



City of  
**Peterborough**

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**To:** **Members of the Peterborough Architectural Conservation Advisory Committee**

**From:** **Erik Hanson, Heritage Resources Coordinator**

**Meeting Date:** **October 28, 2021**

**Subject:** **Demolition of 512-514 College St  
PACAC21-023**

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## **Purpose**

A report to provide an update on the status of 512-514 College St and seek a revised recommendation.

## **Recommendations**

That the Peterborough Architectural Conservation Advisory Committee approve the recommendations outlined in Report PACAC21-023, dated October 28, 2021, of the Heritage Resources Coordinator, as follows:

- a) That the recommendation made by the PACAC under other business at its meeting of October 7, 2021, regarding the demolition of 512-514 College St, be rescinded,
- b) That paragraph 1.e) of By-law 09-109 be repealed to delete all reference to the designation of 512-514 College St, and;
- c) That the decision of the PACAC be forwarded to Council for its consideration.

## **Budget and Financial Implications**

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

## Background

At its meeting of the PACAC on October 7, 2021, under other business, the committee passed the following motion:

- a) That PACAC approve the demolition of 512-514 College Street; and
- b) That the designation by-law not be rescinded, at this time.

The intent was to allow the City to maintain some design control over the reconstruction of the dwelling on the property as well as that of adjacent listed properties. In further consultations with the City's Legal Division and the Chief Building Official the concern was raised that Section 34 of the Ontario Heritage Act (the Act) cannot be read in isolation from the remainder of the Act. While Section 34 allows Council to consent to the demolition of a building and its heritage attributes, this action does not itself automatically remove the heritage attributes from the by-law. This means that while an owner could apply for a demolition permit with Council's permission, the Building Division would be reviewing an application for construction of a new building with heritage attributes still listed on a by-law registered on title and with no permission to alter the property granted.

On balance, staff believes the appropriate action by the City is the removal of the designation. This will allow the owner, who has indicated a desire to reconstruct the building in a style similar to the original dwelling, to move forward in a timely way.

Submitted by,

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Heritage Resources Coordinator

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