



Revised Agenda
Heritage Orangeville Committee Meeting

Thursday, May 20, 2021, 7:00 p.m.
Chair and Secretary Participating Remotely
The Corporation of the Town of Orangeville

NOTICE

Due to efforts to contain the spread of COVID-19, the Council Chambers at Town Hall will not be open to the public to attend Heritage Orangeville meetings until further notice.

Prior to the meeting, written comments may be sent to the Secretary of the Heritage Orangeville Committee by email at ckhan@orangeville.ca. Such written comments will become part of the public record.

Members of the public may access the meeting on the above-noted date and time by telephone at:

+1 289-801-5774, 68845325# Canada, Brampton

Phone Conference ID: 688 453 25#

Please note that your full name and comments will be part of the public record and will be included in the minutes of the meeting.

Accessibility Accommodations

If you require access to information in an alternate format, please contact the Clerk's division by phone at 519-941-0440 x 2256 or via email at clerksdept@orangeville.ca

	Pages
1. Call to Order	
2. Disclosures of (Direct or Indirect) Pecuniary Interest	
3. Adoption of Minutes of Previous Meeting	3
Recommendations:	
That the minutes of the following meeting are approved:	
4. Presentations	
4.1. Lynda Addy, Designation and Non-Designation - Roles of the Committee and Council	
5. Items for Discussion and Reports	
*5.1. Memo from Brandon Ward, Senior Planner - 41 William Street - Application for Zoning By-law Amendment	7
6. Facade Improvement Applications	
6.1. 7 Mill Street - Updated Facade Improvement Grant Application	15
7. Correspondence	

7.1.	Boulevard Cafe Permits - Approval Letters	20
7.2.	CHO Spring Newsletter	38
8.	New Business	
9.	Date of Next Meeting	
	The next meeting is scheduled for Thursday June 17th at 7:00 p.m.	
10.	Adjournment	



Minutes of Heritage Orangeville

April 22, 2021, 7:00 p.m.

Chair and Secretary Participating Remotely
The Corporation of the Town of Orangeville

Members Present: Councillor D. Sherwood
L. Addy
L. Banks
M. Hauck
G. Sarazin
M. Beattie

Staff Present: B. Ward, Manager of Planning
A. Graham, Secretary
M. Adams
A. Scheel

1. **Call to Order**
2. **Disclosures of (Direct or Indirect) Pecuniary Interest**
3. **Adoption of Minutes of Previous Meeting**

Recommendation: 2021-014

Moved by L. Banks

That the minutes of the following meeting are approved:

Carried Unanimously

4. **Presentations**

4.1 **Stevie Forbes-Roberts, Dufferin Child and Family Services, Crystal Queer Project's Interactive Mural**

Ruth Phillips informed the Committee that the proposed location for the mural is 5 First Street, facing Dairy Lane on the south side. They have permission from the building owner and Ruth confirmed that it is not located in the heritage district and no permit is necessary, however they wanted to provide an opportunity to share the initiatives of Dufferin Child and Family Services and for feedback.

Stevie Forbes-Roberts spoke to the project as being one hundred percent youth led and a means to develop leadership skills and use art to reach across lines of community and lessen discrimination.

The design will be also adapted to cover the utility box on Mill Street.

4.2 **Veronica Cvet, Orangeville BIA Task Force, Proposed Mural at 114 Broadway**

Veronica Cvet confirmed that the interactive mural in the heritage district would promote Theatre Orangeville and the theme would be A Midsummer's Night's Dream. Veronica also advised that this material can allow for graffiti to be taken out in sections.

Recommendation: 2021-015

Moved by G. Sarazin

That the Committee approve the concept of the proposed mural at 114 Broadway, the material to be used and location, and will await the winning design to approve the finalization of the project.

Carried Unanimously

Recommendation: 2021-016

Moved by Councillor Sherwood

That the Committee appoint Lynda Addy and Gary Sarazin to be included in the panel of judges for the mural competition and thereby approve the winning design and bring that design to the Committee for further comment.

Carried Unanimously

5. Items for Discussion and Reports

5.1 Review - Crystal Queer Project's Interactive Mural for 5 First Street

5.2 Review - Proposed Mural at 114 Broadway

5.3 Report from L. Russell, Senior Planner - Demolition of Dwelling - 14 William Street

Since receiving the demolition application for the garage, the applicant discovered more dire problems with the overall structure and submitted an application to demolish the building in entirety. The homeowner intends to rebuild a replica of the second empire style home including the typical exterior structural and decorative elements.

Mark Hauck noted that the house seemed to require much renovation from the outside.

Recommendation:

Moved by Councillor Sherwood

That the Committee approve the demolition permit.

Defeated

Amendment:

Recommendation:

Moved by L. Addy

That the property owners acquire a structural engineer's report prior to the decision of the Committee.

Defeated

Recommendation:

Moved by Councillor Sherwood

That staff meet with the property owners to provide an inspection and report back to the Committee.

Defeated

Recommendation: 2021-017

Moved by M. Beattie

That the Committee receive photographs and commentary to support the demolition of 14 William Street and for the Chief Building Official to provide the Committee with his professional opinion based on the documents, both of which will be provided before a special Heritage Orangeville Committee meeting in May whereby the Committee will comment on the matter for Council at the May 31st 2021 meeting.

Carried Unanimously

5.4 Memo from Mary Adams, Planning Administrator - Demolition of Accessory Building - 22 John Street

Mary Adams informed the Committee about the proposed demolition of an accessory building to be replaced by a 24ft by 25 ft detached. The building was inspected and declared to be unsafe.

Recommendation: 2021-018

Moved by L. Addy

That the Committee approve the demolition of the accessory building at 22 John Street.

Carried Unanimously

5.5 Heritage Awareness Plaque Application - 56 Mill Street

The Committee discussed both the applications for 56 Mill Street and 14 First Avenue.

Recommendation: 2021-019

Moved by Councillor Sherwood

That the Committee approve the Heritage Awareness Plaques for 56 Mill Street and 14 First Avenue and will verify the historical information.

Carried Unanimously

5.6 Heritage Awareness Plaque Application - 14 First Ave

6. Facade Improvement Applications

6.1 155 Broadway - Facade Improvement Grant Application

The applicants are seeking the grant to help cover the costs of paint for the facade and have chosen the colours Cloud White and black.

Recommendation: 2021-020

Moved by Councillor Sherwood

That the Committee approve the Facade Improvement Grant for 155 Broadway for the remaining balance of \$4406.50 for the purpose of painting the facade.

Carried Unanimously

6.2 171 Broadway Facade Grant Application - Review of Lighting

Recommendation: 2021-021
Moved by Councillor Sherwood

That the Committee approve the lighting for 171 Broadway's exterior.

Carried Unanimously

7. Correspondence

7.1 Boulevard Cafe Permits - Approval Letters

Recommendation: 2021-022
Moved by L. Banks

That the Committee receive the Boulevard Cafe Permit approval letters.

Carried Unanimously

7.2 Notice of Hearing - 109 Mill Street

The Committee discussed the Notices of Hearing at 109 Mill Street and 7 York Street simultaneously. Lynda Addy has been involved at pre-consultation level and has no concerns for either proposals.

Recommendation: 2021-023
Moved by L. Addy

That the Committee receive the Notices of Hearing for 109 Mill Street and 7 York Street and comment that they have no issues with either notice.

Carried Unanimously

7.3 Notice of Hearing - 7 York Street

8. New Business

Linda Banks wished to thank Councillor Sherwood for recognizing Volunteer Week.

Staff advised that by-law is looking into the signage at 72 Broadway and Mike Beattie offered to share with the BIA Heritage Orangeville's disappointment with the non-compliance of the Sign By-law.

9. Date of Next Meeting

10. Adjournment

The meeting adjourned at 8:49 p.m.

Infrastructure Services

Memo

April 28, 2021

To: PUBLIC AGENCIES:
Bell Aliant Access Network
Canada Post Corporation
Conseil Scolaire Catholique Mon Avenir
Conseil Scolaire de District Catholique Centre-Sud
Conseil Scolaire Viamonde
County of Dufferin, Planning Department
Credit Valley Conservation
Dufferin-Peel Catholic District School Board
Enbridge Gas Inc.
Orangeville Hydro
Rogers Communications Inc.
Upper Grand District School Board

TOWN OF ORANGEVILLE DEPARTMENTS:
Bruce Ewald, Chief Building Official
Tony Dulisse, Transportation and Development Technologist
Irena Kontrec, Risk Management Inspector, Clean Water Act
Dwight VanAlstine, Fire Prevention Officer
Faye West, Deputy Treasurer
Mary Adams, Planning Administrator
Alexandrea Graham, Coordinator, Records (Heritage Orangeville)

From: Brandon Ward, Manager of Planning, Infrastructure Services

Re: **41 William Street: Application for a Zoning By-law Amendment
Duncan Shaw c/o MHBC Planning Ltd.
File No. RZ-2021-01**

A Zoning By-law amendment application has been submitted by MHBC Planning Ltd. on behalf of the owner (Duncan Shaw) of a property located at 41 William Street. The subject property is located on the southeast corner of William Street and Hannah Street. The property is legally described as Lots 8 and 9, Registered Plan No. 216 and has a total area of approximately 1,211 square-metres (13,035 square-feet), with approximately 30.0 metres (98.4 feet) and 34.4 metres (111.5 feet) of frontage along William Street and Hannah Street, respectively. The property contains an existing 1 and ½ storey detached dwelling. A location map of the subject property is attached.

The proposed development consists of the following:

1. a new dwelling unit addition on the existing detached dwelling (i.e., converting this to a semi-detached dwelling);

Infrastructure Services

Memo

1. a new single-detached dwelling located at the corner of William Street and Hannah Street; and
2. a new semi-detached dwelling facing Hannah Street (to the rear of the existing detached dwelling)

The Zoning By-law Amendment proposes to rezone the subject lands from Residential Second Density (R2) to Residential Third Density (R3) with Special Provisions and a Holding (H) symbol (if applicable) to permit the proposed development.

The applications were submitted on March 10, 2021 and deemed complete by the Town on April 16, 2021. A public meeting has been scheduled for June 7, 2021. A copy of the Notice of Complete Application and Public Meeting is attached for reference.

The documents listed below have been submitted in support of these applications and are included with this circulation for your review and comment. Digital copies of all submission documents can be accessed using the following link:

<https://www.dropbox.com/sh/az520898cni0b0o/AACcd2Efh627SApZJv-AnytUa?dl=0>

- **Cover letter**, prepared by MHBC Planning Limited dated March 10, 2021;
- Completed **Application Form** for a Zoning By-law Amendment;
- **Planning Justification Report** prepared by MHBC Planning Ltd. dated March 2021;
- **Functional Servicing Brief** prepared by R.J. Burnside & Associates Ltd., dated March 2021;
- **Preliminary Water Balance**, prepared by R.J. Burnside & Associates Ltd., dated March 4, 2021; and
- **Arborist Report**, prepared by R.J. Burnside & Associates Ltd., dated February 2021.

Comments related to this application submission would be appreciated prior to Wednesday May 26, 2021.

Should you have any questions or require further information, please contact me at 519-941-0440, Ext. 2249 or at bward@orangeville.ca.

Sincerely,



Brandon Ward, MCIP, RPP
Manager, Planning, Infrastructure Services

- c. County of Dufferin, Clerk
John Lackey, Manager of Transportation and Development

Infrastructure Services

**Notice of Complete Application and Public Meeting
Zoning By-law Amendment Application
(File No. RZ-2021-01)**

Take Notice that the Corporation of the Town of Orangeville is in receipt of a complete application to amend the Town's Zoning By-law No. 22-90, as amended, pursuant to Section 34 of the Planning Act, R.S.O. 1990 and will hold a Public Meeting on:

**Monday, June 7, 2021 (no earlier than 7:00 P.M.)
Council Chambers, Town Hall,
87 Broadway
Orangeville, Ontario**

Description of the Subject Land:

The subject property is 41 William Street, located at the southeast corner of William Street and Hannah Street. The subject property has a total lot area of approximately 1,211 square-metres (13,035 square-feet), with approximately 30.0 metres (98.4 feet) and 34.4 metres (111.5 feet) of frontage along William Street and Hannah Street, respectively. The property contains an existing 1 and ½-storey detached dwelling. A location map of the subject property is attached.

Purpose and Effect of the Application:

The purpose and effect of this application is to facilitate the development of:

1. a new dwelling unit addition on the existing detached dwelling (i.e., converting this to a semi-detached dwelling);
2. a new single-detached dwelling located at the corner of William Street and Hannah Street; and
3. a new semi-detached dwelling facing Hannah Street (to the rear of the existing detached dwelling)

The Zoning By-law Amendment proposes to rezone the subject lands from Residential Second Density (R2) to Residential Third Density (R3) with Special Provisions and a Holding (H) symbol (if applicable) to permit the proposed development.

Public Meeting:

Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chambers at Town Hall will not be open to the public to attend Council meetings until further notice.

To view the meeting: Watch the Town's live stream broadcast of this meeting online at www.youtube.com/c/OrangevilleCouncil

To speak at the meeting: Anyone wishing to address Council with respect to the Official Plan review may:

1. make a presentation to Council remotely by submitting a delegation form found at www.orangeville.ca to councilagenda@orangeville.ca by Friday May 28, 2021 at 1 p.m.; or
2. call in to the meeting to voice your questions or comments by calling **1-289-801-5774, Conference ID: 734 670 26#** after 7 p.m. on the evening of the Public Meeting. Callers will be invited to provide their questions or comments following the conclusion of the meeting presentation.

If you do not wish to participate but would like to provide comments: Written comments may also be submitted and can be addressed to the Mayor and Members of Council, and/or the staff contact provided below. Please be aware that the contents of any written submissions to the Town, including any personal information included, will become part of the public record.

Information Available:

Additional information and material relating to the application is available on the Town's website: www.orangeville.ca/current-development-applications

For further information, you may also contact **Brandon Ward, Manager of Planning, Infrastructure Services at 519-941-0440 Ext. 2249 or by e-mail at bward@orangeville.ca** during normal business hours.

If You Wish to be Notified:

If you wish to be notified of the decision of the Council of the Corporation of the Town of Orangeville with respect to this Zoning By-law Amendment Application, you must make a written request to: Clerk, Town of Orangeville, 87 Broadway, Orangeville, Ontario, L9W 1K1.

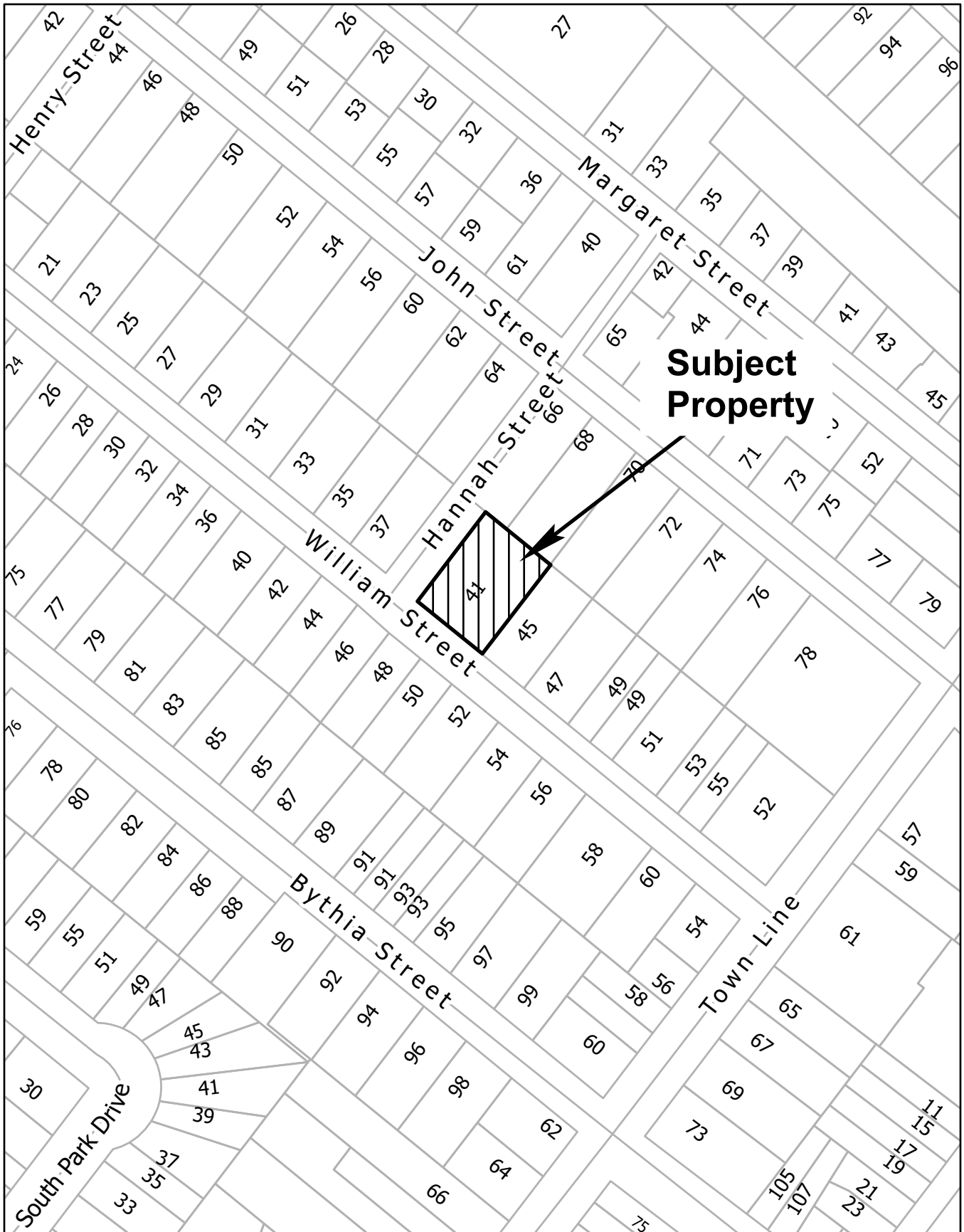
Important Information About Preserving Your Appeal Rights:

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the Town of Orangeville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public

meeting or make written submissions to the Council of the Corporation of the Town of Orangeville before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the Corporation of the Town of Orangeville before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Notice Issued: April 22, 2021



The lot sizes are consistent with lot requirements in a number of other municipalities and will allow for appropriately-sized homes with single garages. In terms of compatibility, there are also examples within the existing neighbourhood of single-detached dwellings of similar, and in some cases smaller, lot sizes.

The applicant has prepared conceptual building elevations to help illustrate the proposed development concept for the subject lands. Below are excerpts from the drawing set.



Figure 9: Preliminary drawings of single-detached dwelling (source: Donna Pascoe Architectural Design)

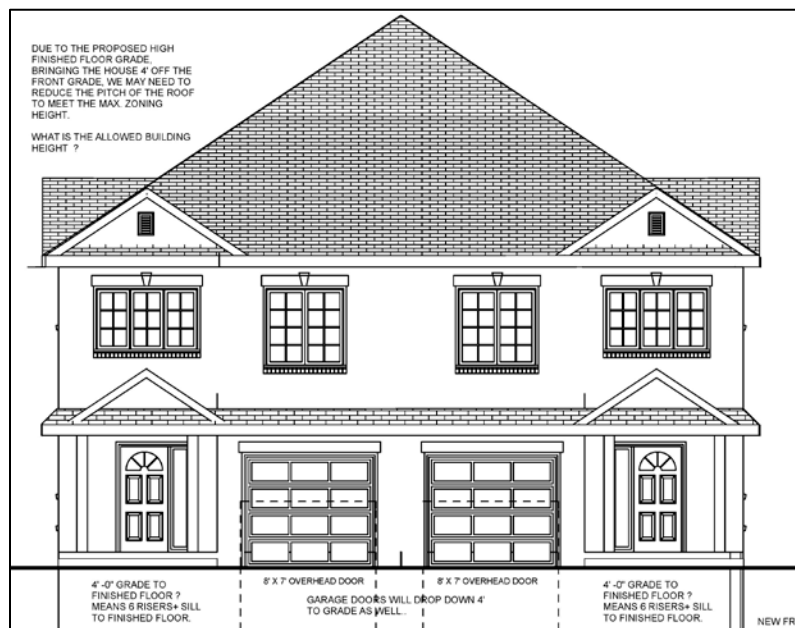
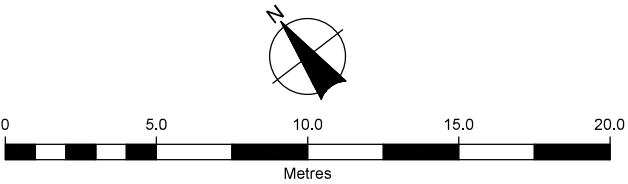



Figure 10: Preliminary drawing of semi-detached dwelling (source: Donna Pascoe Architectural Design)

LEGEND

- PROPERTY LINE
- EXISTING FENCE
- EXISTING GAS SERVICE
- EXISTING OVERHEAD WIRE
- EXISTING HYDROPOLE AND GUY WIRE
- EXISTING FIRE HYDRANT





Client

41 WILLIAM STREET JV

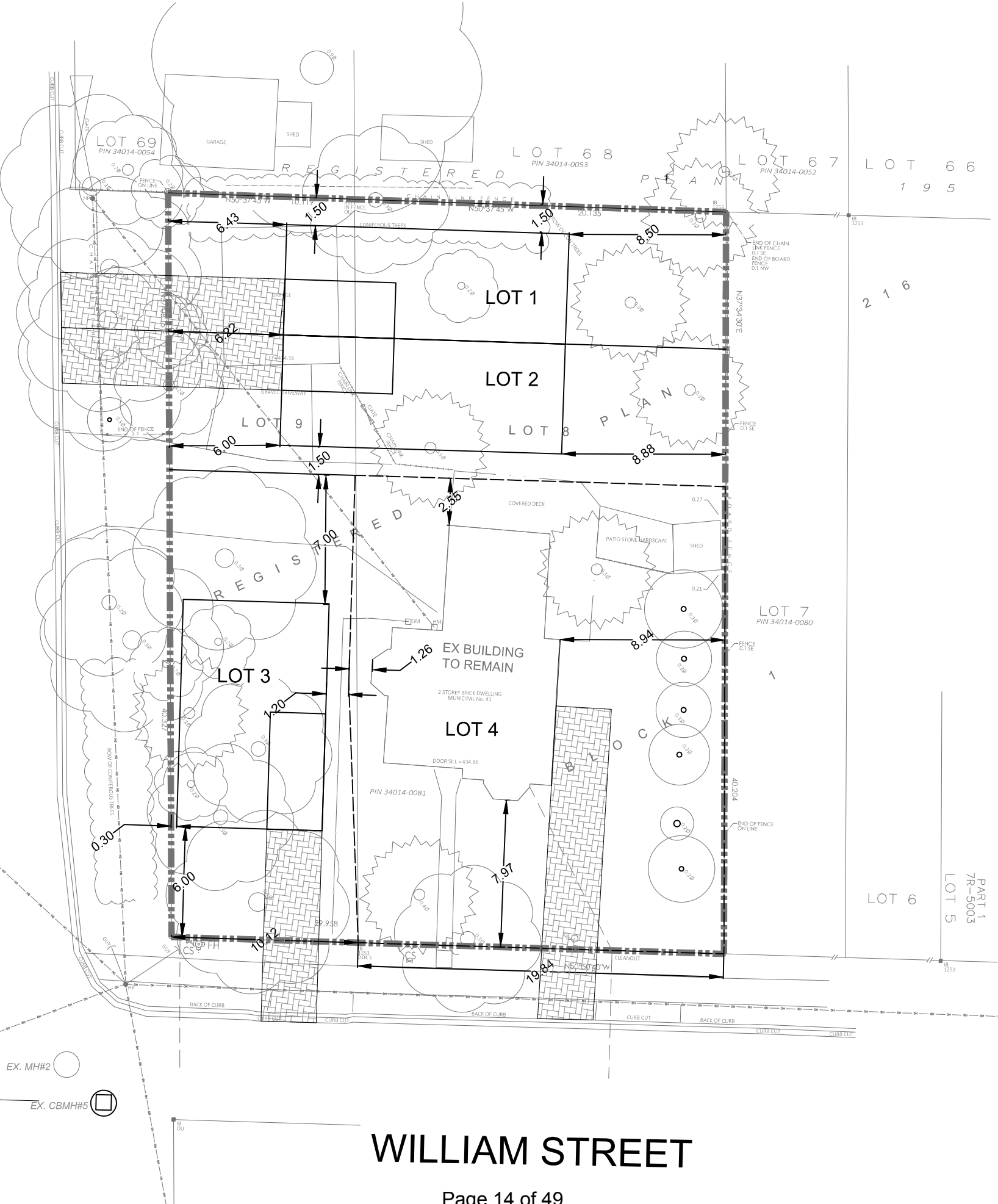
Figure Title

41 WILLIAM STREET
SITE PLAN

Drawn KT	Checked SB	Date 21/03/04	Figure No. FIG 2
Scale 1:250	Project No. 052492		

WILLIAM STREET

HANNAH STREET



Subject: 7 Mill Street, Updated Façade Improvement Grant Application

Department: Infrastructure Services

Division: Planning

Meeting Date: 2021-05-20

Recommendations

That the updated Façade Improvement Grant Application for 7 Mill Street, be approved;

And that staff proceed to issue a Letter of Understanding for the approval of a grant in the amount of **\$4,703.63**, being 50% of the value of all eligible façade improvement work being undertaken.

Background and Analysis

On August 27, 2020, the appointed members of Heritage Orangeville met and reviewed a façade improvement grant application for 7 Mill Street and approved the following improvements:

- Painting with Benjamin Moore – Raintree Green and Benjamin Moore – Kendall Charcoal;
- Replacement of windows and framing;
- Repair and refresh brick;
- Replacement of door; and
- Replacement of wood siding.

The property owner has not completed the improvements as he had difficulty coordinating a contractor to complete the work for 2020. He will be commencing the work in 2021.

The owner has contacted staff and has requested a change to one of the paint colours. Since it is a change to the grant approval, it has to go before the Committee for approval. The owner is proposing to change the Raintree Green to Black.

The façade will be painted as described below:

- Kendall Charcoal – side brick wall
- Black – wood trim around the window and at the top above the window, and the door

Attached are the submitted sketch (Attachment 1) and a photo of the façade (Attachment 2).

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Community Stewardship

Objective: Maintain and Protect our Built and Natural Heritage

Sustainable Neighbourhood Action Plan

Theme: Land Use and Planning

Strategy: Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities.

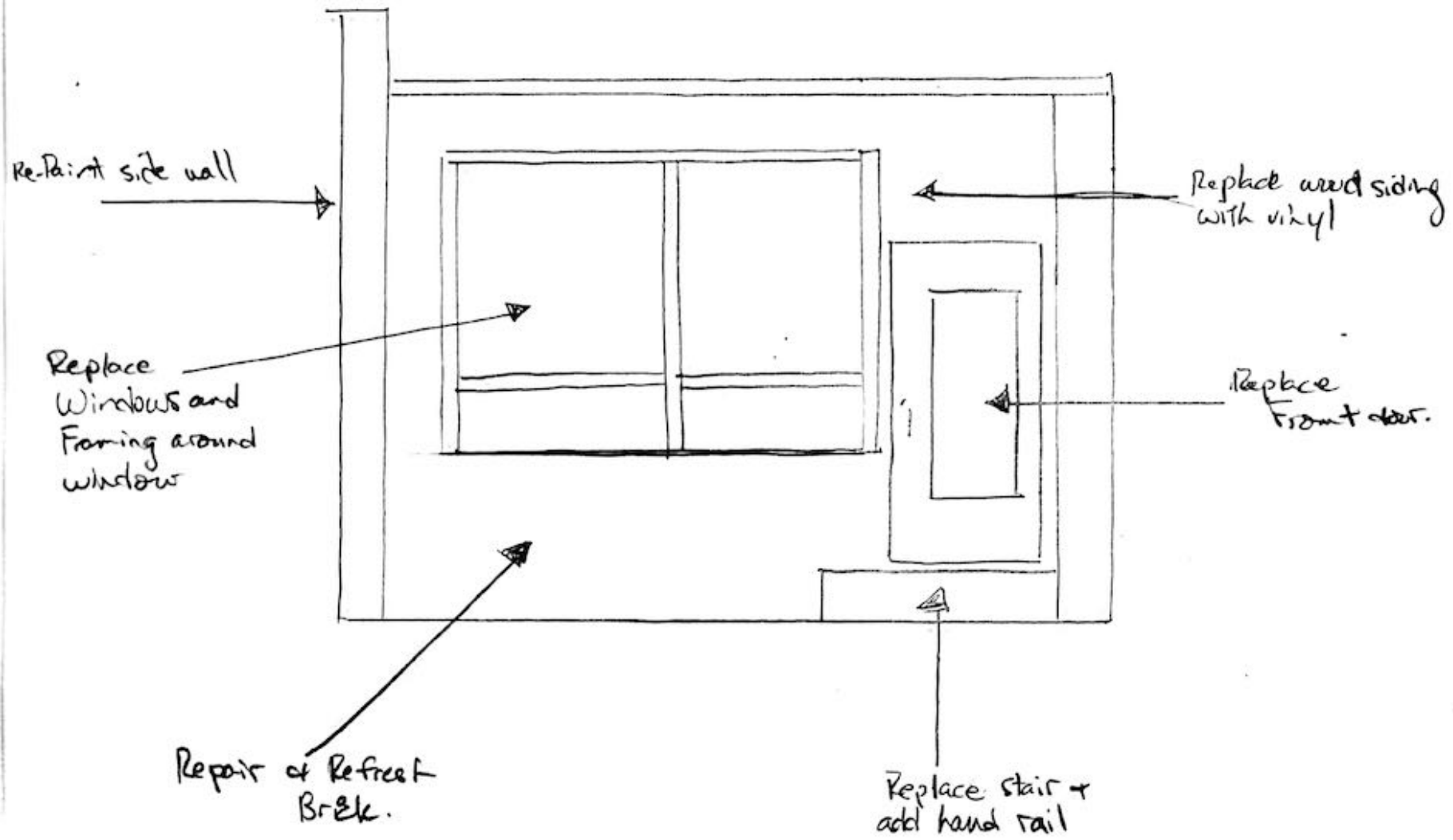
Respectfully submitted

Brandon Ward, MCIP, RPP
Manager, Planning, Infrastructure Services

Prepared by

Mary Adams
Planning Administrator, Infrastructure

Attachment(s): 1. Submitted Sketch
2. Façade Photo







Infrastructure Services

May 11, 2021

Carol Stopforth
69 Mill Street
Grand Valley, ON
L0N 1G0

Dear Ms. Stopforth:

**RE: Bar on Broadway – 114 Broadway
Boulevard Café Permit**

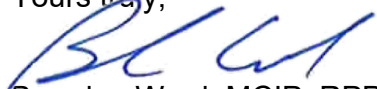
This letter constitutes a Boulevard Café Permit issued in accordance with Town of Orangeville By-laws 41-2003 and 2021-023, and Guidelines for Temporary Outdoor Patios. Approval of this Permit is subject to the conditions contained in the By-laws and Guidelines, attached hereto, as well as the following conditions:

1. The area to which the permit applies is that portion of the Broadway road allowance that is located north of the property at 114 Broadway and measuring 11.3 m x 5.2 m (37 ft x 17 ft) as shown on the sketch.
2. A railing will be used to enclose the boulevard café on all sides, except for an entrance on the west side only.
3. The railing to be used is illustrated in the photos submitted with the application.

This permit is valid until November 30, 2021. At the end of the season, the railings and all furnishings must be removed from the road allowance. You must apply for a new permit next season.

The Town appreciates your interest in establishing a boulevard café which will enhance the vitality of our downtown.

Yours truly,



Brandon Ward, MCIP, RPP
Manager, Planning
Infrastructure Services

cc: John Lackey, Manager, Transportation and Development
Bruce Ewald, Manager, Building – Chief Building Official
Heritage Orangeville c/o Carolina Khan, Deputy Clerk
Ruth Phillips, Manager, Economic Development
Doug Jones, General Manager, Infrastructure Services
David McLagan, Ontario Provincial Police

attach.



Guidelines for Temporary Outdoor Patios

Outdoor boulevard cafés have been permitted in the Town's Central Business District under the Town's Outdoor Café By-law (41-2003) and (2021-023). In addition to these By-laws, the following provides greater clarity regarding the criteria for outdoor boulevard café's or patio areas (patios):

1. **Locations:** Patios may be permitted partially or entirely within the sidewalk and boulevard area adjacent to the business that they are intended to serve and must meet the following criteria:
 - a. **Same area as the building they serve:** Patios may not encroach into the frontage of a neighbouring establishment unless they have consent from the establishment(s) being encroached upon or approval from the Town to do so.
 - b. **Pedestrian path must be maintained:** Patios are to be situated so that a 1.5 metre wide unobstructed and barrier-free public pathway for pedestrians must be maintained at all times. If there are any braces supporting the railing, they will not encroach onto the 1.5 metre wide clearance pathway and are not to be fastened to the surface of the ground. Patios are encouraged to be situated so that the public pathway weaves as little as possible and maintaining a straight corridor alignment abutting the building faces is maximized. Patios should not obstruct accessibility ramps adjacent to the building.
 - c. **Patios to be physically delineated:** Patios are to be surrounded as follows:
 - i. using a fence or railing with a height of at least 0.9m but not exceeding 1.2m and/or planter boxes or pots so that the patio area is appropriately and tastefully delineated or physically enclosed.
 - ii. Enclosure requirements will be subject to the AGCO requirements, which shall prevail in the event of any conflict with these criteria.
 - iii. Patio enclosures must include a barrier-free access opening of at least 1.2m wide. No access opening is to be provided on the street-facing side of the patio unless the patio directly abuts the building. No gates are permitted.
 - d. **Patios or walkways may be in the on-street parking area:** Patios may be situated to occupy up to two parking spaces in front of the establishment, provided that:
 - i. Any public pathway circumventing a patio area within the parking space area must be delineated and separated from vehicular traffic to the satisfaction of Town staff. Jersey Barriers may be installed by the Town at certain locations at the discretion of the General Manager of Infrastructure Services.
 - ii. Any patio and/or public pathway situated within the parking space area of the roadway must be situated on a suitable platform constructed to match

the grade of the abutting sidewalk/boulevard area. Such platforms must be constructed in a manner that does not negatively impact the drainage. It is the applicant's responsibility to ensure the removal of any waste or debris that may accumulate in this area.

- iii. When the café and accessories are being placed on Municipal Property, you are required to complete the work in accordance with Ontario Traffic Manual Book 7 to ensure proper traffic protection is being administered and maintained during the work.
 - iv. Traffic signals and other traffic control devices must not be impacted by the boulevard café.
2. **Alterations on municipal property:** The Town of Orangeville will not allow any alterations to pavement, curb, boulevard, sidewalk, etc. including the permanent fastening of railings or other parts of the café enclosure to the hard surfaces. Any damage deemed to have been caused by the installation, removal and use of the café shall be rectified at the Applicant's expense.
3. **Maintenance by municipality:** The Town will retain the right to have the applicant make modifications, including removal of the enclosure system, as it deems necessary should there be maintenance, access or other boulevard related issues associated with the location of the enclosed café. The Town is not responsible for damages and/or inconvenience to patrons as a result of regular maintenance on the sidewalks and/or abutting roadway.
4. **Capital Project – Removal and replacement of boulevard bricks, sidewalk and other surface areas and amenities:** The Town of Orangeville will be undertaking a capital project that involves the removal and replacement of the boulevard bricks, sidewalk and other surface areas and amenities on both sides of Broadway between third Street and John Street. The work is expected to commence on or about June 1 and be completed by September 30. Interruptions to the café are likely. The applicant may be required to remove and or relocate the approved café should the Town make that request. The applicant will be given further direction by the Town should the approved café be in conflict with the scheduled construction.
5. **Snow removal:** All outdoor patio furniture, equipment and other items be removed as required by the Town for snow removal.
6. **Conflicts:** The Town accepts no responsibility and/or liability in the event that there is conflict between pedestrians, patrons and/or staff persons.
7. **Insurance:** A valid liability insurance policy naming the Town as an additional insured party in the amount of no less than \$2,000,000 must be maintained throughout the duration of the boulevard café.
8. **COVID-19 Emergency Measures By-law and Public Health Guidelines:** All patron seating areas must comply with the Town of Orangeville COVID-19 Emergency Measures By-law, as applicable. In addition, all Public Health and Safety guidelines must be complied with.



9. **Season:**

- a) For patios located on the **sidewalk/boulevard**, the duration of the patio season is from April 1 to November 30, 2021.
- b) For patios located within the **on-street parking area**, the patio may exist from May 1 to November 30, 2021.

Notwithstanding the permitted seasonal patio durations described above, the Town may at its discretion, require the proponent to remove all patio implements and furnishings to accommodate winter maintenance activities, subject to weather conditions.

10. **Application process:** Applicants are to submit the Boulevard Café Application form with accompanying checklist items identified on the form by email to planning@orangeville.ca. There is no fee for boulevard café applications.

Application submissions received will be processed as quickly as possible within 5 business days.



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 41 - 2003

A BY-LAW TO PERMIT THE CREATION OF BOULEVARD CAFÉS IN THE CENTRAL BUSINESS DISTRICT

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, S.8 provides a Municipality natural person powers for the purposes of exercising capacity, rights and powers of the *Act*;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, S.130 authorizes a municipality to regulate matters for purposes related to the health, safety and well-being of its inhabitants;

AND WHEREAS the Council of the Town of Orangeville wishes to permit the establishment of boulevard cafés in the Central Business District while ensuring the safe and accessible passage over sidewalks;

NOW THEREFORE the council of The Corporation of the Town of Orangeville hereby enacts as follows:

1 DEFINITIONS

In this by-law:

- 1.1 “boulevard café” means a designated outdoor area on the sidewalk associated with an adjoining commercial premises, no wider than the width of the premises’ storefront, excluding the width of the entrance.
- 1.2 “Central Business District” means the area that is zoned Central Business District (CBD) by By-law 22-90, as amended.
- 1.3 “Officer” means a municipal by-law enforcement officer, provincial offences officer, police officer or a public health inspector.
- 1.4 “sidewalk” means the hard surface provided for use of pedestrians on the municipal road allowance and situated between any building and the curb of the street.
- 1.5 “summer season” means the period of time between May 1 and September 30 of any given year.
- 1.6 “Town” means The Corporation of the Town of Orangeville.

2 REQUIREMENT FOR PERMIT

- 2.1 No person shall create a boulevard café in the Central Business District unless a permit has been obtained in accordance with the requirements of this by-law.

3 EXCEPTION

- 3.1 The regulations in this by-law do not apply to events organized by the Orangeville Business Improvement Area or authorized by the Town, which events involve the closing of Broadway to vehicular traffic.

4 APPLICATION

4.1 Every person applying for a permit, as required by this by-law, shall file with the Director of Planning, or his designate, a completed application in the form prescribed by the Director of Planning. The application will be accompanied by a scaled plan showing the extent of the boulevard café on the sidewalk and illustrations of all associated structures and the required insurance certificate. The application will also indicate how the proposal complies with the conditions of this by-law. The Director of Planning will circulate the application to the Building and Public Works Departments and designated members of Heritage Orangeville for comment prior to approval.

4.2 There will be no fee for a permit required by this by-law.

5 COMMENCEMENT AND EXPIRY

5.1 Any permit issued under the provisions of this by-law shall be limited to the summer season only of the year in which it is issued.

6 GENERAL CONDITIONS

6.1 A boulevard café must be associated with and accessory to an adjoining eating establishment, restaurant or food store use that is permitted by the Town's Zoning By-law and all other applicable Town by-laws.

6.2 The playing of music is prohibited in a boulevard café.

6.3 The right of access for the Town will be maintained should repairs or maintenance be required on the boulevard on which the boulevard café is located.

6.4 Any and all emergency accesses and exits as marked on the approved plan will be maintained.

6.5 A liability insurance policy in an amount of no less than \$2,000,000, with a cross liability clause naming the Town as an additional insured will be obtained.

6.6 A boulevard café shall not impede the flow of pedestrian traffic. A minimum 1.5 metre wide free and clear pathway must be maintained on the sidewalk at all times.

6.7 A boulevard café must be enclosed by a fence or railing that is at least 0.9 metres high, but no more than 1.2 metres high. If alcoholic beverages are to be served, the fencing requirements of the Alcohol and Gaming Commission of Ontario will supersede this requirement.

6.8 Where possible, a fence associated with a boulevard café shall not obstruct the sight lines at the intersection of two streets.

6.9 No permanent structures are permitted.

6.10 All elements of a boulevard café (i.e. fencing, tables, chairs, heaters, etc.) must be removed from the sidewalk at the termination of the permit.

6.11 Any and all lighting associated with a boulevard café must be directed away from residential areas, other properties and streets.

7 INSPECTION

7.1 Any person to whom a permit has been issued pursuant to this by-law shall permit any Officer to inspect the premises for which the permit was issued at any time.

8 HERITAGE PERMITS

- 8.1 Issuance of a permit for a boulevard café by the Town will constitute approval of a Heritage Permit for the alteration of the exterior of a building within the Downtown Orangeville Heritage Conservation District, as designated under Part V of the *Ontario Heritage Act*.

9 REVOCATION, SUSPENSION

- 9.1 The Town reserves the right to terminate permission at any time for any or no reason upon fourteen (14) days written notice, mailed or delivered to the applicant's last known address.

10 OFFENCE AND PENALTY

- 10.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine and/or penalty as provided for in the *Provincial Offences Act, R.S.O. 1990, Chapter P.33 as amended*, for each offence and such penalty and/or fine shall be recoverable under the *Provincial Offences Act*

11 WORD USAGE

- 11.1 As used in this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.
- 11.2 The headings and subheadings used in this by-law shall not form part of the by-law, but shall be deemed to be inserted for convenience of reference only.

12 SEVERABILITY

- 12.1 Should any section or subsection of this by-law or any part or parts thereof be found by law to be illegal or beyond the power of Council to enact, such section or subsection or part or parts thereof shall be deemed to be severable so that the remainder of this by-law is separate and therefore enacted as such.

13 CONFLICT WITH ANY OTHER BY-LAW

- 13.1 In the event of any conflict between any provisions of this by-law and any other by-law previously passed, the provisions of this by-law shall prevail.

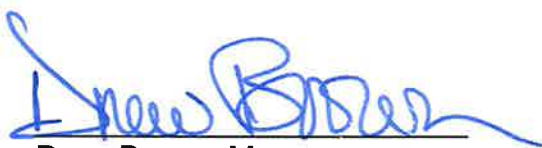
14 SHORT TITLE

- 14.1 This by-law shall be known as the "Boulevard Café By-law."

15 EFFECTIVE DATE

- 15.1 This by-law shall come into force and take effect on the date of passing.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 5TH DAY OF MAY, 2003.


Drew Brown, Mayor
Cheryl Johns, Clerk



The Corporation of the Town of Orangeville

By-law Number 2021-023

A by-law to amend By-law 2003-041 being a By-law to permit Boulevard Cafes in the Central Business District

Whereas the Town wishes to amend By-law 2003-041 to implement measures to provide flexibility for local food and beverage establishments in response to the COVID-19 pandemic;

Now therefore be it resolved that the Council for The Corporation of the Town of Orangeville hereby enacts as follows:

1. That By-law 2003-041 be amended for the 2021 Calendar year by amending the definition of “boulevard café” and “summer season” as follows:

“boulevard café” means a designated outdoor area on the sidewalk associated with an adjoining commercial premises, no wider than the width of the premises’ storefront, excluding the width of the entrance and may include up to two parking spaces in front of the subject commercial premises.”

“summer season” for the purpose of a boulevard café located:

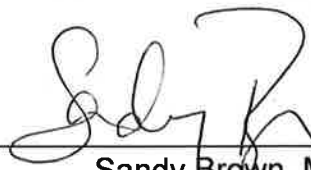
- (a) on a sidewalk means the period of time between April 1, 2021 and November 30, 2021;
- (b) on a parking space means the period of time between May 1, 2021 and November 30, 2021.


2. That By-law 2003-041 be amended for the 2021 Calendar year by adding the following:

6.12 That a 2021 permit be subject to the following terms and conditions:

- (a) all Public Health and Safety guidelines be complied with;
- (b) that all outdoor patio furniture, equipment and other items be removed as required by the Town for snow removal or property maintenance;
- (c) any safety measures applied by the Town as part of the approval of an application be adhered to.

Read three times and finally passed this 8th day of March, 2021.


Sandy Brown, Mayor


Karen Landry, Clerk

Infrastructure Services

May 11, 2021

Troy Brett
Mochaberry Coffee & Co. Ltd.
177B Broadway
Orangeville, Ontario
L9W 1K2

Dear Mr. Brett:

**RE: Mochaberry – 177B Broadway
Boulevard Café Permit**

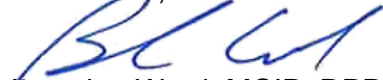
This letter constitutes a Boulevard Café Permit issued in accordance with Town of Orangeville By-laws 41-2003 and 2021-023, and Guidelines for Temporary Outdoor Patios. Approval of this Permit is subject to the conditions contained in the By-laws and Guidelines, attached hereto, as well as the following conditions:

1. The area to which the permit applies is that portion of the Broadway road allowance that is located south of the property at 177B Broadway and measuring 5.03 m x 3.5 m (16.5 ft x 11.5 ft) as shown on the submitted drawing.
2. A railing will be used to enclose the boulevard café on all sides, except for an entrance on the north side only.
3. The railing to be used is illustrated in the photo submitted with the application.

This permit is valid until November 30, 2021. At the end of the season, the railings and all furnishings must be removed from the road allowance. You must apply for a new permit next season.

The Town appreciates your interest in establishing a boulevard café which will enhance the vitality of our downtown.

Yours truly,



Brandon Ward, MCIP, RPP
Manager, Planning
Infrastructure Services

cc: John Lackey, Manager, Transportation and Development
Bruce Ewald, Manager, Building – Chief Building Official
Heritage Orangeville c/o Carolina Khan, Deputy Clerk
Ruth Phillips, Manager, Economic Development
Doug Jones, General Manager, Infrastructure Services
David McLagan, Ontario Provincial Police

attach.



Guidelines for Temporary Outdoor Patios

Outdoor boulevard cafés have been permitted in the Town's Central Business District under the Town's Outdoor Café By-law (41-2003) and (2021-023). In addition to these By-laws, the following provides greater clarity regarding the criteria for outdoor boulevard café's or patio areas (patios):

1. **Locations:** Patios may be permitted partially or entirely within the sidewalk and boulevard area adjacent to the business that they are intended to serve and must meet the following criteria:
 - a. **Same area as the building they serve:** Patios may not encroach into the frontage of a neighbouring establishment unless they have consent from the establishment(s) being encroached upon or approval from the Town to do so.
 - b. **Pedestrian path must be maintained:** Patios are to be situated so that a 1.5 metre wide unobstructed and barrier-free public pathway for pedestrians must be maintained at all times. If there are any braces supporting the railing, they will not encroach onto the 1.5 metre wide clearance pathway and are not to be fastened to the surface of the ground. Patios are encouraged to be situated so that the public pathway weaves as little as possible and maintaining a straight corridor alignment abutting the building faces is maximized. Patios should not obstruct accessibility ramps adjacent to the building.
 - c. **Patios to be physically delineated:** Patios are to be surrounded as follows:
 - i. using a fence or railing with a height of at least 0.9m but not exceeding 1.2m and/or planter boxes or pots so that the patio area is appropriately and tastefully delineated or physically enclosed.
 - ii. Enclosure requirements will be subject to the AGCO requirements, which shall prevail in the event of any conflict with these criteria.
 - iii. Patio enclosures must include a barrier-free access opening of at least 1.2m wide. No access opening is to be provided on the street-facing side of the patio unless the patio directly abuts the building. No gates are permitted.
 - d. **Patios or walkways may be in the on-street parking area:** Patios may be situated to occupy up to two parking spaces in front of the establishment, provided that:
 - i. Any public pathway circumventing a patio area within the parking space area must be delineated and separated from vehicular traffic to the satisfaction of Town staff. Jersey Barriers may be installed by the Town at certain locations at the discretion of the General Manager of Infrastructure Services.
 - ii. Any patio and/or public pathway situated within the parking space area of the roadway must be situated on a suitable platform constructed to match



the grade of the abutting sidewalk/boulevard area. Such platforms must be constructed in a manner that does not negatively impact the drainage. It is the applicant's responsibility to ensure the removal of any waste or debris that may accumulate in this area.

- iii. When the café and accessories are being placed on Municipal Property, you are required to complete the work in accordance with Ontario Traffic Manual Book 7 to ensure proper traffic protection is being administered and maintained during the work.
 - iv. Traffic signals and other traffic control devices must not be impacted by the boulevard café.
2. **Alterations on municipal property:** The Town of Orangeville will not allow any alterations to pavement, curb, boulevard, sidewalk, etc. including the permanent fastening of railings or other parts of the café enclosure to the hard surfaces. Any damage deemed to have been caused by the installation, removal and use of the café shall be rectified at the Applicant's expense.
3. **Maintenance by municipality:** The Town will retain the right to have the applicant make modifications, including removal of the enclosure system, as it deems necessary should there be maintenance, access or other boulevard related issues associated with the location of the enclosed café. The Town is not responsible for damages and/or inconvenience to patrons as a result of regular maintenance on the sidewalks and/or abutting roadway.
4. **Capital Project – Removal and replacement of boulevard bricks, sidewalk and other surface areas and amenities:** The Town of Orangeville will be undertaking a capital project that involves the removal and replacement of the boulevard bricks, sidewalk and other surface areas and amenities on both sides of Broadway between third Street and John Street. The work is expected to commence on or about June 1 and be completed by September 30. Interruptions to the café are likely. The applicant may be required to remove and or relocate the approved café should the Town make that request. The applicant will be given further direction by the Town should the approved café be in conflict with the scheduled construction.
5. **Snow removal:** All outdoor patio furniture, equipment and other items be removed as required by the Town for snow removal.
6. **Conflicts:** The Town accepts no responsibility and/or liability in the event that there is conflict between pedestrians, patrons and/or staff persons.
7. **Insurance:** A valid liability insurance policy naming the Town as an additional insured party in the amount of no less than \$2,000,000 must be maintained throughout the duration of the boulevard café.
8. **COVID-19 Emergency Measures By-law and Public Health Guidelines:** All patron seating areas must comply with the Town of Orangeville COVID-19 Emergency Measures By-law, as applicable. In addition, all Public Health and Safety guidelines must be complied with.



9. **Season:**

- a) For patios located on the **sidewalk/boulevard**, the duration of the patio season is from April 1 to November 30, 2021.
- b) For patios located within the **on-street parking area**, the patio may exist from May 1 to November 30, 2021.

Notwithstanding the permitted seasonal patio durations described above, the Town may at its discretion, require the proponent to remove all patio implements and furnishings to accommodate winter maintenance activities, subject to weather conditions.

10. **Application process:** Applicants are to submit the Boulevard Café Application form with accompanying checklist items identified on the form by email to planning@orangeville.ca. There is no fee for boulevard café applications.

Application submissions received will be processed as quickly as possible within 5 business days.



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 41 - 2003

A BY-LAW TO PERMIT THE CREATION OF BOULEVARD CAFÉS IN THE CENTRAL BUSINESS DISTRICT

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, S.8 provides a Municipality natural person powers for the purposes of exercising capacity, rights and powers of the Act;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, S.130 authorizes a municipality to regulate matters for purposes related to the health, safety and well-being of its inhabitants;

AND WHEREAS the Council of the Town of Orangeville wishes to permit the establishment of boulevard cafés in the Central Business District while ensuring the safe and accessible passage over sidewalks;

NOW THEREFORE the council of The Corporation of the Town of Orangeville hereby enacts as follows:

1 DEFINITIONS

In this by-law:

- 1.1 “boulevard café” means a designated outdoor area on the sidewalk associated with an adjoining commercial premises, no wider than the width of the premises’ storefront, excluding the width of the entrance.
- 1.2 “Central Business District” means the area that is zoned Central Business District (CBD) by By-law 22-90, as amended.
- 1.3 “Officer” means a municipal by-law enforcement officer, provincial offences officer, police officer or a public health inspector.
- 1.4 “sidewalk” means the hard surface provided for use of pedestrians on the municipal road allowance and situated between any building and the curb of the street.
- 1.5 “summer season” means the period of time between May 1 and September 30 of any given year.
- 1.6 “Town” means The Corporation of the Town of Orangeville.

2 REQUIREMENT FOR PERMIT

- 2.1 No person shall create a boulevard café in the Central Business District unless a permit has been obtained in accordance with the requirements of this by-law.

3 EXCEPTION

- 3.1 The regulations in this by-law do not apply to events organized by the Orangeville Business Improvement Area or authorized by the Town, which events involve the closing of Broadway to vehicular traffic.

4 APPLICATION

4.1 Every person applying for a permit, as required by this by-law, shall file with the Director of Planning, or his designate, a completed application in the form prescribed by the Director of Planning. The application will be accompanied by a scaled plan showing the extent of the boulevard café on the sidewalk and illustrations of all associated structures and the required insurance certificate. The application will also indicate how the proposal complies with the conditions of this by-law. The Director of Planning will circulate the application to the Building and Public Works Departments and designated members of Heritage Orangeville for comment prior to approval.

4.2 There will be no fee for a permit required by this by-law.

5 COMMENCEMENT AND EXPIRY

5.1 Any permit issued under the provisions of this by-law shall be limited to the summer season only of the year in which it is issued.

6 GENERAL CONDITIONS

6.1 A boulevard café must be associated with and accessory to an adjoining eating establishment, restaurant or food store use that is permitted by the Town's Zoning By-law and all other applicable Town by-laws.

6.2 The playing of music is prohibited in a boulevard café.

6.3 The right of access for the Town will be maintained should repairs or maintenance be required on the boulevard on which the boulevard café is located.

6.4 Any and all emergency accesses and exits as marked on the approved plan will be maintained.

6.5 A liability insurance policy in an amount of no less than \$2,000,000, with a cross liability clause naming the Town as an additional insured will be obtained.

6.6 A boulevard café shall not impede the flow of pedestrian traffic. A minimum 1.5 metre wide free and clear pathway must be maintained on the sidewalk at all times.

6.7 A boulevard café must be enclosed by a fence or railing that is at least 0.9 metres high, but no more than 1.2 metres high. If alcoholic beverages are to be served, the fencing requirements of the Alcohol and Gaming Commission of Ontario will supersede this requirement.

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9 REVOCATION, SUSPENSION

- 9.1 The Town reserves the right to terminate permission at any time for any or no reason upon fourteen (14) days written notice, mailed or delivered to the applicant's last known address.

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- 11.1 As used in this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.
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15 EFFECTIVE DATE

- 15.1 This by-law shall come into force and take effect on the date of passing.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 5TH DAY OF MAY, 2003.


Drew Brown, Mayor


Cheryl Johns, Clerk



The Corporation of the Town of Orangeville

By-law Number 2021-023

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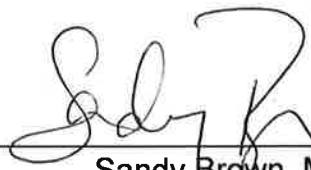
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Read three times and finally passed this 8th day of March, 2021.



Sandy Brown, Mayor



Karen Landry, Clerk



CHOnews

QUARTERLY PUBLICATION OF COMMUNITY HERITAGE ONTARIO/PATRIMOINE COMMUNATAIRE DE L'ONTARIO

ONTARIO'S MUSICAL HERITAGE SITES

MICHAEL SEAMAN

When we think of local heritage, we think of buildings and places occupied by people who lived long ago and shaped the foundation of our communities. As time passes, communities are becoming aware of and celebrating other aspects of their recent history. One such area is in the realm of popular music, which has become an increasingly important source of civic pride and identity in communities around the world. Unlike national historic sites which tend to focus on the most representative site that an individual, industry or event was associated with, the commemoration of musical heritage takes in the everyday places where groups and musicians lived and played on their journey to music stardom. Music aficionados are known to regularly travel thousands of miles in search of the places that their musical heroes frequented, places such as New Orleans, Memphis, Nashville and Liverpool.

Ontario has a rich popular music tradition and several communities are celebrating and marketing their musical heritage. The City of St. Catharines has taken the lead in this area recently with its efforts to commemorate the legacy of its famous son, Neil Peart. Peart, the drummer and

songwriter of Canada's Hall of Fame rock'n'roll trio, Rush, passed away on January 7, 2020. Not long after his passing, both the community and Rush fans worldwide lobbied for a commemorative work of art to be located in Lakeside Park. Lakeside Park is where a young Peart worked the Bubble Game and Ball Toss at the amusement park, which inspired his well-known 1975 song of the same name. As a



Neil Peart Pavillion in Lakeside Park, Port Dalhousie
Photograph: M. Seaman

result, St. Catharine's City Council established the Neil Peart Commemorative Task force, which is responsible for reviewing options for the scope and type of memorial, site selection, consideration of operating and maintenance costs and securing funding, design, and installation. In January 2021, the City put out a call for proposals to create the design for the memorial, and the response has been phenomenal. According to

Mayor Walter Sendzik, the outpouring of support for the statue is proof of how important the project is not only to St. Catharines, but to the broader music community. It also underscores the need to take such a methodical approach, to ensure that it truly is a worthy tribute.

St. Catharine's tribute to Peart is not only confined to the future public artwork. In 2020, Council, with the support of

Continued on page 3.

IN THIS ISSUE

Ontario's Musical Heritage Sites	1	The Ontario Barn Preservation Organization	8
President's Message	2	The Art of Writing Effective Designation Reports	10
Heritage General Stores	5	News from the Board of Directors	11
Property Insurance on Designated Properties	8		

PRESIDENT'S MESSAGE



I hope that this finds you well and still engaged in conserving your community's cultural heritage despite the complications of the pandemic.

Heritage Property Insurance

Almost since I began my involvement with CHO/PCO, this has been a reoccurring issue. It has been the theme of sessions at our annual conferences, at workshops and most recently, in an article written by two CHO/PCO directors for the last issue of CHO/PCO News. Keep in mind that, relative to the more than 10,000 properties designated under Parts IV and V of the *Ontario Heritage Act*, it is a relatively small matter, but it does seem to keep reoccurring, grab the attention of municipal councils and create fear among some heritage property owners.

To assist municipal heritage committees, we have created a folder on the CHO/PCO website with articles and brochures that address this topic. If you have any additional information that might benefit other MHCs, please contact us so that we can post it on our website.

When dealing with this issue and property owners, the best response is to tell them to shop around for another insurance company if their insurer refuses to renew their policy if the property is designated. An insurance company may refuse to renew a policy for any number of reasons to reduce their perceived risks. Without endorsing it, one insurance company that specializes in heritage properties, both privately and publicly owned, is Ecclesiastical Insurance; their website is <https://ecclesiastical.ca>.

Minister's Orders – Zoning and Subdivision

Under the *Planning Act*, the Minister of Municipal Affairs and Housing may issue orders related to zoning and subdivision control permitting development that by-passes municipal planning processes including the right to appeal. Such orders may be for privately or publicly owned lands, including lands owned by the province and its agencies. Until the most recent provincial government came to power, such orders were infrequently used; now they are used with great frequency. The saving grace with such orders, often referred to as MZOs, was that they had to comply with the Provincial Policy Statement (PPS). Section 2.6 deals with cultural heritage and archaeology and requires that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved" (Section 2.6.1). Now the provincial government is proposing in Bill 257 to pass legislation to exempt MZOs from the PPS except in the Green Belt Planning Area. If passed, there would be no requirement that the provincial government conserve heritage resources, except in the Green Belt, when issuing MZOs. CHO/PCO has written to the Ministers and posted comments on the Environmental Registry objecting to the proposed legislation. In our objection, we have suggested an alternative that would still require the conservation of cultural heritage resources.

Stay safe and continue your work on heritage conservation.

Wayne Morgan

CHOnews

SPRING / PRINTEMPS 2021

CHOnews is published quarterly by Community Heritage Ontario.

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ISSN 1201 – 9852



Submitted articles must be in Microsoft Word format. Images must be sent as .jpg attachments in high quality resolution (300 dpi). Do not embed the images in the text of the article. Captions and credits must be provided.

Newspaper articles as updates to MHC activities cannot be used without permission of the newspaper and/or the original author. Text written by the MHC is encouraged.

Articles are published in the language they are received.

Continued from page 1.

the community, voted to name the newly rebuilt pavilion at Lakeside Park after Neil Peart. In downtown St. Catharines, the Local BIA included Peart in a series of lamp post banners celebrating local heroes from all corners, including other famous musical luminaries such as Canada's Grammy Award winning "Polka King" Walter Ostanek and Juno winning singer-songwriter Ron Sexsmith. The St. Catharines Municipal Heritage Advisory Committee has identified and protected at least one former Peart family home located within the Port Dalhousie Heritage Conservation District and is working to identify other properties associated with Peart during his boyhood.



One of Neil Peart's boyhood homes
Photograph: M. Seaman

The profession of a musician often results in journeys to many places. Singer, songwriter, and musician Gordon Lightfoot, famous for such hit songs as "You can read my mind" and "The Wreck of the Edmund Fitzgerald" over a sixty-year career, is one musician for whom several communities can lay claim. The statue "Golden Leaves" located in Gordon Lightfoot Sculpture Park, honours him in his hometown of Orillia.

Lightfoot is also commemorated in Hamilton, home of the historic Grant Avenue studio, where for 40 years he and the likes of Johnny Cash and U2 made legendary music within the confines of a red-brick Victorian era house. A great source of community pride, the heritage of Grant Avenue Studio was one of the most well-received stories told at the National Trust for Canada Conference that was held in Hamilton in 2015.

Like many Canadian musicians, a pivotal stop on Lightfoot's career was Toronto, and here his career is similarly commemorated. In Toronto's Yorkville, where Bruce Cockburn, Buffy Sainte-Marie, and Neil Young also

paid their dues, locations of coffee houses including the Riverboat, Mynah Bird, Purple Onion and Penny Farthing are now marked with illustrated plaques by Heritage Toronto. Toronto has also made significant efforts to preserve and protect the major venues where so many Canadian and international musicians entertained: Massey Hall, the Silver Dollar Room and even Maple Leaf Gardens, known best for hockey but also where Elvis, The Who and the Beatles gave legendary performances.



Plaque featuring Gordon Lightfoot and Buffy Sainte-Marie
Photograph: City of Toronto

Probably the most famous Canadian pop musician of the early rock'n'roll era is Paul Anka, known for such hits as "Diana" and "Put your head on my shoulder". Anka was born in 1941 in Ottawa. While the most visible reminder of Anka's Ottawa roots is the street named for him, another of his musical connections to Canada's capital is the former St. Elijah, Antiochian Orthodox Church located in Centertown. As a choir member, St. Elijah was one of Anka's key stops along the way to superstardom. When the building was sold in 1989 to facilitate the congregation's move to a larger church, the building became a pioneering example of a successful adaptive reuse of a place of worship when it was converted into non-profit housing. The project's success in retaining the building's architectural character received a City of Ottawa Heritage Award.

Peterborough is another community which has a rich musical heritage in its downtown bars and clubs. In 1952 Hank Williams, after consuming one too many beverages at the late, great Pig's Ear Tavern, fell down on the stage prior to a show he never gave. It is said that the injury sustained in the fall led to his declining health and untimely death less than a year later. Another story is that on Canada's 100th birthday in 1967, Charles Thomas Connors was first introduced onstage as "Stompin' Tom" before a concert at the King George Tavern. Some claim that it was there that he first used his trademark sheet of plywood to stomp on so as not to put his foot through the stage. Peterborough was clearly a most important place on Connors' journey. When

he passed away in 2013, his memorial service, attended by Canadians of all walks of life was held as he wished in the Peterborough Memorial Arena.¹



Paul Anka outside the Chateau Laurier in Ottawa
Photograph: Pictorial Press Ltd / Alamy Stock Photo

While famous for losing its status as Canada's national capital in 1844, on August 20, 2016 there was no doubt that Canada's music capital was the City of Kingston, when it hosted the final concert of hometown band and national treasure, The Tragically Hip. Recognizing the importance of music to community heritage, in 2012 Kingston renamed a portion of the historic Barrack Street, "The Tragically Hip Way" and following the 2016 final show, a stone was laid in honour of the band and their concert in Market Square. When Gord Downie passed away, this stone served as a point of focus for community mourning of a local hero. Kingston has designated the high school that members of The Tragically Hip attended, Kingston Collegiate and Vocational Institute, under Part IV of the *Ontario Heritage Act*.

While it is most well-known for its association with Shania Twain, the City of Timmins was similarly pivotal in the career development of Stompin' Tom. It was there in his mid-20s after 13 years of hitchhiking with his guitar across Canada, he found himself a nickel short of a 35-cent beer at the Maple Leaf Hotel. Fortunately for Canada and the world, the bartender accepted the 30 cents and offered another beer if he would play a few songs. These few songs turned into a 14-month run at the hotel, a radio show, eight 45 rpm singles, and marked the beginning of one of Canada's most remarkable music careers.²

While there is a growing awareness of the importance of these touchstones to the musical history of Canada and the world, their modest, often dishevelled nature

and modernity often makes them vulnerable. Some municipalities for example, have a self-imposed 100-year minimum age requirement for heritage designation, which can see many of these sites fall through the cracks. In others, a drive for development and intensification in downtowns as articulated in documents like the Ontario Government's Growth Plan, see them under threat of redevelopment. As a result, many of our most significant musical heritage sites are either lost or under severe threat of loss. Winnipeg's famed Blue Note, where the City's finest musicians regularly performed, and Timmins' Maple Leaf Hotel, are now vacant lots; Peterborough's Pig's Ear Tavern closed in 2017 after 152 years of operation, its future so uncertain that it was added the same year to the National Trust's Top 10 Endangered Places list. It's clear that communities need to do more to identify and protect their musical heritage sites before they and the opportunity that they represent for cultural and economic enrichment, are lost.



The Pig's Ear Tavern building in Peterborough
Photograph: City of Peterborough

There are many positive examples of communities developing innovative solutions for using musical heritage as a cultural and economic development catalyst. In Minnesota for example, the City of Minneapolis has been completing a musical history inventory, in which the careers of local stars Bob Dylan and Prince loom large. In San Francisco,

1 Letter from Erik Hanson, Heritage Coordinator, City of Peterborough, October 2019.

2 Lepine, Gaëtan (March 7, 2013). "The bartender who discovered Stompin' Tom Connors". Day 6 (Interview). Interviewed by Brent Bambury.

California, long established small businesses of over 30 years of age, such as musical venues, are eligible for a grant which allows them to survive in their traditional neighbourhoods. In England, a national Blue Plaque program led by English Heritage, commemorates special places in Liverpool where the likes of John Lennon, Keith Moon and Brian Jones once lived, played and wrote songs. And then there is the Winnipeg, Manitoba, hometown of Neil Young, Randy Bachman and Burton Cummings. Winnipeg has used its musical heritage to shine the light of cultural vitality upon the City, contributing to making it an attractive place to live and invest once again.

From Orillia (Gordon Lightfoot) to Kingston (The Tragically

Hip) and Ottawa (Paul Anka), there are several communities across Ontario that have launched talented musical artists onto national and international stardom. Perhaps celebrating musical heritage will provide a lucrative road map to cultural and economic vitality for more communities.

Michael Seaman is a Senior Project Manager with the City of St. Catharines. He is also currently serving as Ontario's member on the Board of Governors of the National Trust for Canada and as Chair of the Town of Lincoln Municipal Heritage Advisory Committee.

Annual General Meeting

THIS YEAR THE ANNUAL GENERAL MEETING WILL BE A VIRTUAL MEETING USING ZOOM.

THE AGM WILL BE SATURDAY, MAY 29, 2021 AT 10 AM.

IF YOU WISH TO PARTICIPATE, PLEASE EMAIL

ginetteguy@communityheritageontario.ca

THE AGENDA AND DOCUMENTS PACKAGE WILL BE FORWARDED IN THE CONFIRMATION EMAIL, ALONG WITH THE ZOOM LINK.

WE HOPE TO SEE YOU ALL AT THE AGM.

HERITAGE GENERAL STORES

NANCY MATTHEWS

The General Store was of huge importance to early pioneering communities, whether 1790s along the Great Lakes or much later in settlements like "The Queen's Bush", a forested tract of Crown land in south Grey County that didn't officially offer land grants until 1850.

For early settlers, a local general store supported their arduous task of carving a living out of virgin wilderness. Pioneer farmers worked long hours to clear land for cultivation but rarely produced enough excess crops or meat to justify taking a full day (or more) away from farm work for a difficult trip to market over bad roads. Instead, the store owner accepted bits and pieces from the entire

community until he had enough to fill a wagon. The cash from selling assorted goods at a larger center provided the means of paying for a return wagonful of mercantile goods for his customers.

In addition to food and kitchen staples, the general store stocked many other necessities such as pots and pans, yarn & dry goods, hardware, school supplies, tools, seeds, agricultural equipment, and a wide selection of other paraphernalia ranging from buckets to string to candles – in fact almost anything pioneering homesteaders might regularly require but couldn't grow and/or make for themselves. Rural general stores usually housed the post office; and in many cases offered other public services such as a

lending library or clothing exchange.

A barter system compensated for the scarcity of cash money. A farmwife might bring maple syrup, butter, eggs, soap to trade for a bolt of cotton to make clothing. Her husband might bring game or ham or a bushel of potatoes to exchange for a steel trough or a new saw blade. Everyone brought their own tins or jars to refill with sugar, flour, oil, or other staples stored in large bins or vats.

Carefully kept accounts were tallied once a month for “reckoning day”. Both parties often agreed to a carry-over credit rather than a cash payment. For farmers, a credit balance after autumn harvest was something to “live off” in the lean winter months. For a shop keeper, barter credit given to farmers meant having cash to pay itinerant salesmen for new stock.

The first “general stores” in many pioneer hamlets were the front room of a farmhouse near cross-roads.

As population increased, larger more functional structures were erected, often by entrepreneurs with cash to invest. When fire took toll of wooden structures housing oils, paraffin and other flammables, early general stores were generally rebuilt of brick.

A typical rural General Store had at least 2 full height floors plus cellar and attic storage. The main floor ceiling height of 10-12 feet allowed for hanging cumbersome articles like washtubs, copper boilers

and farm implements. The owner’s family generally lived above and shared their living space with excess goods. A covered porch for display of goods often had a bench where customers could sit and visit.

By 1867, larger rural communities in the “Queen’s Bush” had two or more general stores, one of which served as the Post Office. On rural stretches of the Toronto-Sydenham Road (Highway 10), there was some sort of store every mile or two from south of Dundalk to far north of Markdale.

By the 1940s when better roads and improved vehicles made “trips to town” a pleasant and convenient option, many of these country stores gradually became private homes or converted to other retail uses like restaurants, antique stores, or art galleries – a locally appreciated repurposing of such long-cherished community bulwarks.

The Municipality of Grey Highlands, located in the heart of “The Queen’s Bush”, is proud to have three heritage general stores not only listed to our heritage register, but also still operating as such, and all of them well worth a visit.

Visit the register at https://www.greyhighlands.ca/en/visit-and-explore/heritage-grey-highlands_copy.aspx.

Nancy Matthews is the Chair of Heritage Grey Highlands.

The Feversham General Store has been in continuous operation since 1885. After a fire destroyed the original wooden structure in 1932, a more solid brick replacement was built. Recently, residents formed a cooperative enabling the store to continue providing staples, including whatever might be on the LCBO outlet shelves.



Feversham General Store today
Photograph: N. Matthews



Feversham General Store in the 1890s
Photograph: N. Matthews

The Badjeros General Store has been in continuous operation since 1885. The simple, well-maintained, purpose-built structure is mostly un-changed except for modification to the front porch. Triple-arched windows allow maximum interior light. Original wooden cabinetry and counters grace the interior.



Badjeros today
Photograph: N. Matthews



Badjeros in the 1890s
Image courtesy of Heritage Grey Highlands

Founded c. 1850, Kimberley became a bustling commercial hub with gristmills, sawmills, three blacksmiths, two hotels (one temperance, the other decidedly not) as well as various stores serving the extensive agricultural community in Euphrasia Township. Over several decades of agricultural decline, changing uses for the Kimberley General Store (built 1906) included a bank, housing the manager of the nearby creamery, serving as the library, an art gallery, and periodically the Post Office.

Kimberley is now a heritage tourism destination. Beautiful local scenery, nearby ski hills, challenging terrain and relaxed lifestyle attracts artists, bikers, hikers, photographers, and retirees.

In 2010, a new owner restored the General Store to its origins and once again it is a focal point of village life and a popular stopping place for tourists, offering locally produced foods as well as healthy, home-cooked lunches. The two-story covered veranda added in 1916 protects customers from Grey County winter snow, and in summer provides shade to visit with friends, enjoy a drink or a snack, admire the view of escarpment landmark Old Baldy, or just to sit and watch the world go by.



Kimberley General Store today
Photograph: N. Matthews



Kimberley General Store in 1910
Image courtesy of Heritage Grey Highlands

PROPERTY INSURANCE ON DESIGNATED PROPERTIES

PAUL R. KING

I have always understood that property insurance premiums were based on the replacement value of the building(s) being insured and, therefore, it was irrelevant whether a property was designated under the Ontario Heritage Act. My understanding has changed. Some insurance companies are concerned that if a building on a designated property is destroyed in whole or in part, the insurance company holding the policy will not have control over the cost of any reconstruction or replacement. Members of local municipal heritage committees or perhaps local municipal councils, will dictate what is to be done—all at the expense of the insurance company. This extra regulatory step is of concern to some insurance companies. Hence, some insurance companies either refuse to insure designated properties or they set very high replacement values based on restoring the heritage buildings on the properties exactly as existed prior to the damage. This, of course, results in very high insurance premiums. I know of a designated property where the premiums increased 400% over a ten year period with the latest annual increase being 150% in spite of the fact that the home was well maintained, no changes to the home were made during this period, and no insurance claims had ever been made over a quarter century ownership period. The final kicker is that the insurance premiums would have increased by another 40% if the homeowner had not been a loyal long-term customer

with additional insurance coverage for vehicles. This issue is particularly acute for large heritage designated homes (i.e., over 5,000 square feet).

So, what are the solutions? Firstly, if you do not have a mortgage registered against the property, you may be able to avoid coverage for full replacement value. For example, the cost of restoration or repairs may be shared between the insurance company and the property owner so that the insurance company might pay for 80% of the restoration/repair cost and the owner might pay for 20% thereof. With somewhat less risk for the insurance company, the premium would be lower. Secondly, insurance premiums are lower if the insurance deductible is higher. Thirdly, search for an insurance company that is not spooked by designated heritage properties. This may take some time but there are such companies. Fourthly, if you do not have a mortgage registered against the property, do not insure your property. This last option is not recommended for obvious reasons. If you own a designated heritage property, do not despair. There are solutions.

If you disagree with the above analysis or if you have further information or solutions, please speak up and share your thoughts with board members of Community Heritage Ontario.

Paul R. King is a past board member of CHO/PCO.

THE ONTARIO BARN PRESERVATION ORGANIZATION

JON RADOJKOVIC

We'd like to introduce you to **Ontario Barn Preservation**. We are a not for profit organization that began in 2018, dedicated to being a point of contact for those looking for information about Ontario's barns built primarily before 1950. This includes barns built as far back as when the first settlers of European descent arrived here in the late 1700s, when Ontario was still called Upper Canada.

First and foremost we want to celebrate the incredible craftsmanship of these buildings, many of which have withstood the test of time and are one of the last pioneer-made tributes to Ontario's history. Our organization looks at all aspects of old barns including restoring, converting, repairing, removing, selling, studying, documenting, photographing, touring, measuring and much more. We offer membership for barn owners, barn lovers and many related organizations, such as local historical societies. Our membership is increasing and we welcome volunteers.

OBP is also cognizant of the rural-urban divide and are determined to do what we can through education to bridge

that divide to everyone's advantage.

As an organization we have no interest in forcing heritage designation on any old barns. We recognize the costs and



Barn frame

restrictions of that potential designation and don't want to restrict agricultural use for the future if the barn and farm land changes ownership, but we would support individuals who proceed down that route.

Some of the tasks we are working on include lists of contractors and barn specialists, a barn bibliography, advocacy around government policy and one of our main projects, a census with photos and detailed descriptions of all the historic barns in Ontario.

We hope to lead barn tours in all corners of Ontario in the future and for now we have special events on line and a weekly blog written by barn specialists. Visit us at <https://ontariobarnpreservation.com/> and please feel free to contact us at info@ontariobarnpreservation.com.

Jon Radojkovic is President of Ontario Barn Preservation. Photography by Jon Radojkovic.



Beaver Valley farm (above) and a Durham barn (below)



CHO/PCO MISSION STATEMENT

To encourage the development of municipally appointed heritage advisory committees and to further the identification, preservation, interpretation, and wise use of community heritage locally, provincially, and nationally.

ADVERTISE IN CHOnews!

REACH A PROVINCE-WIDE READERSHIP COMPOSED OF ALL MUNICIPAL HERITAGE COMMITTEE MEMBERS, HERITAGE SOCIETIES, MUNICIPAL OFFICIALS, AND HERITAGE CONSCIOUS INDIVIDUALS!

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I began my professional career in Heritage Planning at the North York Historical Board in the early 1980s. My work initially involved making measured drawings of important buildings listed on the North York Inventory of Architecturally and/or Historically Significant Properties. My project supervisor was the late Anne M. de Fort-Menares, Architectural Historian for the City, a distinguished member of the Association for Preservation Technology. At the North York Historical Board offices, I became familiar with Heritage Structure Reports prepared by Ms. de Fort-Menares on many of the heritage buildings included on the Inventory. I believe she designed the format for these research reports. I learned much about early Ontario architecture from working with Ms. de Fort-Menares both directly and through her excellent Heritage Structure Reports.

When it came time for me to prepare research reports on heritage buildings, I followed the format established at North York. The Heritage Structure Report began with the historical name of the structure, its address and legal description, its original and present uses, the owner's name and the historical community where it was constructed. Following this basic listing of information there was the Architectural Description, a detailed section that described the existing appearance of the building. The focus of the architectural description was the building exterior; however, if access to the interior was permitted by the owner, a description of the floor plan and interior features was included.

The next section of North York's Heritage Structure Report was Stylistic Characteristics, sometimes titled Stylistic Analysis. This section of the report examined the building in terms of architectural style, and looked at the influences reflected in the design and details. It also covered the historical development of the building and included comments about alterations. Site Considerations followed this section of the report, looking at the characteristics of the property and the surrounding environment. This information provided contextual information, and was similar to what one would find in a report for a development application where the context of a property was being described.

The final section of the Heritage Structure Report was the Historical Significance or Historical Background section, which placed the building and property into an historical context. The contents of this section were backed up with a list of sources at the end of the document.

All of the elements of the Heritage Structure Reports that I encountered in the early 1980s at North York contained the necessary information to establish the suitability of a property for designation under the Ontario Heritage Act long before the province's Regulation 9/06 came into effect.

Other communities call these reports a Research Report, Designation Proposal, or a Designation Report, but the overall idea is the same – to make a convincing case for protecting a property through designation under the Act.

In 2021, the world of heritage conservation is much more sophisticated than it was when I entered the field. When the Ontario Heritage Act was still rather new, research and reports on heritage properties were often done by community volunteers and summer students. Now, many municipalities have heritage staff, or make use of professional consultants. The field has matured and become part of main-stream municipal planning. Research reports potentially leading to heritage designation are given much closer scrutiny in the current planning environment, and therefore it is essential that these reports are done with care.

Over time, I modified the format of the Heritage Structure report as I became more established in the field of heritage conservation. I eventually moved the Historical Background to the front of the report, followed by Architectural Description, Stylistic Analysis, and Context. In the early years of my career, I focussed my attention on architecture, but by the late 1980s, I had the good fortune to begin to work with the late Janet Fayle of Richmond Hill, a very skilled historical researcher. I learned a great deal about historical research methods and sources during my many years working with Ms. Fayle, which significantly enriched the quality of the Heritage Structure Reports that I prepared.

I have learned a number of things during my many years in the field. It takes experience to describe and interpret architectural features and construction methods. Published reference books are valuable for ensuring that the details of a building are properly described. Most buildings that the average municipal heritage committee will deal with will tend to be vernacular in character, with one or more stylistic influences reflected in their design. Again, reference books are an essential resource to consult, and it is not unusual to find a building that is difficult to place in a stylistic category, especially if alterations and additions have been made over time. Style can be a tricky aspect of heritage building analysis to get right. Mistakes can be costly when a proposed designation is challenged.

Historical research is another skill involved with report preparation that requires considerable time to master. Primary sources should always be checked to ensure the history of the property, building, and associated people are correct. Experience is an asset when interpreting deed abstracts, census data, assessment rolls and genealogy. To rely too much on secondary sources is not advisable, even when the history has been published and has been

established for a long time. I learned this when fact-checking some well-known heritage buildings in Unionville and Markham Village that turned out to have originally been owned by people different from the local tradition.

When it comes to context, there are different kinds of context. There is the context of the building on its lot, which may contain other features, and the context of the building and property within the neighbourhood or larger community. Other kinds of context include how the building relates to the history of the community and other examples of the same building type, architectural design, or method of construction that are found locally.

Ultimately, when preparing a report on a property of potential cultural heritage significance, it is essential that contents of the report can be related back to the province's

criteria for designation. This is how consultants working on behalf of property owners are doing their research reports in the present context. Municipalities should be sure to have reports that can be compared on a similar basis with those prepared by consultants, especially when a heritage designation needs to be defended. Communities have the advantage of knowing their history and built cultural heritage resources better than anyone, and this 'local intelligence' should be leveraged to its full advantage as municipal heritage committees work to protect their legacy of significant structures.

George Duncan is a former Senior Heritage Planner with the City of Markham.

Do you know someone on your Municipal Heritage Committee who should be recognized for their work?

Every year Community Heritage Ontario awards members who have contributed to the cause of heritage in Ontario. All it takes is for you to submit a nomination form to CHO/PCO and wait and see who wins!

If you have any questions regarding the annual awards and nominations, please email Matthew Gregor at matthewgregor@communityheritageontario.ca

NEWS FROM THE BOARD OF DIRECTORS

RICK SCHOFIELD

As a result of the Pandemic, the Board held a Zoom meeting on March 28th.

On behalf of CHO/PCO, the President has submitted objections to Bill 257 allowing the province to ignore its own policy statements which could impact on heritage properties. A virtual workshop on OHA regulation 9/06 was held in Caledon in January and the President attended a Zoom workshop organized by Robert Shipley. Insurance issues relating to heritage properties has been an ongoing concern and information will be posted on the website.

The Corporate Secretary/Treasurer reported that MHC renewals are slowly being received as some municipal offices and/or MHC Chairs are gaining access to their facilities and getting the financial issues resolved with municipal clerks. There are still a number of MHCs that did not renew in 2020 and a few from 2019 indicating that the pandemic is affecting the ability of MHCs to function in the usual manner.

Correspondence has been received from MHC members concerned about local issues such as Bill 108, the demolition of Dominion Foundry buildings, changes to access to the Land Registry files, MZOs and their affect on heritage properties, Schedule 3 of Bill 257 and the aforementioned

insurance issues.

From a financial point of view, CHO/PCO has adjusted its activities in an effort to balance the budget. With the slow rate of renewals, revenue has been affected, but with the Board meeting by Zoom, travel expenses have been reduced. While it is sometimes ideal to meet in person to discuss issues facing CHO/PCO, it is not possible at this time.

The newsletters will be produced in the usual manner. Some MHCs have indicated that their copies are going to spam filters and are switching back to delivery of hard copy. CHO/PCO will provide hard copies or electronic versions of CHOnews based on individual requests.

The Conference Committee has been dealing with the COVID-19 affect on future planning. The conference for 2021 has been postponed and with the uncertainty of pandemic issues and municipalities getting back to normal, Brockville has declined to host the 2022 conference. The good news is that London has confirmed interest in hosting the 2023 conference. Due to space limitations in smaller communities, a smaller conference may be possible as well. A conference in 2022 is expecting to be planned once a host site can be found.

In-person workshops and programs are on hold but

the Program Officer indicated that eleven videos are on YouTube with lots of views.

Regarding the Heritage Awards, CHO/PCO is still looking for applications, especially from MHCs who have someone who would qualify for outstanding service to their local MHC.

CHO/PCO has received various concerns about over-priced insurance issues placed on heritage properties. While a few companies feel that restoration of heritage properties is an added burden to costs, there are many companies who accept heritage buildings has any other building and premiums are set accordingly. CHO/PCO will contact the Ministry to ascertain if it is possible to pressure the few companies that are not treating owners of heritage buildings fairly.

Some companies have been reported as using the once-in-lifetime 2011 Goderich tornado costs as an excuse to

raise premiums across the province. Shopping around is recommended.

Concerning issues relating to heritage listing and designation, the Board felt that it might be difficult to create a generic presentation for the website since each municipality has its own policies and procedures. However, the basics for listing and designation such as property descriptions and working with the property owner might be useful to some MHCs struggling with these issues.

With the uncertainty of the pandemic, the Board agreed to meet “virtually” again with the next meeting scheduled for June 27th. MHCs with questions, issues or concerns are invited to seek comments from the CHO/PCO Board by email to the Corporate Secretary.

Rick Schofield is the Corporate Secretary/Treasurer of CHO/PCO.

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BOARD MEETINGS

CHO/PCO Board of Directors meetings are open to any MHC member. Meetings will be held virtually until further notice. Please contact the Corporate Secretary if you wish to attend.

ARTICLE DEADLINES

JANUARY 10

MARCH 10

JUNE 10

OCTOBER 10

Article submissions are always welcome.