



City of
Peterborough

To: Members of Committee of the Whole

From: Ken Doherty, Director of Community Services

Meeting Date: May 29, 2017

**Subject: Report CSACH17-005
Listing of Properties on Heritage Register**

Purpose

A report to recommend the listing of certain properties on the City's Register of Properties of Cultural Heritage Value or Interest and to receive a presentation by staff on the value of heritage conservation .

Recommendations

That Council approve the recommendations outlined in Report CSACH17-005 dated May 29, 2017 of the Director of Community Services, as follows:

- a) That a presentation on the value and process of heritage preservation in Peterborough be received for information;
- b) That the recommendation of the Peterborough Architectural Conservation Advisory Committee (PACAC) that the list of properties included in Appendix A of this report be added to the City's Register of Heritage Properties as being of cultural heritage value or significance be adopted; and,
- c) That the City Clerk be authorized to keep available for viewing by the public a current copy of the Register to be updated at regular intervals by the Heritage Preservation Office, as approved by Council.

Budget and Financial Implications

There are no budgetary or financial implications resulting from approval of this report.

Background

Overview and Legislative Direction

In 2006, City Council approved recommendation (b) of Report CSCH06-011 to the Committee of the Whole that:

Pursuant to the **Ontario Heritage Act** Section 27.1 as amended by the **Stronger City of Toronto for a Stronger Ontario Act**, 2006, the register of places of cultural heritage value or interest kept by the clerk, be upgraded to include properties that have not been designated under Part 4 of the Act, but that the Council and municipality believe to be of cultural heritage value or interest.

Section 27 of the **Ontario Heritage Act** requires the Clerk of the municipality to keep a register of the designated properties in the City. Under the amendments made in 2006, the register may also include properties that are not designated but that the Council and municipality believe to be of cultural heritage value or interest to the community.

Properties listed on the Register as non-designated properties are those which have been identified as worthy of Council's further consideration for designation as appropriate. They are not protected to the same extent as designated properties but listing does provide one element of control by the municipality; it requires the owner of a building to give 60 days notice of their intention to seek a demolition permit.

The 60-day waiting period provides Council the opportunity to review the heritage value of the property and determine if the property is worthy of designation. Peterborough, like many municipalities, has many more properties worthy of designation than time and staff resources permit. The 60-day waiting period provides Council time to seek input from its Municipal Heritage Committee the Peterborough Architectural Conservation Advisory Committee (PACAC), as required by law, and begin the designation process to protect a building that proves to be significant. This provision in the Act also allows Council to require the submission of plans, if it wishes, and other information about a property's proposed redevelopment.

The Heritage Preservation Office (HPO) has an ongoing process of evaluating properties to determine their heritage value. Over several years all the properties in Schedule 'J' and a large number of properties in Schedule 'H' of the Official Plan have been reviewed. In addition the HPO has evaluated other buildings over the years based on the request of owners, development proposals or because of historical associations with events or people.

Original Register Proposal

At the September 8, 2009 meeting of the Committee of the Whole, Council received Report CSACH09-015 which recommended the listing of all properties in Schedule 'J' that met PACAC's basic evaluation criteria for designation. These 1791 properties are shown on the map attached as Appendix B and illustrate how intact the historic landscape is in the Core Area of the City.

At the September 2009 meeting, concern was expressed that owners should be consulted regarding the listing of their buildings and Council directed staff to seek community input through a newspaper advertisement.

The ad ran in October 2009 and there was limited response. At that time, the City was in the midst of its Municipal Cultural Plan; the Central Area Master Plan was being completed; and the Official Plan update was commencing. With the possibility that these planning initiatives might take the development of the downtown in new directions, the Register listing process fell dormant.

Revised Proposed Listing and Public Consultation

In 2014 The Arts, Culture and Heritage Division Work Plan identified completion of the Register of Eligible Properties as a priority project. Following staff discussions, it was decided that an initial listing of properties that clearly met provincial criteria for heritage significance, underpinned by strong community consultation, should be created for Council's consideration. This list of properties, eligible for listing on the City's Register, is City-wide and focuses on buildings which had been previously identified as having substantial significance. The properties are shown on Appendix B.

In December 2014 the Heritage Preservation Office held an information session at the McDonnell Street Activity Centre on the value of expanding the City's Heritage Register. George Duncan, Senior Heritage Planner from the City of Markham provided an overview of the benefits of the Register of Eligible Properties to the community. Markham was an early adopter of the expanded register concept. Approximately 50 residents attended to learn about the proposed changes to the Heritage Register. A Heritage Register Info Session Feedback form was circulated at the event as well.

On April 23, 2015 a second public meeting was held at the Knights of Columbus Hall. The meeting was open to the public but the owners of all the properties on the draft register were directly mailed an invitation to the event. About 30 people were in attendance including a number of owners of identified properties. Questions about the register were addressed. Several inquiries were made following the meeting but no subsequent concerns or objections were received.

At the November 3, 2016 meeting of the PACAC the Committee approved the recommendations of Report PACAC16-038 that the proposed Heritage Register be endorsed by the Committee and that staff be requested to forward the endorsement to

Council for its consideration. The list of properties recommended for inclusion as places of cultural heritage value or interest on the City's Heritage Register is attached as Appendix A of this report. A report was prepared for Council in early 2017 but was deferred pending a final notification to owners of the proposed listing of their property on the Register.

Heritage Preservation in the Core Area

The 1991 Downtown Master Plan clearly articulated the importance of reviewing the heritage value of all buildings in the historic commercial core of the City as part of development planning:

Even though the significance of individual properties may not warrant designation under the **Ontario Heritage Act**, their loss may detract from the character of the Downtown, therefore the conservation of all properties is encouraged. To fulfill this objective, the Master Plan requires the development of a Heritage Conservation Implementation Plan, the scope of which may include the establishment of an area of demolition control and a heritage conservation district.

While the Heritage Conservation Implementation Plan was not completed, the 2009 Central Area Master Plan (CAMP) recognizes that "Public sensibilities now expect preservation of the building stock as a celebration of cultural heritage. Starting with a clean slate is an anomaly in the downtown".

City staff anticipates that pressure to redevelop Peterborough's historic downtown will increase significantly over the next several years as a result of the intensification targets in the Province's Places to Grow plan and the current housing boom in anticipation of the 407 connection with 115. The debate to preserve, to balance, or to develop will also intensify. Under Places to Grow 40% of all residential growth must be within the built-up area and a significant portion of that should be within the Downtown.

The Official Plan update will seek to promote residential intensification of the Downtown which is critical to revitalization. This strategy will require a balanced approach to heritage preservation and redevelopment opportunities including demolition of certain buildings. Failing to encourage reinvestment and a balanced approach will prevent intensification from happening and lead to a gradual decline of the Downtown. The registrar allows for identification of key properties so that these opportunities can be realized.

The Black Horse and the Pig's Ear

While the properties at 450 George Street North and 144 Brock Street, known as the Black Horse and the Pig's Ear, have strong associations with the community, are integral parts of the 19th century streetscape and display a high order of architectural design, neither are included on the proposed Register of Heritage Properties. After discussing development options with City staff, local developers, as agents for the current owners, applied for and were issued demolition permits for the properties, in February of 2017.

Subsequently, at its March 2nd, 2017 meeting, the Peterborough Architectural Conservation Advisory Committee approved the recommendations in Report PACAC17-016 that both properties be recommended to Council for designation, pursuant to Part IV, Section 29 of the **Ontario Heritage Act** as being of cultural heritage value or interest. At its March 27th meeting of Committee of the Whole, Council approved the following motions:

- a) That Report CSASH17-003 be received for information.
- b) That staff work with the developer to maintain a heritage design on both buildings and report back to Council as soon as possible with an update on the design.

City staff met with the developer on April 21st, 2017. At that time, both parties agreed that the developer should undertake a Heritage Impact Assessment of the two properties prior to demolition, given the two buildings' proximity to the designated Morrow Building.

Subsequently, it was reported that efforts to acquire the Black Horse property were not successful and that the property remains available for purchase. This, however, does not immediately nullify the demolition permit. Should a new owner wish to proceed with its demolition, they would still need to engage a Structural Engineer to assess the demolition's potential impact on the adjacent designated structure as a condition of the demolition permit. As in the preceding paragraph, the City would also require them to undertake a Heritage Impact Assessment.

If, for whatever reason, development plans change and demolition does not proceed for either property, then Council should consider adding them to the City's Register of Heritage Properties or proceeding with designation.

Summary

The recent experience with the Black Horse and Pig's Ear properties underscores the need for an official Register of Heritage Properties to protect Peterborough's historic downtown and to provide appropriate tools for its development.

Submitted by,

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Attachments:

Appendix A – List of properties of cultural heritage value or interest
Appendix B – Map of Heritage Properties in the City