

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low
Submitted by:	Rob Franklin, MCIP, RPP Manager of Planning Planning and Development rfranklin@cobourg.ca	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	September 26, 2022		
Report No.:	Temporary Heritage Delegation		
Submit comments to Council			

Subject/Title: Interim Delegation of Authority for Heritage Permit Approvals

RECOMMENDATION:

THAT Council receive this Report for information purposes, and

FURTHER THAT Council endorse and approve the By-law attached as **Appendix I** which delegates the authority to issue Heritage Permits, with the exception of major alterations and demolition, to the Director of Planning & Development or their designate until December 31, 2022

1. STRATEGIC PLAN

Places: The Town protects, preserves and promotes its natural assets, heritage, arts, culture and tourism

2. PUBLIC ENGAGEMENT

The Ontario Heritage Act does not prescribe public notification or meetings for approval of alterations to designated properties by way of a Heritage Permit, however the Cobourg Heritage Master Plan and implementing Heritage Conservation District Plans and associated regulations/guidelines underwent extensive public consultation and engagement prior to their approval. Review and approval of Heritage Permits by the Town are undertaken within the context of these documents.

The Cobourg Heritage Advisory Committee (CHC) is consulted on Heritage Permit applications where alterations are more substantial in size and scope, and its meetings are open to the public. The CHC also receives public delegations and communications/correspondence from citizens in accordance with the Advisory Committee and Local Board Policy and Procedures for municipal boards and committees in the Town of Cobourg.

This report was published 10 days in advance of the scheduled Committee of the Whole meeting.

3. PURPOSE

To temporarily delegate to staff the approval of certain types of Heritage permit approvals in consultation with the CHC.

4. ORIGIN AND LEGISLATION

Heritage Act, R.S.O. 1990, c.O.19

5. BACKGROUND

In light of the timing of the upcoming municipal election and the lack of scheduled regular Council meetings until January 2023, Staff anticipate there may be a disruption in service as it relates to the issuance of Heritage Permits by the Municipality. This temporary staff delegation was approved at the time of the last election in 2018.

6. ANALYSIS

At present, By-law No. 097-2009 specifies that larger alterations to heritage properties require review by heritage planning staff and the CHC, and subsequent approval by Cobourg Council. The By-law delegates authority to municipal staff to approve certain 'minor' types of Heritage Permits without further consultation with the CHC and Council. These include the following:

- The type and colour of paint to be applied to the exterior of the building provided it is consistent with the Heritage Colour Palette;
- Exterior signage in conformity with the Sign By-law and heritage sign guidelines;
- The erection of fences;
- The erection and/or alteration of accessory buildings having an area of less than 10 square metres on the property;
- The replacement of eaves troughs and downspouts;
- The installation of exterior lights;
- The installation of removable storm windows and doors;
- The restoration or replication of wooden windows;
- The repair of existing architectural features including roofs, wall cladding, dormers, cupolas, cornices, brackets, columns, balustrades, porches and exterior steps, entrances, sidewalks, building foundations

and decorative wood, metal, stone or terra cotta provided that the same type of materials are used for the repair as were used in the original features;

- The installation of mechanical or electrical equipment that is not visible from the street;
- The replacement of steps and sidewalks;
- Any alteration to the building that is not visible from the street upon which the property is located; and
- All interior work, but only if the interior has been designated, and unless the interior work will affect the structural integrity of the building.

While the Ontario Heritage Act allows for 90 days for Council to make a decision on an application to alter a heritage property, and 60 days for a decision on an application to demolish or remove a building or structure on a heritage property, the Town has always adhered to the premise that good customer service is a key consideration in the administration of heritage approvals, particularly for those proposals that conform to established heritage principles and are consistent with best practices.

As a result of the upcoming municipal election on October 24, 2022, the current Council will not convene any further regular meetings for the purpose of conducting business beyond October 3rd. A special meeting(s) of Council could be called to address time-sensitive and/or significant matters, such as a rezoning, plan of subdivision or similar applications under the Planning Act, however the timing is unknown at this time and it is important that smaller or minor proposals for heritage alterations be processed regularly and with certainty.

Accordingly, it is recommended on an interim basis that Council delegate to municipal staff the authority to approve and issue all Heritage Permits, with the exception of major alterations and demolition¹, to the end of 2022. Under this concept, the process would continue to include a detailed review of Heritage Permit applications by heritage planning staff and consideration in an open meeting of the CHC in accordance with all applicable guidelines and standards prior to issuance by staff. If necessary, unsuccessful applicants could approach Council for consideration at the next available opportunity.

The aforementioned approach would ensure continued, seamless service delivery for applicants with heritage alterations both during and after the election period and until the new Council convenes in 2023.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

The recommended approach will not impose any financial impacts to the municipality.

¹ *Major alterations* is defined as the construction of new buildings and additions greater than 93 sq m (1,000 sq ft); *Major demolition* consists of the removal of primary buildings, but excludes accessory structures, porches, and small additions less than 93 sq m.

8. CONCLUSION

The municipal election on October 24, 2022 and lack of scheduled Council meetings beyond October 3rd may affect timelines for landowners seeking approval of heritage alterations via the current Heritage Permit process. The proposal to delegate to planning staff the authority to approve and issue all Heritage Permits, in consultation with the Cobourg Heritage Advisory Committee (CHC) as required, until the end of 2022 while the transition to a new Council occurs is appropriate and will maintain good customer service in the heritage approvals process.

Report Approval Details

Document Title:	Interim Delegation of Heritage Approvals.docx
Attachments:	- Appendix I - Draft By-law to Delegate Heritage.docx
Final Approval Date:	Sep 15, 2022

This report and all of its attachments were approved and signed as outlined below:

Anne Taylor Scott - Sep 14, 2022 - 6:01 PM

Tracey Vaughan, Chief Administrative Officer - Sep 15, 2022 - 8:54 AM