



City of
Peterborough

TO: The Chairman and Members of Committee of the Whole

FROM: Ken Doherty, Director of Community Services

MEETING DATE: October 16th, 2006

SUBJECT: Report CSCH06-011
Changes to Heritage Procedures

PURPOSE

A report to recommend approval of several procedural changes to comply with the revised Ontario Heritage Act and to provide direction to owners of designated properties regarding conservation standards for heritage buildings.

RECOMMENDATION

That Council approve the recommendations outlined in CSCH06-011 dated October 16th, 2006, of the Director of Community Services, as follows:

- a) That pursuant to the *Ontario Heritage Act* (R.S.O. 1990, CHAPTER O.18) Section 33, as amended 2005, Council delegate the power to consent to a specific class or type of alterations to property designated as being of cultural heritage value or interest to the City's Heritage Preservation Officer, and;
- b) 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, and;

- c.) that *The Standards and Guidelines for the Conservation of Historic Places in Canada* produced by the federal government under the Historic Places Initiative be adopted by the City as the standards for the conservation of properties designated under the Ontario Heritage Act.

BUDGET AND FINANCIAL IMPLICATIONS

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

BACKGROUND

Council Review of Alteration Requests

In 2005 the Ontario Heritage Act (OHA) was amended to include major changes to the type of historic places that it protects as well as providing municipalities far greater powers to preserve heritage assets. One of many useful 'housecleaning' changes is the ability of Council to now delegate the approval process for some or all types of alterations to designated buildings to staff. Through an amendment to the By-law which originally created PACAC (now formally called the Municipal Heritage Committee under the revised OHA), Council can list certain types of alterations that typically do not require Council's consideration but which should have close review by expert staff. Such alterations might include requests for window replacement, removal of later additions, reconstruction of porches or verandahs, etc..

In recent years the task of reviewing and approving alterations has informally fallen to PACAC which should under the OHA pass on recommendations to Council for approval. To be fully in compliance with the Act, each approval of an alteration impacting on the heritage attributes of a building should lead to an amendment of the by-law designating the building. In the past, much of this administrative process remained uncompleted due to lack of volunteer time and staff resources.

Now that the City has a full time staff position dedicated to managing the built heritage matters for the City, it is possible to begin formalizing an approvals process and cleaning up the backlog of registrations of approved alterations. As part of this initiative it is useful to delegate the authority for approving alterations to the Heritage Preservation Office (HPO) saving Council the time and energy needed to review such applications. Approvals of alterations will still be made in conjunction with PACAC as provided for in the Heritage Act. It should be noted that the class of alterations would be limited to individual heritage attributes and not to land use decisions regarding entire properties. These decisions should remain the responsibility of Council in consultation with PACAC.

Listing of Eligible Properties in Municipal Register

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 last year, the register may now also include properties that are not designated but that the Council and municipality believe to be of cultural heritage value or interest. Properties are added to this list by Council in consultation with PACAC. The Heritage Preservation Office would be charged with keeping the list current and providing it to the Clerk's office each time it changes. The Clerk is required under the OHA to provide extracts from the register upon the request but is allowed to charge fees as required for the service. The public may also request copies of designation briefs from the Heritage Preservation Office as these are public documents.

Properties listed on the register, which are not designated, are not protected with the same tools as designated properties. Listing does have one important control: it requires the owner of a building to give 60 days notice of their intent seek a demolition permit. The point of this amendment to the Act is to provide Council some 'thinking time' in making a decision about a property that it has deemed historically significant. In many municipalities, Peterborough included, there are many more properties worthy of designation than the City has had time to designate. The 60 day waiting period provides Council time to seek input from PACAC and begin the designation process to protect a building which proves to be highly significant. This provision in the Act also allows Council to require the submission of plans, if it wishes, as well as other information about how the property will be redeveloped.

The Heritage Preservation Office has recently completed a survey of properties in 'Schedule J' of the Official Plan including a categorization of the heritage value of each building. It is anticipated that the initial listing in the expanded register would be drawn from the highest ranking properties in this survey.

Standards and Guidelines for Historic Buildings

In 2003 the Federal government began a nationwide program called the Historic Places Initiative to protect and celebrate Canada's built heritage. It has three components including: The Canadian Register of Historic Places, the Commercial Heritage Properties Incentives Fund (CHPIF) and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Peterborough has been a major contributor to the Register of Historic Places and currently has the second highest number of properties registered in Ontario. As well, this year a project in the City, the Bonnerworth Mills Administration Building conversion to residential units was selected to receive a grant through the CHPIF program.

As part of Peterborough's Heritage Property Tax Relief Program, which now has nearly forty properties participating, the City needs to provide a clear standard to owners about what is expected in maintaining an historic property. The *Standards and Guidelines for the Conservation of Historic Places in Canada* provide a perfect document for laying out the benchmark for what is acceptable conservation work. It is clearly and concisely

written and covers all aspects of maintenance required by owners. In adopting the Standards and Guidelines, the City would be providing clear direction about the expectation of owners in protecting the City's heritage assets.

SUMMARY

Three procedural changes in the way the City administers the protection of heritage buildings will streamline the approvals of alterations to heritage sites, identify heritage properties not yet protected by heritage designation and provide clear standards and guidelines for the conservation of the City's heritage resources.

Respectfully submitted,

Ken Doherty
Director, Community Services

Prepared by:
Erik Hanson
Heritage Preservation Officer

Contact Name(s):

Ken Doherty, Director
Community Services
Phone: 742-7777 Ext. 1823
Fax - 748-8824
E-Mail – kdohertry@city.peterborough.on.ca

Erik Hanson
Heritage Preservation Officer
Phone - 742-7777 Ext. 1489
Fax - 748-8824
E-Mail – ehanson@city.peterborough.on.ca