

MANDATE LETTER OF THE RPRA HERITAGE COMMITTEE

1. The Role and Work of the RPRA Heritage Committee:

The *Rockcliffe Park Heritage Conservation District Plan* provides for the Rockcliffe Park Residents Association Heritage Committee to comment on individual development applications in collaboration with the City heritage staff.

The RPRA Heritage Committee generally reviews applications that are referred to it by the City's Heritage Department staff. Reviews are provided subject to the availability of RPRA Heritage Committee members.

The review of proposals involves a joint assessment of the most reasonable way to interpret individual situations in accordance with the RP HCD Plan. This collaboration between the RPRA Heritage Committee and City Heritage Staff brings collective experience, builds expertise, maintains impartiality, and ensures continuity in the RPRA Heritage Committee's work.

In assessing and commenting on development applications for new works and alterations in the HCD, the Heritage Committee represents the Rockcliffe Park Residents Association:

The role of the Rockcliffe Park Residents Association and the Heritage Committee with respect to applications for development in Rockcliffe Park is specifically set out in the *RP Heritage Conservation District Plan* as follows:

"The Ontario Heritage Act (OHA) requires property owners to obtain a heritage permit prior to undertaking the alteration or demolition of a property. These guidelines are intended to provide direction to property owners intending to undertake projects within the HCD."

*"Applicants are strongly encouraged to consult with the Heritage Committee of the Rockcliffe Park Residents' Association prior to the submission of an application under the Ontario Heritage Act. **The Heritage Committee provides comments on proposals to alter properties in the HCD that should accompany the final application submitted to heritage staff**"*

4.1 Community Consultation

*"Individual applicants should consult with the **Heritage Committee of the Rockcliffe Park Residents' Association** prior to the submission of a full application under the Ontario Heritage Act. **It will provide comments on proposals to for new construction or to alter properties in the HCD that should accompany the final application submitted to heritage staff.**"*

The Heritage Committee, together with City Heritage Staff, also engages in confidential pre-consultations¹ with individual applicants prior to the applicant deciding whether to submit an application for a heritage permit, and it shares comments with the applicant. The goal is for the city staff and RPRA Heritage Committee to arrive at a consensus whenever possible. (The terms of reference of the pre-consultation agreement are to be attached to this document as soon as they are available. Non-Disclosure Agreements are inherent to the pre-consultation process).

The Heritage Committee's comments form part of the staff report that presents the application to the Built Heritage Sub-Committee, the Planning Committee, and City Council. If necessary, the Heritage Committee then appears before the Built Heritage Sub-Committee and Planning Committee to voice its comments on the applications. The Heritage Committee advises the RPRA board in advance of doing so.

Applications for development may request variance from some aspect of the zoning by-law or request severance of a property. Such applications for a variance require a heritage permit. In such cases, the Heritage Committee communicates with City heritage staff, assesses whether such requests are in accord with the RP Heritage Plan, submits written comments, and appears before the Committee of Adjustment as deemed necessary. The Heritage Committee advises the RPRA board in advance of doing so.

The *Ontario Heritage Act* states and Section 41.2 (2) is indicated in Section 3.0 of the RP HCD Plan:

41.2 (1) *Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,*
(a) carry out any public work in the district that is contrary to the objectives set out in the plan; or
(b) pass a by-law for any purpose that is contrary to the objectives set out in the plan. 2005, c. 6, s. 31.

Conflict

(2) In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force. 2005, c.6, s.31."

The *Ontario Heritage Act* also *"Extends alteration controls in designated districts to cover property features, in addition to the exterior of buildings and structures.*

Requires municipalities to be consistent with the district plan in their bylaws and public works."

The RP HCD Plan will be subject to cyclical updates. The City of Ottawa, the RPRA Board, the residents of Rockcliffe Park, and the RPRA HC will have an important role to play in this.

¹ City of Ottawa *Heritage Conservation District Pre-Consultation Pilot Project Terms of Reference* September 2019 (New ToR are currently being finalized by the City of Ottawa)

2. Governance: The relationship between the board of the Rockcliffe Park Residents Association (“RPRA”) and the Heritage Committee (RPRA “HC”) is set out in the by-laws of the RPRA as follows:

(3.6) Committees of the Board: The Board may, at its discretion, from time to time, create committees of the board to assist with the execution of its activities. All committee members shall be subject to removal by a regular resolution of the Board of Directors at any time. Committees of the board shall:

- (a) be directed in their activities by a letter of mandate issued by the Board of Directors;
- (b) be comprised of but not limited to residents of Rockcliffe Park who may be but are not necessarily members of the Board;
- (c) have at least one director of the Board as a member; (the Heritage Committee has 4)
- (d) report to the Board of Directors on a regular basis but no less than two (2) times per year; and
- (e) elect a chair and, if receiving RPRA funds on a regular basis, prepare a budget for the Board.

3. Membership:

The RPRA Heritage Committee considers new members for its committee, including any suggested by the RPRA board, in accordance with its guidelines and taking into consideration a candidate’s commitment to the *Rockcliffe Park Heritage Conservation District Plan*, and skill sets pertinent to the work of the committee – knowledge, experience and professional qualifications. The RPRA Heritage Committee submits the names of eligible candidates to the board of the RPRA for approval. The board confirms members if acceptable to the board.

Members of the Heritage Committee have a commitment to the *Rockcliffe Park Heritage Conservation District Plan* and have skill sets pertinent to the work of the committee – knowledge, experience and professional qualifications.

The Chair of the RPRA Heritage Committee is encouraged to let her or his name stand for election to become a member of the RPRA Board of directors.

4. Reporting:

The RPRA Heritage Committee collaborates with the RPRA and all its committees subject to the availability of its members.

The Chair of the RPRA Heritage Committee periodically reports on the Committee’s activities to the RPRA board.

The RPRA Heritage Committee contributes articles to the Newsletter and works with the Communications Committee in doing so.

Each director of the RPRA Board of directors is invited by the RPRA Heritage Committee to observe an Applicant's consultation process, and if possible a Proponent's pre-consultation process, subject to the City of Ottawa's agreement and the Applicant's/Proponent's agreement. The RPRA director will be given orientation by the RPRA Heritage Committee Chair or by those HC members directly involved in the application or pre-consultation process.

Requests and invitations to observe are communicated through the Secretary of the RPRA.

5. Term of Office

The term of office for the Heritage Committee Chair and Officers, as with other RPRA Committee Chairs and officers, should follow the practice of all RPRA Committees.

To encourage the involvement of residents and to provide for succession planning, periodic changes to the Chairs and Officers of the Heritage Committee should be considered. Because Rockcliffe Park is subject to many development applications, it is very important to maintain several experienced members on the Heritage Committee at all times.

A successor to the Chair position should emerge from the Heritage Committee after having actively participated for a period of no less than one year with the Committee (as is the practice applicable to all RPRA committees).