

# FINAL REPORT:

Peer Review

Cultural Heritage Impact Assessment  
93 Albert Street, Cobourg, Ontario



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Archaeology**

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12 May 2021

Project # LHC0243

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**LHC**

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## **RIGHT OF USE**

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## **REPORT LIMITATIONS**

The qualifications of the heritage consultants who authored this report are provided in Appendix A. The findings of this report do not address any structural or condition-related issues associated with the structures. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies. The review of policy and legislation was limited to that information related to cultural heritage management; it is not a comprehensive planning review. Soundscapes, cultural identity, and sense of place analysis were not integrated into this report.

## EXECUTIVE SUMMARY

*The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results, as well as limitations.*

On 9 February 2021 the Town of Cobourg retained LHC to undertake a Peer Review of a Cultural Heritage Impact Assessment (**CHIA**) prepared by Martindale Planning Services in association with Barry Bryan Associates for 93 Albert Street, in the Town of Cobourg, Northumberland County, Ontario (**the Property**). The purpose of this Peer Review is to provide a careful examination of the CHIA, determine if it has considered all applicable provincial and municipal requirements, and assess the proposed development from a heritage planning framework in compliance with the Town's CHIA Terms of Reference (**ToR**). The proponent proposes to demolish the existing house and build a new house on the Property. They propose a new house in the same architectural style, front yard setback, and height as the existing dwelling.

Based on evaluations of the CHIA's completeness and heritage planning arguments, it is the professional opinion of LHC's heritage planners that the CHIA does not include all information required in the Town's ToR and Ontario Heritage Toolkit. The CHIA does not include sufficient information and analysis to support demolition and redevelopment on the Property. There are also areas that should be expanded within the CHIA. These include: details concerning the proposed development, impact assessment, considered alternatives, and conservation strategies. Further, sufficient evidence has not been provided to support the need for demolition or the proposed development.

LHC recommends the CHIA be revised before the municipality accepts it. The following specific items should be addressed:

- The CHIA should be revised to clearly indicate that it is only focused on the demolition of the main building on site and does not address a new design.
- The CHIA should include a statement of significance based on an assessment of the Property from *O. Reg. 9/06*.
- The CHIA should identify a list of potential heritage attributes of the house.
- The CHIA should describe and discuss alternative options to demolition.
- If demolition is the best option after consideration of alternatives the CHIA should clarify why—from a heritage conservation perspective—this is the best option.
- The CHIA should consider options for salvage and re-use of heritage attributes of the house if feasible.
- If work should proceed, the CHIA should recommend conservation strategies to protect adjacent heritage properties during work on the Property; this should include the applicability of a temporary protection plan (TPP).
- The CHIA should recommend archaeological work if required by the municipality.
- The CHIA should reference conservation principles and precedents as required by the Town's *OP* and *ToR*.

LHC recommends that the proponent have a structural engineering report for the house prepared by an engineer with demonstrable experience working with heritage structures, such as a member of the Canadian Association of Heritage Professionals (**CAHP**). Based on the review of the

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materials provided, it is unclear what experience the project engineer has in this type of analysis or if they are a CAHP member. This report should independently assess the physical condition of the house separate from the proponent's plan to demolish and replace it and consider the viability of the structure for rehabilitation and renovation.

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# 1 INTRODUCTION

On 9 February 2021, the Town of Cobourg retained LHC to undertake a Peer Review of a Cultural Heritage Impact Assessment (**CHIA**) prepared by Martindale Planning Services in association with Barry Bryan Associates for 93 Albert Street, in the Town of Cobourg, Northumberland County, Ontario (**the Property**). The Cobourg Heritage Advisory Committee requested a Peer Review of the CHIA. The purpose of this Peer Review is to provide a careful examination of the CHIA, determine if it has considered all applicable provincial and municipal requirements, and assess the proposed development from a heritage planning framework in compliance with the Town's CHIA Terms of Reference (**ToR**).

## 1.1 The Property

The Property is in central Cobourg between downtown and Lake Ontario (Figure 1) and consists of a 1 ½-storey red brick house with a later addition on the south side. Observed land use in the area is largely residential east, west, and south and commercial to the north along the downtown. It is understood that the Cobourg Heritage Advisory Committee has identified the existing house as contributing to the streetscape.

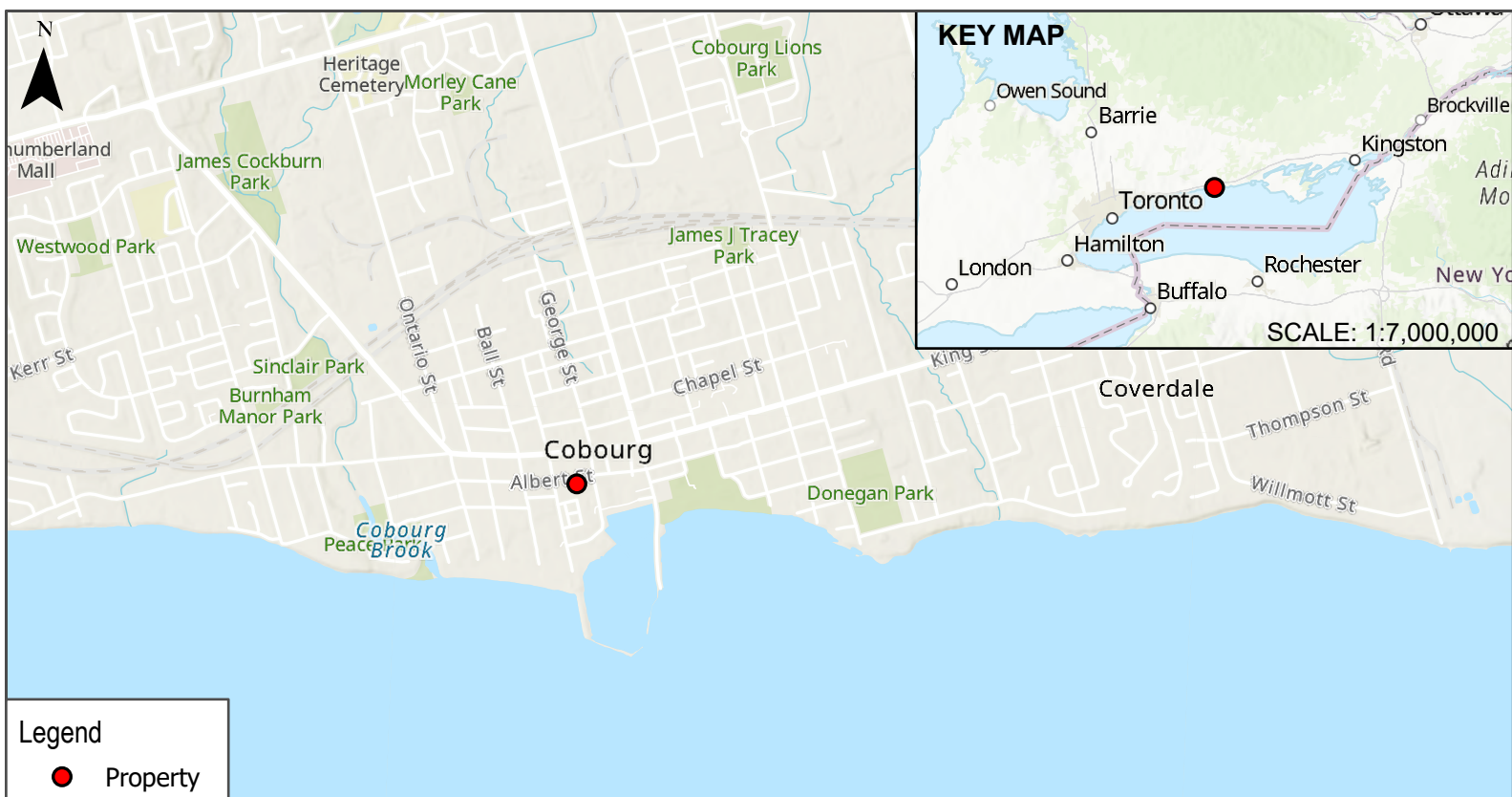
## 1.2 Cultural Heritage Designations

The Property is located within the Commercial Core Heritage Conservation District (**HCD**) and is designated under Part V Section 41 of the *Ontario Heritage Act* (**OHA**). Adjacent properties defined as contiguous by the *Northumberland County Official Plan* are also in the HCD.


## 1.3 Proposed Development

The proponent proposes to demolish the existing house and build a new house on the Property. They propose a new house in the same architectural style, front yard setback, and height as the existing dwelling.

It is understood—from the Town—that the CHIA was required due to plans to demolish the existing building on the Property.



TITLE	Location and Site Plan
CLIENT	Town of Cobourg
PROJECT	PROJECT NO. LHC0243
Peer Review	
Cultural Heritage Impact Assessment for 93 Albert Street, Cobourg, Ontario	
Prepared by Martindale Planning Services in association with Barry Bryan Associates	

	YYYY-MM-DD	2021-03-04
	PREPARED	LHC
	DESIGNED	JG
	FIGURE	<b>1</b>

**References**

1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community. Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.

**Notes**

1. All locations are approximate.

## 1.4 Peer Review Approach

This Peer Review analysis is two-fold:

1. The CHIA is reviewed for compliance with any CHIA requirements and heritage policy frameworks (gap analysis); and
2. The CHIA is reviewed for the efficacy of its argument, discussing whether it reflects heritage conservation best practice including the conservation of the identified heritage values and heritage attributes of a subject property, any adjacent properties, and the overall heritage character if located within a cultural heritage landscape (**CHL** or **HCD**).

The analysis in this document was based upon two main heritage planning questions:

- Were there any errors, omissions, substantive, or procedural issues with the CHIA?
- What works should be undertaken to mitigate any potential impact on the identified heritage attributes of the property and adjacent heritage properties?

### 1.4.1 Cultural Heritage Impact Assessment Purpose and Function

The objective of a CHIA is to provide a critical and objective review of a proposed development or site alteration from a heritage conservation planning perspective. A CHIA is a comprehensive document designed to clearly articulate the cultural heritage values of a property, respond to a proposed intervention, outline steps to mitigate impact (including do nothing if appropriate), and provide recommendations to conserve the identified heritage value and attributes of the property and/or any adjacent properties or –if within a HCD or a CHL—the area as a whole. It considers a project not only in terms of its heritage conservation principles and how to guide a cultural heritage resource through the process of change, but also examines it from a planning and regulatory perspective. Its purpose is not to justify a course of action, but to evaluate its appropriateness and compliance. As applied to a site-specific development application:

...a HIA enables planners and decision-makers to determine with objectivity whether it is in the public interest for a proposed development to proceed. If it does proceed, then the HIA determines how best to mitigate any adverse impacts that might ensue. If, however, effective mitigation is not feasible, then the HIA provides a rationale and framework to make major revisions to the proposal or to abort it entirely.<sup>1</sup>

### 1.4.2 Cultural Heritage Impact Assessment Terms of Reference

The Town has developed a Terms of Reference (ToR) for CHIAs (September 2016) compliant with recommendation 1i of the Town's Heritage Master Plan. The ToR allow the Town of request a Peer Review at the applicant's cost if deemed necessary by the Director of Planning and Development. In keeping with the ToR, this Peer Review assess the CHIA for completeness and the efficacy of its heritage planning case "...addressing inconsistencies, factual errors,

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<sup>1</sup> Harold Kalman and Marcus R. Létourneau, *Heritage Planning: Principles and Practice*. (New York: Routledge, 2020), 2<sup>nd</sup> ed., 387. Acronyms CHIA and HIA apply to Cultural Heritage Impact Assessments.

discrepancies, inappropriate conservation advice not consistent with recognized standards, omissions, and misrepresentations.”<sup>2</sup>

The ToR state that “minimal intervention should be the guiding principle for all work” and that the CHIA must be prepared by a qualified heritage professional in good standing with the Canadian Association of Heritage Professionals.<sup>3</sup>

A CHIA prepared for the Town should:

- Be based on a comprehensive understanding of the significance and heritage attributes of the cultural heritage resource(s).
- Identify any impact the proposed development or alteration will have on the resource(s).
- Consider mitigation options, and recommend a conservation strategy that best conserves the resource(s) within the context of the proposed development.
- Apply conservation principles, describe the conservation work, and recommend methods to avoid or mitigate negative impacts to the cultural heritage resource(s).<sup>4</sup>

Martindale Planning Services and Barry Bryan Associates Inc.’s CHIA for the Property has been assessed in Table 1 to determine its compliance with the ToR.

### 1.4.3 Legislation, Policy, and Document Review

The following documents were reviewed as part of the development of this Peer Review to ensure best heritage planning practice and compliance with provincial and local policy, and the TOR.

- *Ontario Heritage Act.*
- *Planning Act.*
- *Provincial Policy Statement (2020).*
- *Growth Plan for the Greater Golden Horseshoe (2019).*
- *Northumberland County Official Plan (2016).*
- *Town of Cobourg Official Plan (2010).*
- *Town of Cobourg Heritage Master Plan (2016).*
- *Commercial Core Heritage Conservation District Plan (2016).*

### 1.4.4 Site Visit

A site visit of the Property—from the public right-of-way—was carried out by LHC Heritage Planner H. Nabuurs on 20 February 2021. The site visit included photo documentation of the Property and surrounding area but did not involve entering any buildings.

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<sup>2</sup> Town of Cobourg, “Cultural Heritage Impact Assessment Terms of Reference,” prepared for the Town of Cobourg, September 2016, 6.

<sup>3</sup> Town of Cobourg, “Cultural Heritage Impact Assessment Terms of Reference,” 2016, 2.

<sup>4</sup> Town of Cobourg, “Cultural Heritage Impact Assessment Terms of Reference,” 2016, 2.

## 2 LEGISLATIVE AND POLICY CONTEXT

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Cultural heritage is established as a key provincial interest directly through the provisions of the *OHA*, the *Planning Act*, and the *Provincial Policy Statement (PPS)*. Other provincial legislation addresses cultural heritage indirectly or in specific cases. The *Environmental Assessment Act* and the *Environmental Protection Act* use a definition of “environment” that includes cultural heritage resources, and the *Funeral, Burial and Cremation Services Act* addresses historic cemeteries and processes for identifying graves that may be prehistoric or historic. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established. What follows is an analysis of the applicable legislation and policy regarding the identification and evaluation of cultural heritage.

### 2.1 Provincial Planning Context

#### 2.1.1 Planning Act, R.S.O. 1990, c. P.13

*The Planning Act* (1990) is the primary document for municipal and provincial land use planning in Ontario. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.<sup>5</sup>

Under Section 3 of *The Planning Act*:

A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter...shall be consistent with [the *PPS*].<sup>6</sup>

Details about provincial interest as it relates to land use planning and development in the province are outlined in the *PPS* which makes the consideration of cultural heritage equal to all other considerations concerning planning and development within the province.

#### 2.1.2 Provincial Policy Statement (2020)

The *PPS* provides further direction for municipalities regarding provincial requirements and sets the policy foundation for regulating the development and use of land in Ontario. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The Province deems cultural heritage and

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<sup>5</sup> Province of Ontario, “Planning Act, R.S.O. 1990, c. P.13,” December 8, 2020, <https://www.ontario.ca/laws/statute/90p13>, Part I (2, d).

<sup>6</sup> Province of Ontario, “Planning Act, R.S.O. 1990, c. P.13,” Part I S.5.

archaeological resources to provide important environmental, economic, and social benefits, and *PPS* directly addresses cultural heritage in Section 1.7.1e and Section 2.6.

Section 1.7 of the *PPS* regards long-term economic prosperity and promotes cultural heritage as a tool for economic prosperity. The relevant subsection states that long-term economic prosperity should be supported by:

- 1.7.1e encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

Section 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. Subsection's state:

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.<sup>7</sup>

The definition of significance in the *PPS* states that criteria for determining significance for cultural heritage resources are determined by the Province under the authority of the *OHA*.<sup>8</sup>

### **2.1.3 Ontario Heritage Act, R.S.O. 1990, c. O.18**

The *OHA* and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning process, set minimum standards for the evaluation of heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest.<sup>9</sup> Individual heritage properties are designated by municipalities under Part IV, Section 29 and HCDs are designated under Part V Section 41 of the *OHA*. Part IV Section 27 of the *OHA* enables

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<sup>7</sup> Province of Ontario, "Provincial Policy Statement," May 1, 2020, <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>, 29.

<sup>8</sup> Province of Ontario, "Provincial Policy Statement," 2020, 51.

<sup>9</sup> Province of Ontario, "Ontario Heritage Act, R.S.O. 1990, c. O.18," July 1, 2019, <https://www.ontario.ca/laws/statute/90o18>

municipalities to list properties on a municipal heritage register. An *OHA* designation applies to real property rather than individual structures.

Part V of the *OHA* addresses HCDs and the studies completed for their designation. The HCD study must examine the character and appearance of an area, recommend geographic boundaries, create objectives for the HCD, and recommended any *OP* and by-law changes.

Section 41 (2) confirms that:

A property that is designated under Part IV may subsequently be included in an area designated as a heritage conservation district under this Part, and a property that is included in an area designated as a heritage conservation district under this Part may subsequently be designated under Part IV.<sup>10</sup>

Section 42 addresses demolition of a Part V property and requires that the property owner retain a heritage permit from the municipality before undergoing any exterior alteration, erection, or demolition work.

#### 2.1.4 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Property is located within the area regulated by *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan)* which came into effect on 16 May 2019. The *Growth Plan* was updated by Amendment 1 which took effect on 28 August 2020.

Section 1.2.1 (Guiding Principles) of the *Growth Plan* states that its policies are based on key principles including to:

Conserve and promote *cultural heritage resources* to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.<sup>11</sup>

Section 4.1 (Context) in the *Growth Plan* says that the area it covers “contains a broad array of important hydrologic and *natural heritage features and areas*, a vibrant and diverse agricultural land base, irreplaceable *cultural heritage resources*, and valuable renewable and non-renewable resources.”<sup>12</sup> It also states that:

The *GGH* also contains important *cultural heritage resources* that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through *development* and site alteration. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.<sup>13</sup>

Section 4.2.7 (Cultural Heritage Resources) states:

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<sup>10</sup> Province of Ontario, “Ontario Heritage Act, R.S.O. 1990, c. O.18,” 2002, c. 18, Sched. F, s. 2 (24).

<sup>11</sup> Province of Ontario, “*A Place to Grow: Growth Plan for the Greater Golden Horseshoe*,” August 28, 2020, <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>, 6.

<sup>12</sup> Province of Ontario, “*A Place to Grow*,” 2020, .38.

<sup>13</sup> Province of Ontario, “*A Place to Grow*,” 2020, 39.

- a) *Cultural heritage resources* will be conserved in order to foster a sense of place and benefit communities, particularly in *strategic growth areas*.
- b) Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of *cultural heritage resources*; and,
- c) Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.<sup>14</sup>

Amendment 1 to the *Growth Plan* (Approved 28 August 2020) aligns the definitions of the *Growth Plan* with *PPS 2020*.

## 2.1.5 Provincial Planning Context Summary

In summary, the Province values cultural heritage as an important part of the land use planning process which must be considered. The principles of conservation and promotion of cultural heritage resources should guide development decisions. The *OHA* gives municipalities power to enact an HCD and allow a property designated under Part V to subsequently be designated under Part IV. These policies informed LHC's analysis of the CHIA prepared for the Property to ensure conformity with provincial guidance and requirements.

## 2.2 Municipal Policy Context

### 2.2.1 Northumberland County Official Plan (2016)

The *Northumberland County Official Plan (NCOP)* was approved by the Ontario Municipal Board on 23 November 2016. Its purpose is to manage growth and land use decisions to 2034. This growth "...will support and emphasize the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage and to do so in a way that has the greatest positive impact on the quality of life in the County."<sup>15</sup>

Section D3 of the *NCOP* outlines cultural heritage objectives which include:

- a) Conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and/or stewardship;
- b) Conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works;
- c) Respecting the heritage resources recognized or designated by federal and provincial agencies; and,

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<sup>14</sup> Province of Ontario, *"A Place to Grow,"* 2020, 47.

<sup>15</sup> Meridian Planning, "Northumberland County Official Plan," prepared for Northumberland County, 2016, <https://www.northumberland.ca/en/business-and-development/resources/Documents/County-Official-Plan.pdf>, Sec. A1.



- d) Respecting the heritage designations and other heritage conservation efforts by area municipalities.<sup>16</sup>

Section D3.5 of the *NCOP* outlines policies through which heritage conservation should be implemented. It notes:

- a) Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- b) The County will require a heritage impact assessment to be conducted by a qualified professional whenever a development has the potential to affect a cultural heritage resource, whether it is located on the same property or on adjacent lands.
- c) A heritage impact assessment should outline the context of the proposal, any potential impacts the proposal may have on the heritage resource, and any mitigative measures required to avoid or lessen negative impact on the heritage resource.
- d) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.<sup>17</sup>

The *NCOP* generally supports heritage conservation but does not outline specific policies for the evaluation of cultural heritage properties or landscapes.

### **2.2.2 Town of Cobourg Official Plan (2010, last consolidated 29 May 2018)**

The *Town of Cobourg Official Plan (OP)* underwent a five-year review in 2010 which was subsequently adopted by Cobourg Municipal Council and the Ministry of Municipal Affairs and Housing. The *OP* was appealed and then approved by the Ontario Municipal Board in May 2017. It was most recently consolidated in May 2018.

The purpose of the *OP* is to establish a planning framework for the Town's future growth to 2031.<sup>18</sup> The *OP* describes its heritage residential areas as "integral to the image of Cobourg and should be maintained and enhanced."<sup>19</sup> Community development principles guide the *OP* including that:

Any change in the Town of Cobourg should maintain and enhance its distinctive image as a small-town urban centre with strong historical, natural environmental and rural heritage traditions.<sup>20</sup>

Section 5.5 addresses Cultural Heritage Conservation with the Town committing to recognize "...the significance of these resources and...provide for their conservation, including adaptive

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<sup>16</sup> Meridian Planning, "Northumberland County Official Plan," 2016, Sec. D.3.2.

<sup>17</sup> Meridian Planning, "Northumberland County Official Plan," 2016, Sec. D3.5.

<sup>18</sup> Town of Cobourg, "Town of Cobourg Official Plan: 2010 Five Year Review Consolidation," prepared for the Town of Cobourg, 2010, last consolidated May 2018, 1.

<sup>19</sup> Town of Cobourg, "Town of Cobourg Official Plan," 2018, 3.

<sup>20</sup> Town of Cobourg, "Town of Cobourg Official Plan," 2018, 5.

reuse, in accordance with the provisions of the Ontario Heritage Act, the Cemeteries Act and the Planning Act and other relevant legislation.”<sup>21</sup>

Subsection 5.5.4 discusses policies related to HCDs. Relevant ones for the Property have been included below and must be consulted in the event of alteration.

- i. The Town has already established four Heritage Districts pursuant to the Ontario Heritage Act prior to April 2005 and prepared Heritage Conservation District Plans for those areas:
  - a. The Commercial Core;
  - b. Eastern Residential Sector I;
  - c. Western Residential Sector II; and,
  - d. George Street.

These Plans will be reviewed and revised as necessary as soon as possible to ensure that they comply with the Ontario Heritage Act, 2005 as amended. In the meantime, all development in these Heritage Districts shall continue to be evaluated based on conformity with the Heritage District Plans, Heritage District Guidelines and where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada.

- v. Development in Heritage Conservation Districts shall be reviewed in the context of the applicable Heritage District Plan and the Town’s General Heritage Conservation District Guidelines and, where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada, and shall require a heritage permit if it involves any work undertaken that alters or changes the appearance of the property and the buildings and structures on the property including all additions and alterations to buildings and structures on the property, demolition of buildings or structures on the property, all new construction, and landscaping and/or alteration to the property. Development shall also require a heritage permit if it involve an application for financial assistance.
- vi. Intensification shall conform with the applicable Heritage District Plan and the Town’s General Heritage Conservation District Guidelines, and where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada, and the following criteria:
  - a. Conversion of existing built heritage resources where the original building fabric, heritage attributes and architectural features are retained and any new additions are no higher than the existing building and placed to the rear of the lot substantially behind the principal facade. In addition, side additions may be considered where it is demonstrated the addition will be appropriate and sensitive to (or not detract from) the existing building’s heritage attributes. Alterations to principal facades and any changes to the front or flankage yard shall be limited. A cultural impact assessment may be required for such proposals; and,

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<sup>21</sup> Town of Cobourg, “Town of Cobourg Official Plan,” 2018, 106.

- b. Infill where there will be no demolition, destruction or loss of cultural heritage resources. A cultural heritage impact assessment may be required for such proposals.<sup>22</sup>

As outlined in these policies, alteration in the HCD must be in keeping with the HCD Plans and Guidelines and will be reviewed to ensure conformity.

### **2.2.3 Town of Cobourg Heritage Master Plan (2016)**

The Town of Cobourg Heritage Plan –adopted by Council in 2016—guides the management of heritage resources in the Town by setting out the Town’s vision, updating existing HCD Plans, linking heritage and economic development, and develop implementation guidelines for the Heritage Master Plan.

The goals of the Heritage Master Plan are:

- [to] Protect and conserve significant cultural heritage resources over the long term.
- [maintain and enhance] The small-town character of Cobourg (typified by the commercial core, low rise development, comfortable streetscapes, and a mix of land uses).
- It is important to have the downtown as the economic and cultural hub of the Town to retain the small-town character.
- The waterfront is a significant defining feature of the community that provides a critical link to the downtown and an important recreational area.
- Retaining the broader character of the streetscape and neighbourhoods is equally important to conserving individual buildings.
- Investment and new development that is compatible with the character of the surrounding area should be encouraged and facilitated.<sup>23</sup>

### **2.2.4 Commercial Core Heritage Conservation District Plan (1990, updated in 2016)**

The Commercial Core HCD was designated under By-law 118-91 in 1991 under Part V, Section 41 of the *OHA* and updated with the Heritage Master Plan in 2016 (Figure 2).<sup>24</sup> The Commercial Core HCD was designated because:

The commercial core is an important economic hub in the Town and contains a rich collection of 19th century commercial buildings that contribute greatly to Cobourg’s heritage and identity.<sup>25</sup>

The 2016 update brought the HCD Plan into compliance with Canada’s Historic Places’ *Standards and Guidelines*, the *OHA*, the *PPS*, and the Ontario Heritage Toolkit.

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<sup>22</sup> Town of Cobourg, “Town of Cobourg Official Plan,” 2018, 107-109.

<sup>23</sup> MHBC, “Town of Cobourg Heritage Master Plan,” prepared for the Town of Cobourg, May 2016, 8.

<sup>24</sup> The Corporation of the Town of Cobourg, “By-law 118-91,” prepared for the Ontario Heritage Trust, November 25, 1991, <https://www.heritagetrust.on.ca/en/oha/details/file?id=11415>

<sup>25</sup> MHBC, “Town of Cobourg Heritage Master Plan,” prepared for the Town of Cobourg, May 2016, 1.

Section 9 addresses demolition and removal of buildings and structures and encourages property owners to pursue demolition as the last resort, with that policy that:

- a) The demolition of buildings and structures that contribute to the architectural or historic character or heritage attributes of the District shall not be permitted. Exceptions may only be considered:
  - i. In extenuating circumstances such as natural disasters (e.g., fire, flood, tornado, and earthquake),
  - ii. Where there is a greater public interest served, as determined by Council, through the demolition of the building or structure, or
  - iii. Where it is determined through a Heritage Impact Assessment that the building is not a contributing structure to the heritage character of the District.
- b) Further to 9.1.a.i), other extenuating circumstances shall generally constitute those situations where public health and safety is considered to be compromised and the Town of Cobourg's Chief Building Official has received structural assessment advising that a building or structure is beyond repair and has been determined to be unsafe. The structural assessment must be prepared by a professional engineer with expertise and experience in heritage buildings and structures (Section 9.1.b).

The property owner shall demonstrate that all other options have been investigated including: preservation; rehabilitation; restoration; retro-fitting; re-use; mothballing; etc. and that they are not viable options.

- c) Where Council considers an application for demolition under 9.1.a.ii), financial impact shall not be the sole reason in determining that demolition is a greater public interest.
- d) Should a heritage permit for demolition of a building that contributes to the heritage character or heritage attributes of the District be submitted to the Town, the following conditions shall be met:
  - i. The property owner shall retain an appropriately qualified heritage professional to evaluate the potential loss to the cultural heritage value of the District in support of the demolition request of a heritage building, in the form of a heritage impact statement/assessment.
  - ii. It shall be required that the property owner shall provide drawings for a new building / site landscaping with the heritage permit application. In extenuating circumstances where demolition has been required as a result of natural disaster or public safety concerns, once a building has been demolished and the property is considered to be in a stable and safe state the property owner shall submit the required heritage permit application for a new building and / or site landscaping within six months of site clearance.
  - iii. A record of the building or the remains of the building through photography and/or measured drawings may be required as a condition of demolition approval, at the discretion of Town Planning Staff and/or the Heritage Committee.
  - iv. Within two years of that submission, or as mutually agreed upon by the property owner and the Town of Cobourg (but in no case greater than 5

years), if new construction has not been completed, the provisions of the Ontario Heritage Act shall apply with respect to contraventions of the Act.<sup>26</sup>

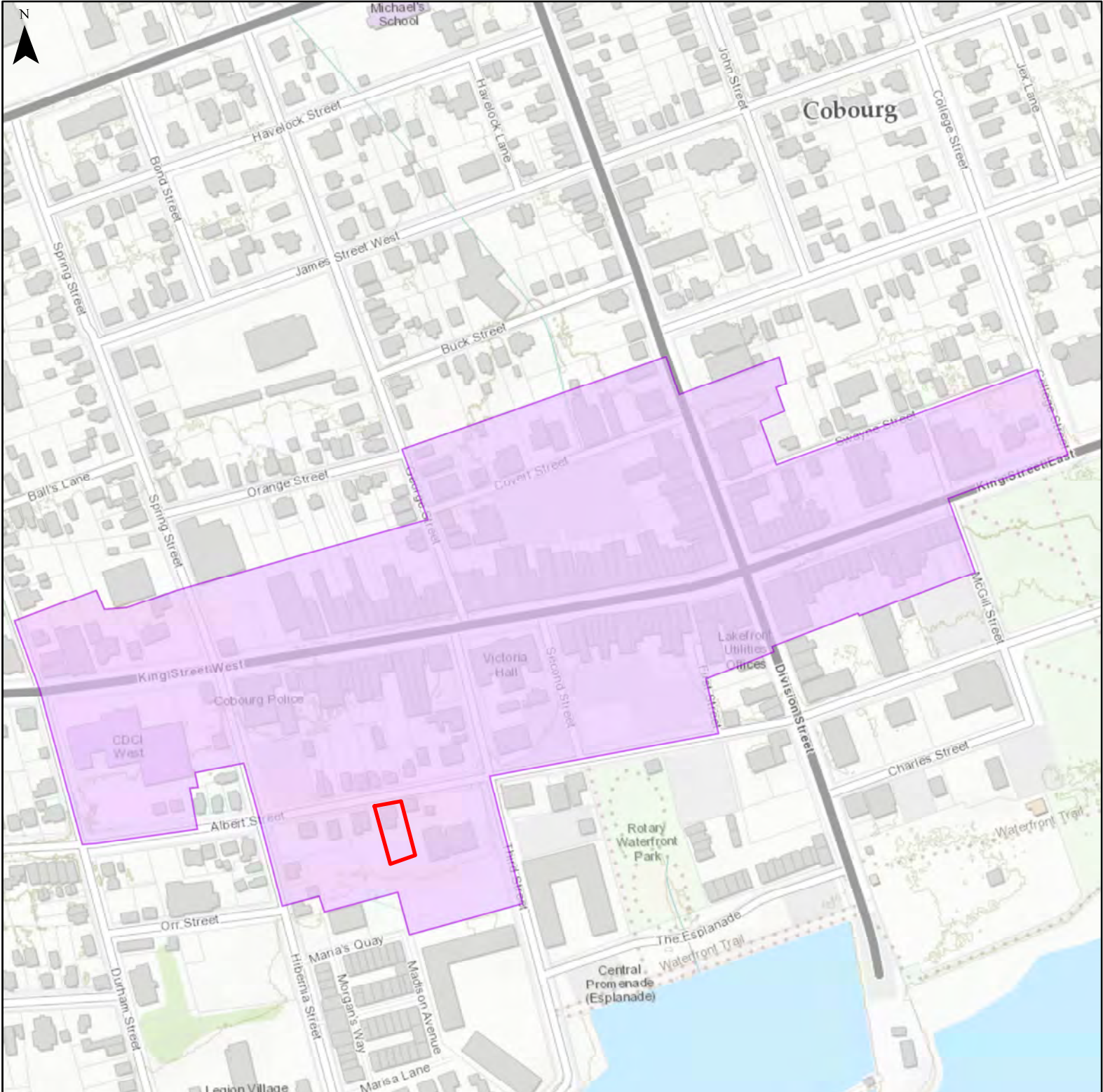
As outlined in these policies, demolition is not permitted in the HCD unless there is a health and safety concern, or the structure is found to be non-contributing to the HCD. Even in these circumstances, alternative methods of conservation must be explored in both the CHIA and engineering report. Financial impact should not be also the sole reason for demolition and greater public interest is the guiding principle.

### **2.2.5 Municipal Policy Context Summary**

In summary, the County and Town value their cultural heritage resources and require continued conservation. Parks Canada's *Standards and Guidelines* and provincial best practice should be consulted when working on a cultural heritage resource. Alternatives to demolition should be explored as demolition is only permitted in an emergency, where a greater public interest is served, or if the structure is found to be non-contributing to the HCD. These policies informed LHC's analysis of the CHIA prepared for the Property to ensure conformity with local guidance and requirements.

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<sup>26</sup> MHBC, "Town of Cobourg Heritage Master Plan," 2016, Appendix B, 35.



**Legend**

- Subject Property
- HCD

<b>TITLE</b> Location of Subject Property within the Commercial Core Heritage Conservation District	PROJECT NO. LHC0243
<b>CLIENT</b> Town of Cobourg	
<b>PROJECT</b> Peer Review Cultural Heritage Impact Assessment for 93 Albert Street, Cobourg, Ontario Prepared by Martindale Planning Services in association with Barry Bryan Associates	
<b>NOTE(S)</b> 1. All locations are approximate.	

	YYYY-MM-DD	2021-03-09
	PREPARED	LHC
	DESIGNED	JG
	FIGURE #	<b>2</b>

**REFERENCE(S)**  
 1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community  
 Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.

### 3 EXISTING CONDITIONS

#### 3.1 93 Albert Street

The Property – located in central Cobourg between downtown and Lake Ontario – is located on the south side of Albert Street in the Commercial Core Heritage Conservation District. The Property is a rectangular lot with a 1 ½-storey red brick house and a rear addition clad in white siding on it (Figure 3 to Figure 8). The house is set back approximately 2.0 m from the sidewalk. A backyard extends behind the house. The Property includes a back yard with lawn and some deciduous trees.



Figure 3: View south of the front façade



Figure 4: View southwest of the west elevation



Figure 5: View southwest of the front façade





Figure 6: View southeast of the east elevation



Figure 7: View south of the front entrance



Figure 8: View south of the front window



Figure 9: View south of the backyard

### 3.2 Surrounding Context

The Property is in a section of the Commercial Core HCD defined by one- to two-storey single detached vernacular houses with an average setback of one to three metres (Figure 10 to Figure 12). It was observed to be largely residential to the east, west, and south. The downtown commercial area is located north of the Property.

Cobourg's former jail is adjacent to the Property at the corner of Albert Street and Third Street (Figure 13 and Figure 14). Victoria Hall and Cobourg's commercial downtown extend along King Street are northeast of the Property (Figure 15 and Figure 16). The Property's southern boundary is adjacent to apartment buildings between Hibernia Street, Third Street, and Lake Ontario (Figure 17 and Figure 18).



Figure 10: View east towards the Property from the north side of Albert Street



Figure 11: View west from the north side of Albert Street towards the intersection with Hibernia Street.



Figure 12: View west along Albert Street towards the Property



Figure 13: View south of former Cobourg Jail



Figure 14: View south of former Cobourg Jail entrance



Figure 15: View north of Victoria Hall



Figure 16: View east of Albert Street



Figure 17: View north of Hibernia Street apartment building



Figure 18: View north of Third Street apartment buildings

## 4 EVALUATION OF THE CHIA

### 4.1 Evaluation for Completeness

The following table is an evaluation of the CHIA’s level of completeness regarding the Town’s CHIA ToR. Requirements as outlined in the ToR are identified as either “Complete”, “Partially Complete” or “Incomplete.”

Table 1: Evaluation of the CHIA for Completeness.

CHIA Requirement	Completeness	Comments
<b>Qualifications</b>		
The Town’s ToR require a CHIA to be prepared by a qualified heritage specialist in good standing with the Canadian Association of Heritage Professionals.	Partially Complete	The CHIA includes the signatures of its authors showing they are both professional members of the Canadian Association of Heritage Professionals. It does not outline their experience, specialty, or detailed qualifications.  The engineer who prepared the Building Report—attached as Appendix C of the CHIA—is not a member of CAHP. It is unclear what experience the engineer has with heritage structures.
<b>Introduction to the Development Site</b>		
A location plan and current site plan of the property;	Complete	Location map included as Figure 1 and survey included as Figure 3.
Present owner’s contact information;	Complete	Included on page 2.
A concise written description of the property and its location, identifying significant features, buildings, landscapes and vistas;	Complete	Included on page 1.
A concise written description of the cultural heritage resources located within and adjacent to the site, identifying any significant features, buildings, landscapes and vistas, and including any municipal, provincial and/or	Complete	Included on page 1.



CHIA Requirement	Completeness	Comments
federal heritage recognition of the property and including existing heritage descriptions as available;		
A concise written description of the context of the property, including adjacent heritage properties and cultural resources, their recognition at the municipal, provincial, and/or federal level, and any as yet unidentified or unrecognized potential cultural heritage resources.	Complete	Included on page 1.
<b>Background Research and Analysis</b>		
A comprehensive review of the history of the property's development as documented and observed through archival, historical, archaeological, written and visual records;	Complete	Included on Section 2.
A chronological description of the development of any structures, including mention of original construction, and any additions, alterations, removals, conversions etc., and referencing substantiated dates of construction;	Partially Complete	<p>The CHIA places the house's date of construction between 1844 and 1858 based on the 1858 Hannaford and Lloyd <i>Plan of the Town of Cobourg</i> but does not provide rationale for the 1844 date.</p> <p>Dates or a range of possible dates for the addition, the replacement of doors and windows, and removal of the front porch are not included. These changes to the Property are only briefly mentioned in Section 5.</p>
An evaluation of the heritage significance of the site with emphasis on important architectural/physical features, historical associations within the community, and the situation of the site in local context;	Partially Complete	The CHIA discusses the heritage value of the property as part of the HCD in Section 3. The CHIA does not include an evaluation of the heritage value of the Property separate from the HCD.
Reference to, or inclusion of, any relevant research materials including (but not limited to) maps, atlases,	Partially Complete	The CHIA includes a List of Sources in Appendix A but does not cite these within the body of the report. Not all

CHIA Requirement	Completeness	Comments
drawings, photographs, permit records, land title records, tax assessment rolls, etc.		sources referenced in the text are included in the List of Sources.  The list of references is incomplete.
<b>Statement of Significance</b>		
A statement of significance identifying the cultural heritage value and heritage attributes of the cultural heritage resource(s), in accordance with provincial legislation Ontario Regulation 9/06 made under the Ontario Heritage Act and referenced in the Ontario Heritage Tool Kit.	Incomplete	The CHIA does not include a Statement of Significance and does not assess the Property using <i>O. Reg. 9/06</i> or include previous assessments. The CHIA confirms that the Property has significance and may qualify for Part IV designation but considers this “redundant” given the Property’s Part V designation and circumstances.
This statement should be informed by current research and analysis of the site as well as pre-existing heritage descriptions.	Incomplete	Research and analysis have been included but they have not been used to create a statement of significance.
This statement should be written in a way that does not respond to or anticipate any current or proposed interventions to the site.	Incomplete	The CHIA does not include a statement of significance. It seems written in anticipation of demolition.
<b>Assessment of Existing Conditions</b>		
A comprehensive written description of the physical condition of the structures on the site, including their exterior and interior;	Complete	The Property’s existing conditions are comprehensively described in Section 3.
<b>Description of Proposed Development or Site Alteration</b>		
A written and visual description of the proposed development or site alteration;	Partially complete	The CHIA does not address why it was requested by the municipality. It is LHC’s understanding that the CHIA was requested for the demolition only.

CHIA Requirement	Completeness	Comments
<p>The written description and conceptual drawings should note which heritage attribute(s) are considered for retention and which are considered for removal or alteration.</p>	<p>Incomplete</p>	<p>This was not provided within the CHIA.</p>
<p><b>Impact of Development on Heritage Attributes</b></p>		
<p>A discussion identifying any impact the proposed development or site alteration may have on the cultural heritage resource(s) and heritage attributes of the site and/or adjacent lands.</p>	<p>Partially Complete</p>	<p>The CHIA does not discuss the impact of demolition on the Property but does discuss impact on the HCD. The CHIA writes argues that the new building will "...maintain the heritage character of the streetscape" and that the demolition and reconstruction is in keeping with the intent of the goals and objectives of the HCD.</p>
<p>Negative impacts on cultural heritage resources may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• The destruction of any significant heritage attribute or part thereof;</li> <li>• Alteration that is not sympathetic to the heritage attribute;</li> <li>• Shadows created by new development that alter the appearance of, or change the viability of a heritage attribute;</li> <li>• Isolation of a heritage attribute from its surrounding environment, context, or significant spatial relationship;</li> <li>• Direct or indirect obstruction of significant views or vistas;</li> <li>• A change in land use which negates the property's cultural heritage value</li> </ul>	<p>Incomplete</p>	<p>The CHIA does not discuss these potential negative impacts.</p>

CHIA Requirement	Completeness	Comments
<ul style="list-style-type: none"> <li>Land disturbances such as a grade change that alters soils and drainage patterns that adversely affect a cultural heritage resource.</li> </ul>		
<b>Considered Alternatives and Mitigation Strategies</b>		
<p>An assessment of alternative options, mitigation measures, and conservation methods that may be considered in order to avoid or limit the negative impact on the cultural heritage resource(s) (see the Ontario Heritage Tool Kit) include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Alternative development approaches;</li> <li>Isolating development and site alteration from significant built and natural features and vistas;</li> <li>Design guidelines that harmonize mass, setback, setting, and materials;</li> <li>Limiting height and density;</li> <li>Allowing only compatible infill and additions;</li> <li>Reversible alterations</li> </ul>	<p>Incomplete</p>	<p>The CHIA does include a section for potential alternatives and mitigation strategies. The CHIA briefly considers restoration to the building’s original state and suggests that the condition of the interior and lack of structural integrity are a reason that restoration is not a realistic option.</p> <p>This section also suggests commemoration and documentation of the building.</p> <p>However, this section does not include a discussion to prove that the condition of the building makes restoration unrealistic. It does not consider other options including –but not limited to--salvage and reuse of materials such as the brick or partial restoration if feasible.</p> <p>Mitigation measures should also include discussion of a temporary protection plan (TPP) to protect any heritage attributes on the Property that may require protection and to protect adjacent cultural heritage resources.</p>
<b>Recommend Conservation Strategy</b>		
<p>The preferred strategy recommended to best protect and enhance the cultural heritage value and heritage</p>	<p>Incomplete</p>	<p>The CHIA does not recommend a preferred conservation strategy.</p>

CHIA Requirement	Completeness	Comments
attributes of the cultural heritage resource(s) including, but not limited to: <ul style="list-style-type: none"> <li>• A mitigation strategy including the proposed methods;</li> <li>• A conservation scope of work including the proposed methods;</li> <li>• An implementation and monitoring plan.</li> </ul>		
Where appropriate recommendations for additional studies/plans related to, but not limited to: <ul style="list-style-type: none"> <li>• Conservation</li> <li>• Site specific design guidelines;</li> <li>• Interpretation and commemoration;</li> <li>• Lighting, landscaping and signage;</li> <li>• Structural analysis;</li> <li>• Additional record documentation prior to demolition;</li> <li>• Long-term maintenance</li> </ul>	Incomplete	The CHIA does not recommend additional studies or plans or address why they are not required. A TPP should be required.
Referenced conservation principles and precedents.	Incomplete	The CHIA does not reference conservation principles and precedents.

## 4.2 Evaluation of the Heritage Planning Argument (Efficacy)

In addition to the findings as outlined in Table 1, the following considers the overall heritage planning argument presented within the CHIA. In general, we note the following:

### 1. The CHIA is unclear about why it was required.

The proposal development description does not provide sufficient detail as to why the CHIA has been required by the municipality. It proposes demolition and suggests replacement with a new house with a design inspired by the original. LHC understands from communication with the municipality that the CHIA was required as per HCD and OP policy to address the proposed demolition of the house. The CHIA should clarify that it was required to meet Town HCD and OP policies and that it is in support of proposed demolition. Discussion of the proposed new house can be addressed in a consideration of alternatives section of the CHIA.

### 2. The CHIA does not include a statement of significance and does not assess the Property using Ontario Regulation 9/06.

It should be possible to develop a Statement of Significance based on an understanding of *O. Reg. 9/06* using descriptions in the HCD Plan, other existing documents about the Property, and research conducted in the CHIA. As outlines in Section 41 (2) of the *OHA*, a property designated under Part V can also be designated under Part IV. By not providing a Statement of Significance, the CHIA can not demonstrate the heritage value of the Property, its heritage attributes, why the Property's value is only surface level or what the circumstances are that would make a Part IV designation "redundant."

### 3. The CHIA does not consider alternatives.

The Town's ToR requires minimal intervention as the guiding principle for all work and the HCD Plan states that demolition is only permitted in an emergency, where a greater public interest is served, or if the structure is found to be non-contributing to the HCD.

The CHIA does not demonstrate that the Property is non-contributing. It does not demonstrate that demolition is in response to an emergency or that a greater public interest is served. Alternatives to demolition should have been explored. Section 7 addresses "Potential Alternatives and Mitigation Strategies" and mentions restoration as an option but that "...given the precarious state of the interior and the lack of structural integrity, this does not appear to be a realistic option in the circumstances." This finding is not supported until Section 8 "Conclusions and Recommendations" when the CHIA states that:

Regretfully, we would concur with the owner's assessment, based on a recent engineering report (Dobri Engineering, May 2020) that it would be appropriate to remove the dwelling and build a new one in the same architectural style. As Mr. Dobri has indicated, "in my opinion, the structural repairs which need to be completed are excessive and it would be best to demolish the building."

The findings of the CHIA and engineers report may be correct. However, neither report considers alternatives or outlines why alternative options are not viable beyond stating that repairs are excessive. Furthermore, the engineering report included with the CHIA does not outline the qualifications or experience of the engineering firm related to similar heritage properties as is required by section 9.1.b of the *Commercial Core HCD Plan*.

#### **4. The CHIA does not recommend conservation strategies.**

The CHIA only recommends a plaque and measured drawings to record the building in Section 7. While a plaque and documentation may be appropriate strategies to document and interpret the history of the Property, they are not a complete discussion of conservation strategies.

The CHIA should include mitigation strategies to conserve the CHVI of the Property and the surrounding HCD. It should include a conservation scope of work, propose methods for conservation activities and include an implementation and monitoring plan. Discussion of conservation strategies should be based on considered alternatives.

Conservation of the CHVI of the surrounding HCD may require additional plans such as a TPP to provide guidance on how work on the Property will ensure surrounding heritage values are protected.

#### **5. The CHIA does not reference conservation principles and precedents.**

Since the Property is in an HCD, any development work could have impacts on adjacent properties. The CHIA should outline strategies to conserve, protect, avoid, and mitigate potential adverse impacts to the adjacent cultural heritage resources.

The Town's *OP* states that development in an HCD "shall be reviewed in the context of the applicable Heritage District Plan and the Town's General Heritage Conservation District Guidelines and, where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada"<sup>27</sup> and the HCD Plan states that it "...seeks to provide the same level of heritage conservation using best practices as expressed in the *Standards and Guidelines for the Conservation of Historic Places in Canada*."<sup>28</sup> This source, and any other "Referenced conservation principles and precedents" as required under Section G of the ToR and linked in the ToR, were not referenced by the CHIA.

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<sup>27</sup> Town of Cobourg, "Town of Cobourg Official Plan," 2018, 107-109.

<sup>28</sup> MHBC, "Town of Cobourg Heritage Master Plan," prepared for the Town of Cobourg, May 2016, 2.

## 5 CONCLUSIONS AND RECOMMENDATIONS

LHC was retained by the Town of Cobourg to undertake a Peer Review of a CHIA prepared by Martindale Planning Services in association with Barry Bryan Associates for 93 Albert Street, in the Town of Cobourg, Northumberland County, Ontario. The purpose of this Peer Review is to provide a careful examination of the CHIA, determine if it has considered all applicable provincial and municipal requirements, and assess the proposed development from a heritage planning framework in compliance with the Town's ToR. The proponent proposes to demolish the existing house and build a new house on the Property. They propose a new house in the same architectural style, front yard setback, and height as the existing dwelling.

Based on evaluations of the CHIA's completeness and heritage planning arguments, it is the professional opinion of LHC's heritage planners that the CHIA does not include all information required in the Town's ToR and Ontario Heritage Toolkit. The CHIA does not include sufficient information and analysis to support demolition and redevelopment on the Property. There are also areas that should be expanded within the CHIA. These include: details concerning the proposed development, impact assessment, considered alternatives, and conservation strategies. Furthermore, sufficient evidence has not been provided to support the need for demolition or the proposed development.

LHC recommends the CHIA be revised before the municipality accepts it. The following specific items should be addressed:

- The CHIA should be revised to clearly indicate that it is only focused on the demolition of the main building on site and does not address a new design.
- The CHIA should include a statement of significance based on an assessment of the Property from *O. Reg. 9/06*.
- The CHIA should identify a list of potential heritage attributes of the house.
- The CHIA should describe and discuss alternative options to demolition.
- If demolition is the best option after consideration of alternatives the CHIA should clarify why—from a heritage conservation perspective—this is the best option.
- The CHIA should consider options for salvage and re-use of heritage attributes of the house if feasible.
- If work should proceed, the CHIA should recommend conservation strategies to protect adjacent heritage properties during work on the Property; this should include the applicability of a temporary protection plan (TPP).
- The CHIA should recommend archaeological work if required by the municipality.
- The CHIA should reference conservation principles and precedents as required by the Town's *OP* and ToR.

LHC recommends that the proponent have a structural engineering report for the house prepared by an engineer with demonstrable experience working with heritage structures, such as a member of the Canadian Association of Heritage Professionals (**CAHP**). This report should independently assess the physical condition of the house separate from the proponent's plan to demolish and replace it and consider the viability of the structure for rehabilitation and renovation. Based on the review of the materials provided, it is unclear what experience the project engineer has in this type of analysis or if they are a CAHP member.



## SIGNATURES



Marcus R. Létourneau, PhD, MCIP, RPP, CAHP  
Managing Principal, Senior Heritage Planner  
LHC



Benjamin Holthof, MPI, MMA, CAHP  
Heritage Planner  
LHC

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# Appendix A

## Author Qualifications

## **Marcus R. Létourneau, PhD, Dipl(PACS), MCIP, RPP, CAHP – Managing Principal, Senior Heritage Planner**

Marcus Létourneau is the Managing Principal and Senior Heritage Planner for LHC (Letourneau Heritage Consulting Inc.), an Ontario-based heritage consultancy established in 2015. He is also an Adjunct Assistant Professor in the Department of Geography and Planning at Queen's University; and, both an Instructor and Contributing Associate for the Heritage Resources Centre at the University of Waterloo (where he teaches heritage planning). He co-teaches heritage planning at the Willowbank School of Restoration Arts, co-teaches the facilities management course for historic house museums for the Ontario Museum Association, and teaches a course called "*Heritage Planning for Practitioners*" at Algonquin College.

Marcus currently serves on the Board of Directors for the Heritage Resources Centre at the University of Waterloo and as Vice-Chair for the Township of Leeds and the Thousand Islands Municipal Heritage Committee. He is a member of the Friends of Springfield House Complex and is assisting with the development of a new Bachelor of Applied Science program in Built Heritage at Algonquin College. He is a professional member of the Canadian Institute of Planners (MCIP), a Registered Professional Planner with OPPI (RPP) and a full member of the Canadian Association of Heritage Professionals (CAHP).

Marcus was previously the Manager for the Sustainability and Heritage Management Discipline Team (Ottawa/Kingston) and a Senior Cultural Heritage Specialist for Golder Associates Limited (2011-2015). His other positions included: serving as a contract professor at Carleton University in both the Department of Geography and Environmental Studies and School of Canadian Studies (Heritage Conservation); as the senior heritage planner for the City of Kingston (2004-2011) where he worked in both the Planning & Development and Cultural Services Departments; and, in various capacities at Queen's University at Kingston (2001-2007). He previously served on the Executive and Board of Directors for the Ontario Association of Heritage Professionals; on the Board of Directors for Community Heritage Ontario; on the Board of Directors of the Friends of the Rideau, and, on the Executive and Board of Directors for the Kingston Historical Society.

Marcus has a PhD in Cultural/Historical Geography (Queen's University); a MA in Cultural Geopolitics (University of Western Ontario); BA (Hons) in Geography with a History Minor (Queen's University); a Diploma in Peace and Conflict Studies (University of Waterloo); a Professional Certificate in Heritage Conservation Planning (University of Victoria); a Certificate in Museum Studies (Ontario Museum Association); and training in Marine/Foreshore Archaeology. In 2018, he completed UNESCO/ICCROM/WHITRAP training in China on impact assessments for heritage.

Marcus brings over 20 years of experience to his practice, which is particularly focused on heritage legislation, process, and heritage planning. He has been involved in over 225 projects either as the project manager or as the senior heritage planner. He has been qualified as an expert heritage witness at the former OMB/LPAT (heritage planning with a specialization in cultural heritage landscapes; land use planning; and heritage conservation), CRB (cultural heritage specialist), for a Superior Court Hearing, and for a judicial inquiry for the *Public Lands Act*. He co-authored the second edition of *Heritage Planning* (Routledge) with Dr. Hal Kalman (2020).

## **Hugh J. Daechsel, MA, BSc, CAHP – Principal and Manager of Archaeological Services**

Hugh Daechsel is a Principal and Manager of Archaeological Services with LHC. He holds a Bachelors of Science in Anthropology Geography from Trent University and a Masters of Anthropology from McMaster University. Hugh has been actively involved in archaeological investigations for over 48 years including 37 years in Cultural Resource Management. He served as Staff Archaeologist and Executive Director with the Cataraqui Archaeological Research Foundation from 1987 to 1993 and as President and Senior Archaeologist with Heritage Quest Inc. from 1992 to 2007.

Mr. Daechsel has participated either as Principal Investigator or Project Coordinator on over 1,200 assignments that have included Stage 1 – 4 archaeological assessments, marine archaeological assessments, and cultural heritage studies. He has worked with both public and private clients which include Public Works and Government Services Canada, Defense Construction, Department of National Defense, National Capital Commission, Parks Canada, Hydro One, Infrastructure Ontario, Ontario Ministry of the Environment, Ontario Ministry of Transportation, Urbandale, NextEra, Samsung, and Minto. Some of the major subject areas he has worked on include Parliament Hill, LeBreton Flats, Royal Military College and Queen's University. More recently he has served as Senior Technical advisor on large and complex projects including wind farms in Haldimand County, the East Mainline Pipeline for TransCanada Pipelines and as Project Director for Line 10 in the Hamilton area for Enbridge.

## **Benjamin Holthof, MPI, MMA, CAHP – Heritage Planner**

Ben Holthof is a heritage consultant, planner, and marine archaeologist with LHC, with experience working in heritage consulting and not-for-profit museum sectors. He holds a Master of Urban and Regional Planning degree from Queens University; a Master of Maritime Archaeology degree from Flinders University of South Australia; a Bachelor of Arts degree in Archaeology from Wilfrid Laurier University; and a certificate in Museum Management and Curatorship from Fleming College.

Ben has consulting experience in cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research, and interpretive planning. His work has involved a wide range of cultural heritage resources including on cultural landscapes, institutional, industrial, commercial, and residential sites as well as infrastructure such as wharves, bridges, and dams. Much of his consultant work has been involved in heritage for environmental assessment. Before joining LHC, Ben worked for Golder Associates Ltd. as a Cultural Heritage Specialist from 2014-2020. Ben is also a maritime archaeologist having worked on terrestrial and underwater sites in Ontario and Australia. He has an Applied Research archaeology license from the Government of Ontario (R1062). He is also a professional member of the Canadian Association of Heritage Professionals and a Candidate Member of the Ontario Professional Planners Institute.

## **Hayley Devitt Nabuurs, MPI – Heritage Planner**

Hayley Devitt Nabuurs is a Heritage Planner with LHC. She holds a Bachelor of Arts in Anthropology from Trent University and a Masters of Urban and Regional Planning from Queen's University. Hayley's master's report research concerned the reconciliation of heritage and accessibility in community centres.

Hayley has over a decade of experience in the heritage field through her work in both the public and private planning sector and the museum sector. She has previously worked as a Heritage Planning Research Assistant with the City of Guelph, completing a heritage plaque inventory for the City and property designation research. At LHC Hayley has worked on over fifty cultural heritage reports including cultural heritage evaluation reports, planning strategy reports, heritage impact assessments, environmental assessments, and peer reviews. Hayley has experience writing official plan policies and specializes in policy research and property history research. She is a Candidate Member of the Ontario Professional Planners Institute, a Candidate Member of the Canadian Institute of Planners, and an Intern Member of the Canadian Association of Heritage Professionals.

### **Jordan Greene, BA – Mapping Technician**

Jordan Greene is a mapping technician with LHC. She holds a Bachelor of Arts in Geography with a Certificate in Geographic Information Science and a Certificate in Urban Planning Studies from Queen's University. The experience gained through the completion of the Certificate in Geographic Information Science allowed Jordan to volunteer as a research assistant contributing to the study of the extent of the suburban population in America with Dr. David Gordon. Prior to her work at LHC, Jordan spent the final two years of her undergraduate degree working in managerial positions at the student-run Printing and Copy Centre as an Assistant and Head Manager. Jordan has had an interest in heritage throughout her life and is excited to build on her existing professional and GIS experience as a part of the LHC team.

# Appendix B

## Glossary



Definitions are based on those provided in the Ontario Heritage Act (**OHA**) and the Provincial Policy Statement 2020 (**PPS**), the County of Northumberland *Official Plan (NCOP)* and the Town of Port Hope *Official Plan (OP)*. In some instances, documents have different definitions for the same term, all definitions have been included and should be considered.

**Adjacent Lands** means for the purposes of cultural heritage those lands contiguous to a protected heritage property or as otherwise defined in the municipal *Official Plan*. (**PPS**).

**Adjacent Lands** means d) For the purposes of Section D3.5 g) of this Plan, those lands contiguous to a protected heritage property or as otherwise defined in the municipal *Official Plan (NCOP)*.

**Alter** means to change in any manner and includes to restore, renovate, repair, or disturb and “alteration” has a corresponding meaning (“transformer”, “transformation”) (**OHA**).

**Areas of Archaeological Potential** means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist. (**PPS**).

**Archaeological Resources** include artifacts, archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act. (**PPS**).

**Built Heritage Resource** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal, and/or international registers. (**PPS**).

**Built Heritage Resource** means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers. (**NCOP**).

**Built Heritage Resources** shall mean buildings, structures, monuments, installations, or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on a property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers. (**OP**).

**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decisionmaker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (**PPS**).

**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (*NCOP*).

**Cultural Heritage Resource** shall mean Archaeological Resources, Built Heritage Resources and/or Cultural Heritage Landscapes. (*OP*).

**Heritage Attribute** means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to the property's cultural heritage value or interest ("attributs patrimoniaux") (*OHA*).

**Heritage Attributes** means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property). (*PPS*).

**Heritage Attribute** means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property). (*NCOP*).

**Significant** means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. (*PPS*).