



City of
Peterborough

To: **Members of the General Committee**

From: **Allan Seabrooke, Commissioner of Community Services**

Meeting Date: **January 21, 2019**

Subject: **Report CSACH19-002**
Delegated Authority for the Alteration of Heritage Properties

Purpose

A report to recommend that Council pass a by-law delegating authority to the Heritage Resources Coordinator for the approval of certain types of alterations to heritage properties.

Recommendation

That Council approve the recommendation outlined in Report CSACH19-002, dated January 21, 2019, of the Commissioner of Community Services, as follows:

That the By-law, attached as Appendix A, be adopted by Council to delegate authority to the Heritage Resources Coordinator for the approval of certain types of alterations to heritage properties.

Budget and Financial Implication

There are no budgetary or financial implications associated with the recommendation.

Background

In 2005, the **Ontario Heritage Act** was amended to allow Council to delegate to staff the approvals process for some or all types of alterations to designated buildings. This provision, outlined under subsections 33(15) and 33(16) of the Act for individually designated properties and subsections 42 (16) and 42 (17) for heritage conservation district properties (HCD), allows Council to identify certain types of alterations that do not require Council's consideration, but which would be reviewed by heritage staff. In order to delegate this authority, the Act stipulates that Council must consult with its municipal heritage committee, Peterborough Architectural Conservation Advisory Committee (PACAC) and pass a by-law outlining what alterations may be approved by staff.

In October 2006, through report CSCH06-11, Council approved the delegation of authority of certain types of alterations to heritage staff to streamline the approvals process. However, this delegation was not formalized in a by-law as required by the Act. Similarly, while the Heritage Conservation District Plan for the Avenues and Neighbourhood, adopted through By-law 16-099, provides for the approval of certain types of alterations to HCD properties by staff, neither was this process formalized in a separate by-law as required by the Act. In order to comply with provincial legislation, staff have developed a by-law to both clarify the types of alterations that do not require review and consent from Council and formalize the approvals process. This by-law is attached as Appendix A.

The delegation of authority to staff to approve certain types of alterations allows the approval process for the vast majority of alterations to become less cumbersome for property owners. The ability of staff to review and approve alterations means that applications for heritage permits can be approved more quickly and the process becomes easier for owners of designated heritage properties. The owners of designated heritage properties are still required to obtain a building permit from the City for any alterations. Furthermore, with the designation of the Avenues and Neighbourhood Heritage Conservation District in 2016, staff anticipate that the number of alteration applications will increase significantly in the coming years. This increase in alteration applications, specifically from HCD properties, has already become evident through 2017 and 2018. The majority of these alterations are minor in nature and can be reviewed easily by staff. The delegation of authority to staff for routine alterations will allow Council and the PACAC to focus their attention on any applications for major alterations that may arise where there is a significant impact on heritage attributes of a property or neighbourhood and, therefore, make better use of committee time.

In practice, heritage staff currently review the vast majority of alteration applications submitted by property owners of both individually designated properties and properties designated as part of an HCD as approved by Council in 2006 and as outlined in the Avenues and Neighbourhood Plan. The passage of a by-law will bring current practice into compliance with provincial legislation.

The new by-law delegates authority to the Heritage Resources Coordinator to approve certain alterations that will have a minimal impact on the heritage attributes of individual properties or heritage conservation districts. These types of alterations are outlined in the attached by-law in sections 3, 4 and 5. Changes involving land use decisions or alterations with major implications on heritage attributes will remain the responsibility of Council in consultation with the PACAC. The new by-law also allows the Heritage Resources Coordinator to refer any application to the PACAC and Council where staff deems additional review is warranted.

The PACAC reviewed the by-law at its meeting of May 3, 2018 and supports the adoption of this by-law.

Submitted by,

Allan Seabrooke
Commissioner of Community Services

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Attachment:
Appendix A: Delegated Authority By-law