



City of
Peterborough

To: **Members of the Committee of the Whole**

From: **Ken Doherty, Director of Community Services**

Meeting Date: **June 20, 2016**

Subject: **Report CSACH16-004**
Heritage Conservation District Plan Adoption

Purpose

A report to recommend the adoption of the Avenues and Neighbourhood Heritage Conservation District (HCD) Plan.

Recommendations

That Council approve the recommendations outlined in Report CSACH16-004 dated June 20, 2016 of the Director of Community Services as follows:

- a) That the recommendation of the Peterborough Architectural Conservation Advisory Committee (PACAC) to adopt the Heritage Conservation District Plan for the Avenues and Neighbourhood under Part V, Section 41.1(6) of the Ontario Heritage Act (R.S.O. 1990, c.O.18), be approved, and;
- b) That a Preservation Incentive Program be established towards work associated with preserving property to recognized conservation standards as follows:
 - i. to owners of property within the Avenues and Neighbourhood Heritage Conservation District;
 - ii. in the amount of matching grants up to \$5,000 per property once in each five year period;
 - iii. with a total budget for the program for 2017 of \$50,000.

Budget and Financial Implications

In 2014 Council approved a \$40,000 capital allocation for the completion of a Heritage Conservation District Plan (6-2.02). In 2015 Council made a further \$30,000 capital allocation (6-2.03). There was sufficient approved budget to cover the \$60,000 cost for the creation of the Plan with \$10,000 held as a contingency in the event that a challenge is made before the OMB. Staff is also recommending a preservation incentive program be established to provide small revolving grants for owners of properties in the district. A capital request is being made in the 2017 budget for \$50,000 to create ten, \$5,000 matching grants to support heritage conservation and restoration work.

Background

The creation of a Heritage Conservation District is completed in two stages, the District Study and the District Plan. In June of 2015, Council received report CSACH15-002 and passed the following motions adopting the Heritage Conservation District Study for the Avenues and Neighbourhood:

- That the recommendation of the Peterborough Architectural Conservation Advisory Committee (PACAC) to adopt the Heritage Conservation District Study for the Avenues and Neighbourhood under Part V, Section 40.3 of the *Ontario Heritage Act* (R.S.O. 1990, c.O.18), be approved,
- That the Official Plan be amended to identify heritage conservation districts as an approved heritage planning tool, and;
- That Staff be authorized to proceed with the completion of a Heritage Conservation District Plan and By-law for the Avenues and Neighbourhood.

With the adoption of the Study, the City undertook the creation of a District Plan for administering the properties in the proposed district. The Plan forms the basis of the By-law that will designate the district under Part V of the Ontario Heritage Act. Under the Plan, the HCD boundary is finalized and guidelines are developed to manage future change while providing for the conservation, protection and enhancement of the area's special character.

Community Consultation

The HCD Plan for the Avenues and Neighbourhood was developed in close consultation with the community. In September of 2015, questionnaires were sent to all property owners and residents in the area to solicit input on the findings of the HCD Study and to help guide the creation of the HCD Plan. In total, 50 responses were received, 46 of which were from resident property owners.

Community meetings were held on October 15, 2015 and April 13, 2016 to present drafts of the Plan to the community and receive feedback and concerns. Notices of meetings were hand delivered and mailed to all owners and residents with an average of 40 people in attendance at each meeting.

These meetings included presentations by the consultants and a workshop to seek more detailed input on the content of the Plan and the community's vision for the Avenues and Neighbourhood. Project Updates were posted on the City website and circulated in hard-copy to all property owners. In addition to public consultation the HCD Steering Committee, comprised of Staff and members of the community, met in September of 2015 and March of 2016 to provide feedback as well.

Following the second meeting of the Project Steering Committee on March 22, the draft Plan was made available to the public both online and in hard-copy on April 1, 2016. A statutory public meeting was held April 13, 2016 with a deadline for public comment of Monday, April 25. Comments received from the community were reviewed by the consultants and revisions made accordingly.

Recommendation by PACAC

At its meeting of May 5, 2016 the consultants presented the HCD Plan to the Peterborough Architectural Conservation Advisory Committee (PACAC). As required by the **Ontario Heritage Act**, the committee passed a motion to endorse the Plan and recommend its adoption by Council. The Plan was further endorsed by the Arts, Culture and Heritage Advisory Committee at its meeting of May 12, 2016.

Official Plan Amendment

Section 41.1 of the **Ontario Heritage Act** requires that the Official Plan of a municipality include provisions for the creation of heritage conservation districts. The consultants for the HCD reviewed the City's current OP and have concluded that the language relating to heritage does not support the creation of conservation districts. The Planning Division is in the process of updating the Official Plan but has agreed that, given the schedule of that project, a specific OP amendment authorizing the creation of HCDs should proceed independently.

Notice of Complete Application for the Official Plan Amendment was made May 17, 2016 and a public meeting will be scheduled after the June 13 deadline for comment. It is expected that the Staff report from the Planning Division recommending the OP amendment authorizing conservation districts will come to Planning Committee by late summer. At that time, Staff will bring forward a report recommending the passage of the By-law creating the Avenues and Neighbourhood Heritage Conservation District.

Financial Incentives

The City has long recognized the value of providing support to owners who undertake the preservation of the City's heritage. Under Part 39 of the Ontario Heritage Act, Council may provide grants to the owner of a designated heritage property for the purpose of supporting the cost of approved alterations to heritage attributes under such terms and conditions as it may prescribe.

Staff has determined that the cost of extending the current Heritage Property Tax Relief Program to the Avenues HCD would be cost prohibitive. Instead, Staff are proposing a program that will provide owners of properties within Heritage Conservation Districts with matching grants to help owners offset the extra costs associated with preserving their properties to recognized conservation standards. Grants will be awarded to a maximum of \$5,000 and any amount granted must be matched by the owner. A property owner will be eligible to apply annually until the \$5,000 threshold is reached after which they must wait five years before applying again. The grant will be based on the owner's actual expenditures as verified by invoices.

The program will be administered by ACH Division staff who will review and approve applications and inspect completed work on heritage properties. A project must be for the conservation or restoration of heritage attributes identified in a Heritage Conservation District Plan. Typically this would include any work that conserves existing architectural elements, reconstructs architectural features which are beyond conservation or repair, or restores historic elements which have been lost. Short-term, routine maintenance and landscaping work will not be eligible.

Summary

The Avenues and Neighbourhood Heritage Conservation District Plan forms the basis of the By-law that would designate the district under Part V of the Ontario Heritage Act following the required amendment to the Official Plan. Under the Plan, guidelines have been developed to manage future change while providing for the conservation, protection and enhancement of the area's special character. The contents of the Plan will be considered and referenced by property owners, tenants, City of Peterborough staff, the PACAC and Council when reviewing and making decisions regarding any proposed changes (e.g. alterations to existing buildings, new construction, public works, etc.) within or adjacent to the District.

Submitted by,

Ken Doherty, Director
Community Services Department

Ken Doherty, Director
Community Services Department
Phone: 705-742-7777, Ext. 1823
Toll Free: 1-855-738-3755
Fax: 705-748-8824
E-Mail: kdoherty@peterborough.ca

Erik Hanson
Heritage Resources Coordinator
Phone: 705-742-7777, Ext. 1489
Toll Free: 1-855-738-3755
Fax: 705-748-8824
E-Mail: ehanson@peterborough.ca

Attachments:

Appendix A – Avenues and Neighbourhood Heritage Conservation District Plan

Appendix B – Draft Terms of Reference for Heritage Incentive Program