor in Council to exempt property from:
  - any requirements in Part VI(six) of the OHA(Ontario Heritage Act) or in regulation related to Part VI(six) of the OHA(Ontario Heritage Act); or
  - a requirement to conduct an archaeological assessment set out in any other Act or regulation, or instrument under any other Act, other than a provision of the *Funeral, Burial and Cremation Services Act, 2002* or a regulation or instrument made under that Act

if in the opinion of the Lieutenant Governor in Council the exemption could advance the following provincial priorities: transit, housing, health and long-term care, other infrastructure or such other priorities as may be prescribed.

- The amendments would include an authority to establish, in regulation, criteria that must be met for a property to be eligible for an exemption. Examples of where a property might not be considered for an exemption could include: former Indian Residential School sites, burials and significant archaeological sites. MCM(Ministry of Citizenship and Multiculturalism) plans to consult separately on potential criteria for exemptions
- A related immunity provision is also contained within the proposed exemption authority

## Expanding existing inspection authorities

- Currently under the OHA(Ontario Heritage Act), inspection powers are limited to inspecting those individuals who hold an archaeological licence under the OHA(Ontario Heritage Act), properties on which they are conducting or have conducted an archaeological assessment, laboratories at which artifacts are analysed, licensees' storage buildings and structures or their professional offices
- The proposed amendments, if passed, would allow the Minister to direct an inspection for the purpose of assessing whether any artifacts or archaeological sites are on any land, or land under water



## Establishing an authority for the Minister to order that an archaeological assessment be undertaken

- The OHA (Ontario Heritage Act) does not currently provide the Minister an authority to order an archaeological assessment be undertaken
- The proposed amendments, if passed, would enable the Minister to direct that no person shall alter or remove an artifact or any other physical evidence of past human use or activity until a licensed archaeologist has completed an archaeological assessment and provided a report confirming that any archaeological sites that may have been found are of no further cultural heritage value or interest

## Enhancing powers to seize and direct artifacts and archaeological collections

- The proposed amendments, if passed, would enhance the Minister's existing authority to seize artifacts from licensees in contravention of their licence or a person who is not a licensed archaeologist where they are in possession of artifacts. This would include expanding the Minister's authority to seize and direct artifacts to include archaeological collections
- The proposed amendments, if passed, would also establish the authority for the Minister to direct artifacts and archaeological collections be deposited with public institutions or Indigenous communities

## Authorizing investigations

- The OHA (Ontario Heritage Act) does not currently provide for investigative powers. To-date, investigations have relied on authorities within the *Provincial Offences Act* (POA)
- The proposed amendments, if passed, would add explicit investigative powers. The ability to authorize investigations under the OHA (Ontario Heritage Act) would include:
  - Minister's authority to appoint investigators
  - Ability for investigators to obtain a search warrant and conduct investigations for the purpose of investigating offences or potential offences committed under the OHA (Ontario Heritage Act)
  - Details of the investigators' powers

- Authorization of searches in exigent circumstances and mandatory production orders for documents or data that may provide evidence of an offence

## Setting out a limitations period

- As the OHA (Ontario Heritage Act) does not currently provide an express limitation period, the current default limitation period under the POA (Provincial Offences Act.) is six months after the date on which the offence was, or is alleged to have been, committed
- The proposed amendments, if passed, would set out a two-year limitation period from when the offence first comes to the attention of a provincial offences officer appointed under the POA (Provincial Offences Act.)
- The limitations period would apply to any offence under the OHA (Ontario Heritage Act)

## Orders to prevent damages

- The proposed amendments, if passed, would authorize court orders to prevent, eliminate or ameliorate damage connected to the commission of an offence

## Compensation

- The proposed OHA (Ontario Heritage Act) amendments specify that certain instruments, including regulations and orders made by the Lieutenant Governor in Council, do not entitle persons to compensation

## Regulation making authority related to definitions

- The proposed amendments, if passed, would allow for the terms “archaeological collection” and “public institution” to be defined in regulation
- MCM (Ministry of Citizenship and Multiculturalism) plans to consult separately on proposed definitions for these terms

# Regulatory Impact Assessment

If passed, the proposed amendments to the *Ontario Heritage Act* resulting from Schedule 7 of the *Protect Ontario by Unleashing our Economy Act, 2025* would provide enabling authorities assigned to the Minister or Lieutenant Governor in Council. Work is currently underway to analyze possible compliance costs and savings for licenced consultant archaeologists, who are regulated entities under the OHA (Ontario Heritage Act), and for other impacted stakeholders and individuals that may result from this proposal. To inform this analysis, we encourage you to provide your feedback.

## Supporting materials

### Related links

Bill 5, Protect Ontario by Unleashing our Economy Act, 2025  
(<https://www.ola.org/en/legislative-business/bills/parliament-44/session-1/bill-5>)

Ontario Heritage Act (<https://www.ontario.ca/laws/statute/90o18>)

### Related ERO (Environmental Registry of Ontario) notices

Special Economic Zones Act, 2025 (/notice/025-0391)

## View materials in person

Some supporting materials may not be available online. If this is the case, you can request to view the materials in person.

Get in touch with the office listed below to find out if materials are available.

Heritage Policy and Programs  
400 University Ave  
5th Floor  
Toronto, ON  
M7A 2R9  
Canada

# Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO (Environmental Registry of Ontario) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](/page/commenting-privacy)

**Submit by mail**  
Heritage Consultation

# Connect with us

**Contact**  
Heritage Consultation

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