

Additions & Corrections to Agenda

Declarations of Pecuniary Interest

Approval of Minutes

1. Heritage Newmarket Advisory Committee Minutes of September 8, 2015. p. 1

Presentations/Deputations

Correspondence

2. Correspondence from The Ontario Historical Society dated September 28, 2015 regarding the Honours and Awards Nominations, OHS Reach Project Update & More. p. 5
3. Correspondence from the Ministry of Citizenship, Immigration and International Trade dated October, 2015 regarding a call for nominations for the June Callwood Outstanding Achievement Award for Volunteerism in Ontario. p. 8
4. Correspondence from the Ministry of Tourism, Culture and Sport dated October 1, 2015 regarding 'Culture Talks'. p. 9
5. Correspondence from the Town of Newmarket Planning & Building Services Department dated October 1, 2015 regarding Notice of a Public Meeting Concerning a Proposed Zoning By-law Amendment. p. 12
6. Correspondence from the Town of Newmarket Planning and Building Services Department dated October 2, 2015 regarding an Application for Official Plan and Zoning By-law Amendment, 260 Eagle Street, Town of Newmarket, 7113671 Ontario Corp. (Oxford Homes), File No.: D09NP1515, D14NP1515. p. 13

Items

7. Heritage Newmarket Workplan p. 27

8. Designated Property Maintenance and Concerns
 - a) Designation Requests
 - b) Inventory
9. Plaques
 - a) Site Plaques
 - b) Residence Plaques
 - c) Heritage Location Plaques
10. Heritage Newmarket Advisory Committee Terms of Reference. p. 29
11. Discussion regarding delegation of authority of the granting of heritage permits for designated properties. p. 32
12. Heritage Newmarket Budget
13. Reports of Committee Members
 - a) Architecture, Recreation, Culture, Heritage (ARCH) Committee
 - b) Elman W. Campbell Museum Board
 - c) Lower Main Street South Heritage Conservation District Advisory Group
 - d) Newmarket Historical Society Board of Directors

Adjournment

The meeting of the Heritage Newmarket Advisory Committee was held on Tuesday, September 8, 2015 in Mulock Room, 395 Mulock Drive, Newmarket.

Members Present: Councillor Hempen
Athol Hart
Billie Locke (7:26 to 8:41 p.m.)
Joan Seddon
Rohit Singh
Malcolm Watts

Absent: Soni Felix Raj

Staff Present: D. Ruggle, Senior Planner, Community Planning
C. Finnerty, Council/Committee Coordinator

The meeting was called to order at 7:00 p.m.

A. Hart in the Chair.

Additions & Corrections to Agenda

None.

Declarations of Pecuniary Interest

None.

Approval of Minutes

1. Heritage Newmarket Advisory Committee Minutes of July 7, 2015.

Moved by: Rohit Singh
Seconded by: Joan Seddon

THAT the Heritage Newmarket Advisory Committee Minutes of July 7, 2015 be approved.

Carried

Presentations/Deputations

None.

Correspondence

2. Correspondence from the Ontario Historical Society (OHS) dated July 15, 2015 regarding the OHS 2014-15 awards.
3. Correspondence from the Secretary-Treasurer, Committee of Adjustment, Town of Newmarket dated August 31, 2015 regarding an Application for Consent, 292 and 296 Hamilton Street.

The Senior Planner, Community Planning provided an overview of the application for consent submitted for the property municipally known as 292 and 296 Hamilton Street in order to make a lot line adjustment in order to recognize an existing condition where the lot line bisects an existing home. Both homes are being retained.

Moved by: Malcolm Watts
Seconded by: Joan Seddon

THAT the correspondence from the Ontario Historical Society (OHS) dated July 15, 2015 regarding the OHS 2014-15 awards and the correspondence from the Secretary-Treasurer, Committee of Adjustment, Town of Newmarket dated August 31, 2015 regarding an Application for Consent, 292 and 296 Hamilton Street be received for information.

Carried

Items

4. Heritage Newmarket Workplan

The Committee discussed its workplan for the current term of Council and determined its priority projects. Discussion ensued regarding the scope of the workplan and need for additional Committee members to be appointed per the recommendation by Heritage Newmarket at their meeting of November 4, 2014.

5. Designated Property Maintenance and Concerns.
 - a) Designation Requests

No update to provide.

b) Inventory

The Chair advised that the exterior of the Stickwood Walker Farmhouse is in horrible condition, that the tail requires maintenance and the clapboard exterior requires repainting. In addition, there is evidence of dry rot around the windows of the home.

The Chair advised that the brick along the stairway of the Post Office building is currently deteriorating.

The Senior Planner, Community Planning provided a verbal update regarding an application for Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision for the property around and inclusive to the Bogart House.

Moved by: Rohit Singh
Seconded by: Billie Locke

THAT a letter be drafted to the owners of the Post Office related to the deterioration of the Post Office building, including the crumbling of brick along the first stairway to the south of the building.

Carried

5. Plaques

The Chair thanked M. Watts for his work to record the statements on plaques over the summer months.

a) Site Plaques

The Chair advised that there is the potential to erect a site plaque at the west entrance of Fairy Lake trail.

b) Residence Plaques

The Chair advised that ten requests for plaques have been submitted over the summer months, all of which require research and plaque production.

c) Heritage location plaque

No update to provide.

6. Heritage Newmarket Budget

No update to provide.

7. Reports of Committee Members.

a) Architecture, Recreation, Culture, Heritage (ARCH) Committee

No update to provide.

b) Elman W. Campbell Museum Board

No update to provide.

c) Lower Main Street South Heritage Conservation District Advisory Group

The Chair advised that the Lower Main Street South Heritage Conservation District Advisory Group met to discuss an application submitted for 205 Main Street South. The property owner has agreed to restore the brick façade as much as financially feasible to replicate the look of the building in 1890.

d) Newmarket Historical Society Board of Directors

No update to provide.

Adjournment

Moved by: Billie Locke
Seconded by: Rohit Singh

THAT the meeting adjourn.

Carried

There being no further business, the meeting adjourned at 8:41 p.m.

Date

Athol Hart, Chair

-Exciting news about the 2015 Honours and Awards Program,
-An Important Petition & Call for Submissions
-OHS Reach Project Well Underway



Honours and Awards Nominations Now Open

The 2015 Ontario Historical Society Honours and Awards Program is now accepting nominations. The 2015 fall edition of *The Bulletin* will include a nomination brochure, but a digital copy can be printed by clicking [here](#).

All interested organizations or individuals are invited to participate in the Awards Program by submitting a nomination form. Self nominations are acceptable, with some restrictions in the case of the Dorothy Duncan Award. Books are eligible for only one 'book award' category, and nominators must clearly specify which category is being selected. All nominations are assessed by the Ontario Historical Society's Honours & Awards Committee and members of the OHS Board of Directors. The deadline for submissions will be Friday, January 15th, 2015.

[LEARN MORE...](#)



The OHS Wants to Hear From You!

Fancy yourself a writer? If you share our love for Ontario's heritage and have something to say about it, type it up and send it in. Your work might end up on our website or on our new members-only blog, *The Well*, which can be accessed [here](#) by logging in.

We are happy to review a diverse range of submissions, including editorials, research project summaries, photo-journalism projects, profile pieces and short essays to name a few.

[SEND IN YOUR WORK...](#)

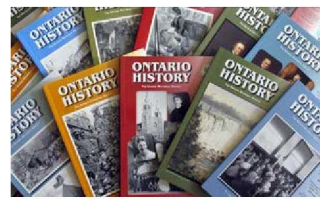


Petition: Make Canadian History Mandatory in Grade 12

Currently, Ontario high school students are only required to take one course in Canadian history. This occurs at the grade 10 level and begins with Canada's involvement in the First World War.

Help support this initiative and together we can empower students with the knowledge they need to become active, well-informed citizens.

[LEARN MORE & ACCESS THE PETITION...](#)



OHS Reach Project Well Underway

The first months of the OHS Reach Project have been very busy. Stakeholder consultations are beginning as Project Manager Sarah McCabe heads for Northern Ontario on September 22.

A survey of OHS members, affiliates, subscribers, and stakeholders is forthcoming. To learn more about the project's mandate and goals, follow the link below.

[FIND OUT MORE ABOUT OHS REACH...](#)

[Click here for more information about the OHS Honours and Awards Program](#)

[To help support all of our programming at the Ontario Historical Society, click here](#)

[forward to a friend](#)

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Ministry of Citizenship,
Immigration and International
Trade

Minister

6th Floor
400 University Avenue
Toronto ON M7A 2R9
Tel.: (416) 325-6200
Fax: (416) 325-6195

Ministère des Affaires civiles,
de l'Immigration et du Commerce
international

Ministre

6^e étage
400, avenue University
Toronto ON M7A 2R9
Tél.: (416) 325-6200
Télééc.: (416) 325-6195



October 2015

Dear Friends,

It is my pleasure to send you this call for nominations for the **June Callwood Outstanding Achievement Award for Voluntarism in Ontario.**

Volunteers play a significant role in leading and supporting services in their communities; they lay the foundation for a strong and dynamic province. This award recognizes exceptional leadership, innovation and creativity in voluntarism and community service. Recipients of this award can include individual volunteers, volunteer groups, businesses and other organizations which have made outstanding contributions to their communities and the province.

Here is what you need to do to submit a nomination for this award program:

- a) Visit ontario.ca/honoursandawards.
- b) Click on the **June Callwood Outstanding Achievement Award** icon.
- b) Download the appropriate PDF form.
- c) Read the eligibility criteria and instructions carefully.
- d) Fill out the form, then submit it **no later than December 5, 2015**. Instructions for submitting your package can be found on the website.

If you have any questions please call 416 314-7526, toll free 1 877 832-8622 or TTY 416 327-2391.

I hope you will take this opportunity to ensure that volunteers receive the recognition they deserve.

Thank you for your attention to this important recognition program.

Yours truly,

A handwritten signature in black ink, appearing to read 'Michael Chan', with a stylized flourish extending to the left.

Michael Chan
Minister

From: [Culture Talks \(MTCS\)](#)
To: [Culture Talks \(MTCS\)](#)
Subject: Join the Culture Talks. Help shape Ontario's first culture strategy. / Parlons culture. Aidez-nous à élaborer la première stratégie culturelle de l'Ontario.
Date: October-01-15 1:22:06 PM

Dear culture stakeholders,

On Thursday, September 24, we launched province-wide public consultations – ‘Culture Talks’ – on Ontario’s first culture strategy. Consultations will run until December 7, 2015.

We encourage you to participate! Your ideas will help us to develop a strategy that sets out a vision for arts and culture in Ontario and identifies priorities and actions to guide the government’s support for the sector in the years to come.

Culture Talks will help us –

- establish what Ontarians value about culture
- identify opportunities to better meet the needs of the arts and culture sector
- ensure that the government’s policies and programs reflect Ontario’s diverse populations and communities

How to participate

- **Discussion paper**
Read the full [discussion paper](#) and share your comments.
- **Town halls – October to December**
Attend one of our [town halls](#). Not your ‘average’ town halls, these events will include engaging activities and inspiring conversations with local arts and culture personalities.
- **Online discussion** – Ontario.ca/CultureTalks
Join the conversation [online](#), in real time. You can share your thoughts about Ontario arts and culture, discuss with other participants and vote on their ideas.

How to encourage others to participate

We ask that you encourage members of your sector or community to participate in Culture Talks. Help us spark a conversation about arts and culture amongst all Ontarians

Here are some ways you can spread the word –

- emails – send an email – or forward this one – to your stakeholders
- newsletter – include a paragraph or two in your next newsletter
- website – post information about the consultations on your website
- social media channels – use your social media channels e.g. Twitter, Facebook, Instagram

etc.

- comment on our social media sites
 - [Facebook](https://www.facebook.com/ONgov) – www.facebook.com/ONgov
 - [Twitter](https://twitter.com/ExploreON) – @ExploreON; use the hashtag #ONculture

For your convenience, we've developed a [social media toolkit](#) to help you share information about Culture Talks. The toolkit includes content that you can use or adapt for your social media channels [e.g. photos, Tweets, Facebook posts, emails].

If you'd like more information about Culture Talks contact culturetalks@ontario.ca

Thank you for your support, commitment and efforts to promote arts and culture in Ontario. I look forward to hearing your input during the consultations.

Sincerely,

Kevin Finnerty
Assistant Deputy Minister
Ministry of Tourism, Culture and Sport

Mesdames, Messieurs,

Le jeudi 24 septembre, nous avons lancé des consultations à l'échelle de la province, sous la forme de discussions intitulées *Parlons culture*, sur la première stratégie ontarienne pour la culture. Ces consultations auront lieu jusqu'au 7 décembre 2015.

Nous vous encourageons à participer! Vos idées nous aideront à élaborer une stratégie qui définira une vision en matière d'arts et de culture en Ontario et établira les priorités et les mesures qui guideront les investissements du gouvernement dans le secteur pour les prochaines années.

Les discussions *Parlons culture* nous aideront à :

- comprendre ce qui importe aux Ontariens en matière de culture;
- repérer les occasions de mieux répondre aux besoins du secteur des arts et de la culture;
- veiller à ce que les politiques et les programmes du gouvernement tiennent compte des diverses populations et communautés en Ontario.

Comment participer?

- **Document de travail**
Lisez le [document de travail](#) et formulez vos commentaires.
- **Assemblées publiques (d'octobre à décembre)**

Participez à l'une de nos [assemblées publiques](#). À la différence des assemblées générales habituelles, ces séances comprendront des activités et des conversations stimulantes avec des personnalités de la scène artistique et culturelle locale.

- **Discussions en ligne** sur ontario.ca/parlonsculture
Joignez-vous à la conversation [en ligne](#) en temps réel. Vous pourrez donner votre opinion à propos des arts et de la culture en Ontario, discuter avec d'autres participants et vous prononcer sur leurs idées.

Comment encourager les autres à participer?

Nous vous demandons d'encourager les membres de votre secteur ou de votre communauté à participer aux discussions *Parlons culture*. Aidez-nous à lancer une conversation sur les arts et la culture à laquelle participeront tous les Ontariens.

Voici ce que vous pouvez faire pour nous aider :

- envoyez un courriel, ou transférez celui-ci, à vos intervenantes et intervenants;
- publiez un ou deux paragraphes à ce sujet dans votre prochain bulletin électronique;
- affichez des renseignements sur les consultations sur votre site Web;
- utilisez les médias sociaux (Twitter, Facebook, Instagram, etc.);
- commentez nos pages de réseaux sociaux :
 - [Facebook](#) – www.facebook.com/ONGouv;
 - [Twitter](#) – @ExplorezON; utilisez le mot-clic #ONculture.

Nous avons élaboré une [trousse pour les médias sociaux](#) pour vous aider à transmettre des renseignements sur *Parlons culture*. La trousse comprend du contenu que vous pouvez utiliser ou adapter sur les médias sociaux (p. ex. des photos et des modèles de gazouillis, de billets Facebook et de courriels).

Pour en savoir plus sur *Parlons culture*, écrivez-nous à culturetalks@ontario.ca

Je tiens à vous remercier pour votre soutien, votre dévouement et vos efforts à l'égard de la promotion des arts et de la culture en Ontario. Il me fera plaisir de vous lire ou de vous entendre lors des consultations.

Veuillez agréer, Mesdames, Messieurs, mes sincères salutations.

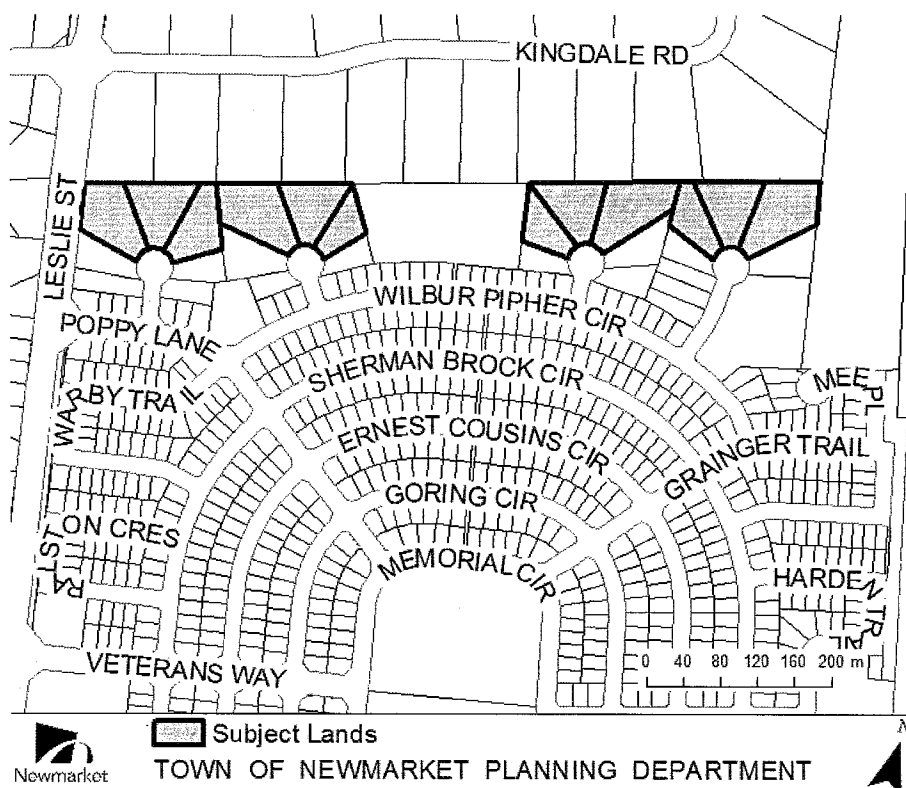
Kevin Finnerty
Sous-ministre adjoint
Ministère du Tourisme, de la Culture et du Sport

**PUBLIC MEETING CONCERNING A
 PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Newmarket will hold a Public Meeting on:

TUESDAY OCTOBER 20, 2015 AT 7:00 P.M.

in the **Council Chambers at the Municipal Offices, 395 Mulock Drive**, to review a proposed technical amendment to the comprehensive Zoning By-Law under Sections 34 of the *Planning Act*, R.S.O. 1990 c. P.13 as amended. This zoning By-law amendment is to correct a transcription error specifically as it relates to the rear yard minimum building setback for the subject lots. A map showing the affected lands is provided below.



ANY PERSON may attend the public meeting to make written or verbal representation either in support of or in opposition to the proposed Zoning By-Law Amendment. If you wish to use the Town's audio/visual system, please contact the Clerk's Office not later than noon on the day of the meeting to make the appropriate arrangements. Should you be unable to attend the public meeting, your written submission will be received up to the time of the meeting.

IF YOU WISH TO BE NOTIFIED of the adoption of the proposed Zoning By-Law Amendment you must make a written request to the Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN MAIN NEWMARKET, ON L3Y 4X7

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Town of Newmarket before the by-law is passed the person or public body is not entitled to appeal the decision of the Town of Newmarket to the Ontario Municipal Board.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting, or make written submissions to the Town of Newmarket before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there is reasonable grounds to do so.

ADDITIONAL INFORMATION relating to the proposed Zoning By-Law Amendment is available for inspection between 8:30 a.m. and 4:30 p.m. on weekdays at the Municipal Offices, 395 Mulock Drive, Newmarket.

Dated October 1, 2015

**Direct any inquiries to the
 Planning Department 905-953-5321**

**PLANNING AND BUILDING SERVICES****Town of Newmarket**

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

TO: Region of York, Planning Department
 Region of York, Environmental Services
 Heritage Newmarket
 Lake Simcoe Region Conservation Authority
 Rogers Cable TV
 York Region District School Board
 York Catholic District School Board
 Bell Canada
 Bell Canada/Right-of-Way-Call Centre
 Newmarket Hydro
 Enbridge Consumers Gas
 Hydro One Networks Inc.
 Health and Social Services
 Conseil scolaire de district catholique Centre-Sud
 Canada Post
 York Regional Police

DATE: October 2, 2015

SUBJECT: Application for Official Plan and Zoning By-law Amendment
 260 Eagle Street
 Town of Newmarket
 711371 Ontario Corp. (Oxford homes)
 File No.: File No.: D09NP1515, D14NP1515

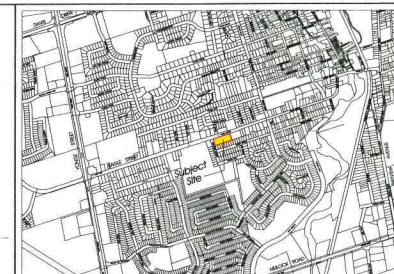
Please find attached a copy of the above captioned Official Plan and Zoning By-law Amendment application, survey, proposed concept plan, building plans, landscape plan and elevations. The application proposes to re-designated the subject lands from the existing Commercial designation to the Stable Residential designation with exceptions and rezone the subject lands from the Residential Detached Dwelling (R1-D-119) zone to the Apartment Dwelling 2 (R5-T) zone to permit a proposed 6 storey residential apartment building with rental tenure on the subject lands.
 Please direct any comments you may have on this proposal to Planning Services by October 30, 2015.

Dave Ruggle, BAA, MCIP, RPP
 Senior Planner – Community Planning

Copy: Mayor Tony Van Bynen
 R.N. Shelton, Chief Administrative Officer
 Joe Sponga, Councillor Ward 5
 Kerigan Kelly, Groundswell

Attachments: Application, Survey, Concept Plan, Building Plans, Landscape Plan, Elevations

BUILDING SUITE MIX					
BEDROOM COUNT	UNIT AREA	GROUND FLOOR YIELD	TYPICAL N5 FLOOR YIELD	BUILDING YIELD	
	sqm	[s.f.]			
1 BDRM	46.5	500	0	2	10
1 BDRM	48.8	525	1	2	11
1 BDRM	51.1	550	2	3	17
1 BDRM + DEN	55.7	600	3	5	28
1 BDRM + DEN	58.1	625	4	3	19
2 BDRM	67.4	725	2	4	22
2 BDRM	74.3	800	1	2	11
2 BDRM	76.6	825	1	1	6
TOTALS			14	22	124



Town of Newmarket
KEY PLAN
1:15,000 Scale

PROPOSED SITE STATISTICS

EXISTING ZONING:	Residential Detached Dwelling 15m Zone [R1-D]	
SITE AREA:		
No. OF PARCELS	5469.6 sqm	0.55 ha [1.35 Ac.]
AREA		
PROPOSED SITE STATISTICS:		
YIELD	124 Units	
RESIDENTIAL UNIT TYPE	Rental Apartment Suites	
GFA / UNIT	[Refer to 'Building Suite Mix' Chart]	
GFA TOTAL	9875.6 sqm ±	[106,300 s.f. ±]
FSI	1.81	
COVERAGE	1634.9 sqm	[17,598 s.f.] 29.9 %
BUILDING FOOTPRINT	1634.9 sqm	29.9 %
ASPHALT SURFACE	2004.1 sqm	36.6 %
LANDSCAPED SURFACE	1830.6 sqm	33.5 %
DENSITY	225.45 uph	[91.85 uph]
PARKING:		
SURFACE PARKING SPACES	50 ± 1 Barrier Area =	51 sp.
BELOW-GRADE PARKING SPACES	113 ± 2 Barrier Area =	115 sp.
TOTAL		166 sp.
SITE SETBACKS:		
FRONT YARD MIN		2.5 m
SIDE YARD MIN		12.1 m
REAR YARD MIN		21.5 m
SOURCE:	DESIGN PROVIDED BY JUAN JACOBS ARCHITECTS.	

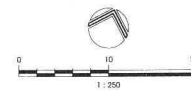
SUBJECT LANDS:
Lots 13,14,15,16,17,18 and 19
And Part of Block D
REGISTERED PLAN No. 371
Town of Newmarket
REGIONAL MUNICIPALITY OF YORK

PROJECT:
260 Eagle Street - Newmarket

PREPARED FOR:
Oxford Homes
17665 Leslie St., Unit #13
Newmarket, ON L3Y 3K3
905-836-9306



Option 04
DEVELOPMENT CONCEPT
"PROPOSED 6-STY. RENTAL APARTMENT BUILDING"



groundswell
URBAN PLANNERS INC.

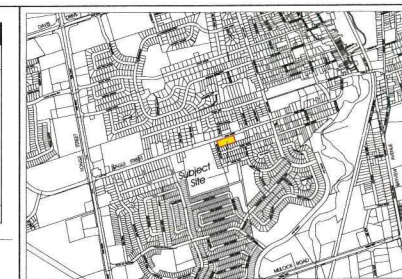
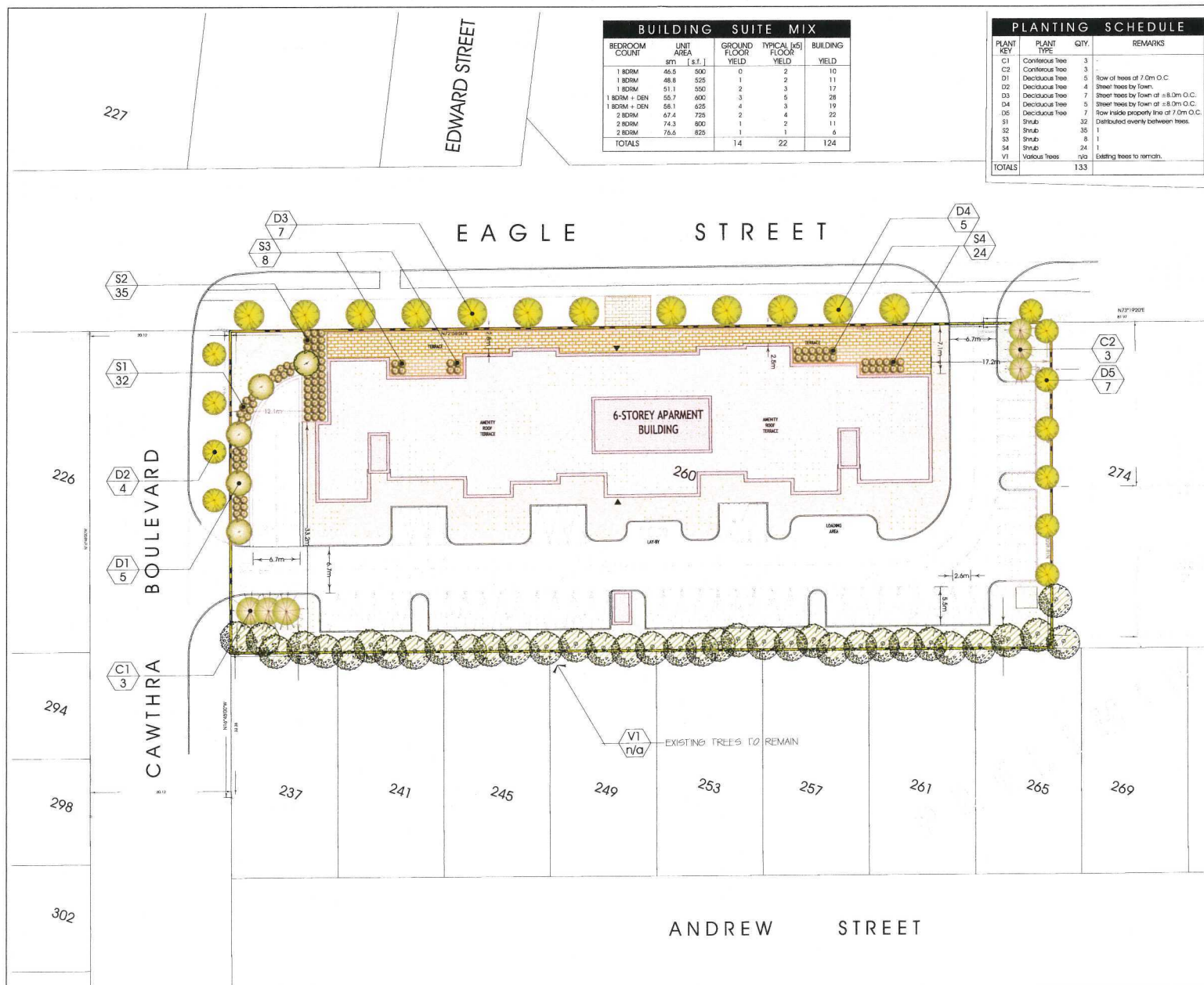
PROJECT No. 14-23
DRAWING No. 04

DRAWN: mvs DATE: 01 June 2015

EAGLE STREET

CAWTHRA BOULEVARD

ANDREW STREET



PROPOSED SITE STATISTICS

EXISTING ZONING: Residential Detached Dwelling 15m Zone [R1-D]

SITE AREA:
No. of PARCELS 1 Lot
AREA 5469.6 sm 0.55 ha [1.35 Ac.]

PROPOSED SITE STATISTICS:

YIELD	124 Units
RESIDENTIAL UNIT TYPE	Rental Apartment Suites
GFA / UNIT	[Refer to 'Building Suite Mix Chart']
GFA TOTAL	9875.6 sm \pm [106,300 s.f. \pm]
FSI	1.81
COVERAGE	1634.9 sm [17,598 s.f.] 29.9 %
BUILDING FOOTPRINT	1634.9 sm 29.9 %
ASPHALT SURFACE	2004.1 sm 36.6 %
LANDSCAPED SURFACE	1830.6 sm 33.5 %
DENSITY	225.45 uph [91.85 upa]

PARKING:
SURFACE PARKING SPACES 50 + 1 Barrier-free = 51 sp.
BELOW-GRADE PARKING SPACES 113 + 2 Barrier-free = 115 sp.
TOTAL 166 sp.

SITE SETBACKS:
FRONT YARD MIN 2.5 m
SIDE YARD MIN 12.1 m
REAR YARD MIN 21.5 m

SOURCE: DESIGN PROVIDED BY JULIAN JACOBI ARCHITECTS.
NOTE: ORTHO AERIAL PHOTOGRAPHY FLOWN IN SPRING 2014.

SUBJECT LAND:
Lots 13,14,15,16,17,18 and 19
And Part of Block D
REGISTERED PLAN No. 371
Town of Newmarket
REGIONAL MUNICIPALITY OF YORK

PROJECT:
260 Eagle Street - Newmarket

PREPARED FOR:
Oxford Homes
17665 Leslie St., Unit #13
Newmarket, ON L3Y 9E3
905-836-9306

OXFORD HOMES

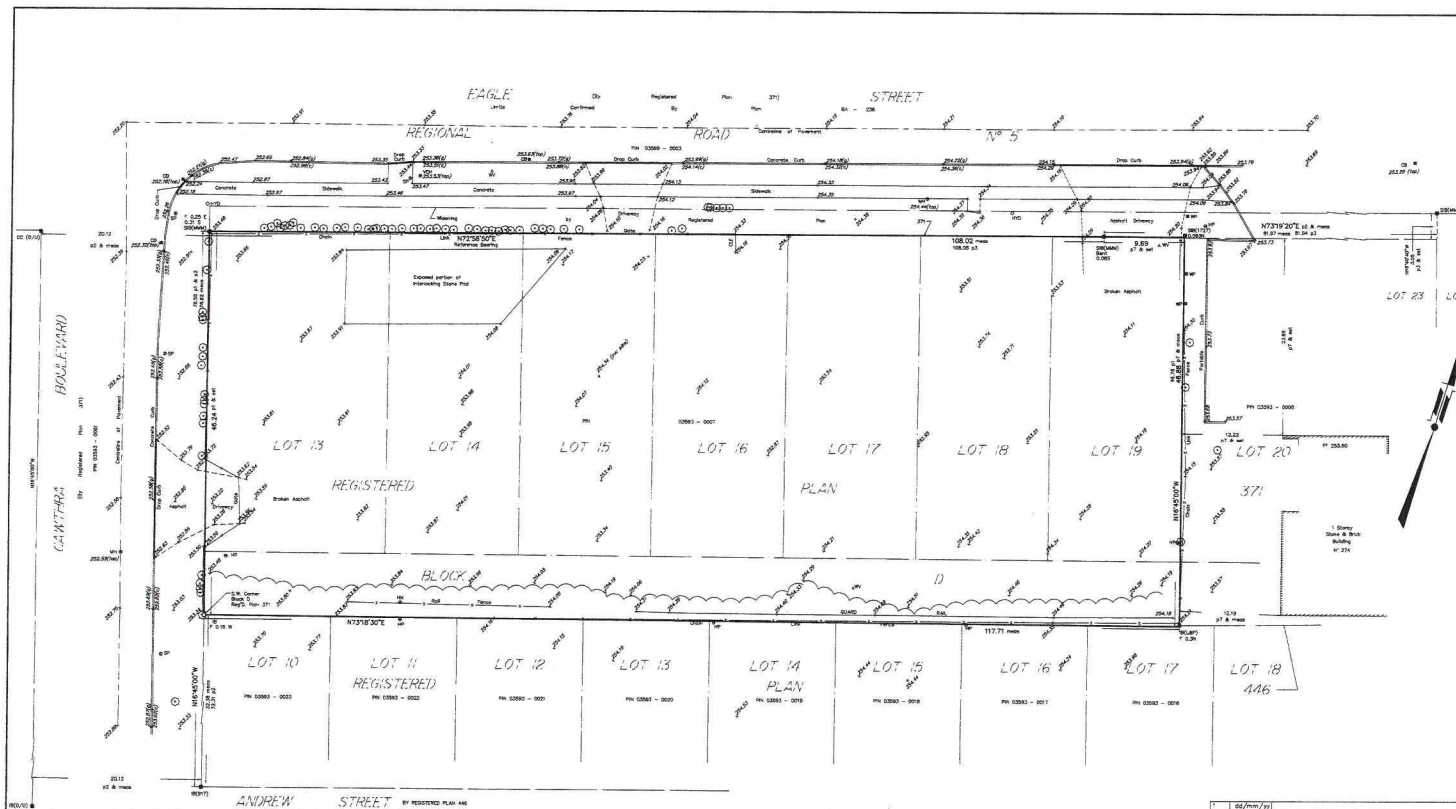
LANDSCAPE PLAN
"PROPOSED 6-STY. RENTAL APARTMENT BUILDING"

0 10 20m
1:250

PROJECT No. 14-23
DRAWING No. L-1

groundswell
URBAN PLANNERS INC.

DRAWN: mvs DATE: 31 august 2015



PLAN OF SURVEY WITH ELEVATIONS
**LOTS 13, 14, 15, 16, 17, 18, 19 AND
 PART OF BLOCK D**
REGISTERED PLAN 371
TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK



LLOYD & PURCELL LTD., SCALE 1:250

TEMPORARY BENCH MARK (ELEVATION 253.30 metres)
 RM OF MARKLE LOCATED ON THE EXISTING CENTRELINE OF EDWARD STREET, 44m NORTH OF THE INTERSECTION OF EDWARD STREET AND EAGLE STREET. (LLOYD & PURCELL LTD. FILE N1-88-5-5)
BEARING REFERENCE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH LIMIT OF EAGLE STREET AS SHOWN ON PLAN BA-236, HAVING A BEARING OF INTERESTS
METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

- LEGEND**
- SB STANDARD IRON BAR
 - B IRON BAR
 - F FOUND
 - Q SET
 - MEAS. MEASURED
 - PROP. PROPORTION
 - P1 REGISTERED PLAN 371
 - P2 REGISTERED PLAN 446
 - P3 PLAN BA-236
 - P4 PLAN OF SURVEY BY R.A. GARDEN LTD. DATED JUNE 28, 1989 (FILE 88-330)
 - P5 PLAN OF SURVEY BY R.A. GARDEN LTD. DATED FEBRUARY 18, 1992 (FILE 92-207)
 - P6 PLAN OF SURVEY BY R.A. GARDEN LTD. DATED APRIL 29, 1999 (FILE 99-180)
 - P7 SURVEYOR'S REAL PROPERTY REPORT BY LLOYD & PURCELL LTD. DATED JANUARY 20, 2005 (FILE N1-371-20-23)
 - MAM MARSHALL MACLEAN MONAGHAN LTD.
 - LSP LLOYD & PURCELL LTD.
 - S17 R.A. GARDEN O.L.L.E.
 - 1727 R.A. GARDEN O.L.L.E.
 - CB CATCH BASIN
 - CO CATCH
 - HP HYDRO POLE
 - HM HYDRO METER
 - HTD FIRE HYDRANT
 - SP SIGN POST
 - VCH VALVE CHAMBER
 - WV WATER VALVE
 - DECIDUOUS TREE (SPREAD)

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 16th DAY OF OCTOBER, 2013.
 LLOYD & PURCELL LTD.
 ONTARIO LAND SURVEYOR
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PREPARED FOR: 711371 ONTARIO CORP.

LLOYD & PURCELL LTD.
 ONTARIO LAND SURVEYORS
 1228 CORNWALL STREET, UNIT 26, NEWMARKET, ONTARIO, L3Y 8Z1
 (905) 895-4476, Fax (905) 893-8877, EMAIL: L.PURCELL@LLOYDANDPURCELL.COM
 TORONTO LINE: (905) 479-4500 Fax (905) 479-4575
 WWW.LLOYDANDPURCELL.COM

LLOYD & PURCELL LTD.

DATE: 08	PC: MS	JOB: 13-431
CALC: 08	DATE: 10P	FILE: N1-371-13-19



PLANNING & BUILDING SERVICES

Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

<p align="center">PLANNING APPLICATION FORM</p> <p align="center">USE FOR ALL APPLICATIONS</p>	FOR OFFICE USE
	RECEIVED BY: _____
	DATE RECEIVED: _____
	APPLICATION FEE: <u>46,585.17</u>
FILE NUMBER: <u>D9NP1515</u>	

APPLICATION IS SUBMITTED FOR: (Mark all appropriate boxes)

- | | |
|---|--|
| <input checked="" type="checkbox"/> OFFICIAL PLAN AMENDMENT | <input type="checkbox"/> DRAFT PLAN OF SUBDIVISION |
| <input checked="" type="checkbox"/> ZONING BYLAW AMENDMENT | <input type="checkbox"/> DRAFT PLAN OF CONDOMINIUM |
| <input type="checkbox"/> SITE PLAN APPROVAL | <input type="checkbox"/> PART LOT CONTROL |
| <input type="checkbox"/> AMENDMENT TO SITE PLAN APPROVAL | <input type="checkbox"/> OTHER: _____ |

REGISTERED OWNER: 711371 Ontario Corp.

ADDRESS: 2 Farr Avenue

CITY: Sharon

PDSTAL CODE: LOG 1V0

PHONE: _____

FAX: _____

E-MAIL ADDRESS: _____

PLEASE LIST ADDITIONAL PROPERTY OWNERS ON AN ATTACHED SHEET

BENEFICIAL OWNER: (If applicable)

ADDRESS: _____

CITY: _____

POSTAL CODE: _____

PHONE: _____

FAX: _____

E-MAIL ADDRESS: _____

AGENT: (If other than either of the above) Groundswell Urban Planners Inc.

ADDRESS: 30 West Beaver Creek Road

CITY: Richmond Hill

PDSTAL CODE: L4B 3K1

PHONE: (905) 597-8204

FAX: (905) 597-8904

E-MAIL ADDRESS: kerigan@groundswellplan.com

SEND INVOICES TO: (Mark appropriate boxes)

- | | | |
|---|---|--------------------------------|
| <input checked="" type="checkbox"/> OWNER | <input type="checkbox"/> BENEFICIAL OWNER | <input type="checkbox"/> AGENT |
|---|---|--------------------------------|

SEND CORRESPONDENCE TO: (Mark appropriate boxes)

- | | | |
|--------------------------------|---|---|
| <input type="checkbox"/> OWNER | <input type="checkbox"/> BENEFICIAL OWNER | <input checked="" type="checkbox"/> AGENT |
|--------------------------------|---|---|

LOCATION AND DESCRIPTION OF PROPERTY

MUNICIPAL ADDRESS: 260 Eagle Street

LOT: 13, 14, 15, 16, 17, 18, 19 CONCESSION:

LOT: REGISTERED PLAN: 371

AND/OR

PART: Part of Block D REFERENCE PLAN (If relevant):

LOT AREA (ha): 0.55 LOT FRONTAGE (m): 117.71 LOT DEPTH (m): 46.24

EXISTING STRUCTURES: (Give height & floor area)

Site is currently vacant.

PROPOSED STRUCTURES: (Give height & floor area)

A 6-storey apartment building with one level of underground parking. A total of 124 suites proposed and 166 parking spaces. The GFA is approximately 106,300 ft².

DOES THE APPLICANT HAVE AN INTEREST IN ANY ADJACENT LANDS? IF YES, PLEASE DESCRIBE:

LAND USES

PRESENT USE: Vacant property

PROPOSED USE: Residential - apartment building

PRESENT OFFICIAL PLAN DESIGNATION: Commercial

PROPOSED OFFICIAL PLAN DESIGNATION: (If applicable)

Stable Residential (with exception)

PRESENT ZONING BYLAW CLASSIFICATION:

Residential Detached Dwelling 15m (R1-D-119)

PROPOSED ZONING BYLAW CLASSIFICATION: (If applicable)

Residential Apartment Dwelling 2 (R5-T)

- ☒ Pre-consultation with municipal staff on application - Date: March 10 2015
- ☒ Indicate whether this application conforms to the Provincial Policy Statements (2005)
- ☒ Indicate whether this application conforms (or does not conflict) with all other Provincial Plans

(Further details may be required in a Planning Justification Report)

PROPOSED TENURE TYPE: (If applicable)

FREEHOLD



CONDOMINIUM



RENTAL

SERVICING

SANITARY SERVICING:

MUNICIPAL



PRIVATE SEPTIC SYSTEM



OTHER: _____

WATER SUPPLY:

MUNICIPAL



PRIVATE WELL



OTHER: _____

DATE OF ACQUISITION OF LAND

BY OWNER: 2011

AND IN THE CASE OF A BENEFICIAL OWNER, ANTICIPATED DATE OF CLOSING:

The personal information on this form is collected under the *Planning Act*, R.S.O. 1990, c.P.13, as amended. The information is used for the purpose of processing your application. If you have any questions about this collection of personal information, please contact the Planning Division, Town of Newmarket, at (905) 953-5321.

DECLARATION

I

Kerigan Kelly

of the

Town

of

Aurora

in the

Region

of

York

SOLEMNLY DECLARE THAT:

ALL THE WITHIN STATEMENTS AND THE STATEMENTS CONTAINED IN ALL OF THE EXHIBITS TRANSMITTED HERewith, ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH AND BY VIRTUE OF THE CANADA EVIDENCE ACT.

FOR PURPOSES OF THE *MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT*, I AUTHORIZE AND CONSENT TO THE USE BY OR DISCLOSURE TO ANY PERSON OR PUBLIC BODY OF ANY PERSONAL INFORMATION IN THIS APPLICATION THAT IS COLLECTED UNDER THE AUTHORITY OF THE *PLANNING ACT* FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

Declared before me at the

Town

of

Newmarket

in the

Region

of

York

this

8th

day of

September

A.D.

2015

Kym Norman
A Commissioner, etc.

Kym Norman, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of Newmarket
Expires November 7, 2016.

Kerigan Kelly
Signature of Owner, Beneficial Owner or Agent

CERTIFICATE

(TO BE SIGNED BY OWNER, EVEN IF AGENT HAS BEEN APPOINTED)

As of the date of this application, I am the registered owner of the lands described in the application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I authorize the submission of this application on my behalf by:

NA AND/OR GEOWISWELL URBAN PLANNERS (KERRIGAN KELLY)
 (Please Print) (Please Print)
 BENEFICIAL OWNER (If applicable) WHOM I HAVE APPOINTED AS MY AGENT

With the submission of my application, I hereby undertake to not permit the cutting down of any trees or the disturbance of any vegetative cover in any way as it exists on the land which is the subject of this application without the prior written approval of the Town.

I hereby also undertake to not permit the demolition and/or destruction of any building and/or structure in any way as it exists on the land which is the subject of this application without the prior written approval of the Town.

I hereby also undertake to have any sign, which is required to be erected to provide notification of a public meeting, removed within seven days after the public meeting is held.

I hereby acknowledge that the Town or its representatives, and applicable public agencies have permission to access the property for the purposes of reviewing this application.

I hereby agree and acknowledge that the information contained in this application and any supporting information, including reports, studies, and drawings, provided with this application by me, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, I hereby consent to the Town of Newmarket making this application and its supporting information available to the general public, including copying, posting on the Town's website and/or releasing a copy of the application and any of its supporting information to any third party upon their request, and as part of a standard distribution of copies of such documentation, I consent to the Town releasing copies of any of the documentation to additional person, including but not limited to members of Council and ratepayers' associations.

DATE: AUGUST 27th, 2015 SIGNED: [Signature]

Signature of Owner

711371 ONTARIO CORP.

Print Name of Owner

(AFFIX CORPORATE SEAL IF APPLICABLE)

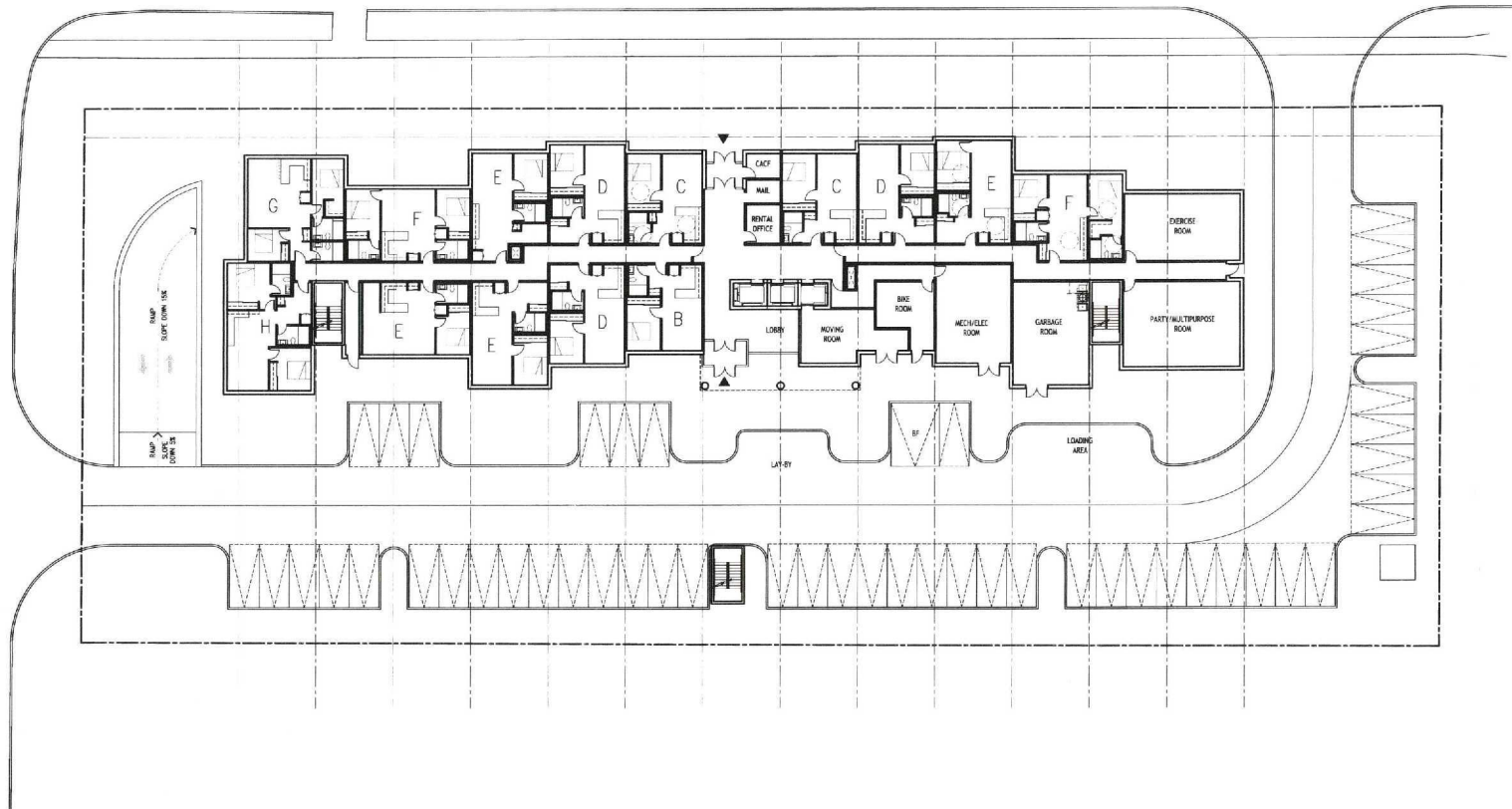
REVISED: 03/14

GROUND FLOOR STATISTICS				
TOTAL FLOOR AREA		17,458 sf		
PARKING SPACES AT GRADE		31		
BF SPACES		1		
APARTMENT SUITES		14		
B	1 BR	1	525 sf	575 sf
C	1 BR	2	550 sf	594 sf
D	1 BR + DEN	3	606 sf	650 sf
E	1 BR + DEN	4	625 sf	685 sf
F	2 BR	2	725 sf	790 sf
G	2 BR	1	805 sf	865 sf
H	2 BR	1	825 sf	885 sf

ALL AREAS ARE APPROXIMATE

EAGLE STREET

CAWTHRA BOULEVARD



21

260 EAGLE STREET APARTMENT BUILDING

JULIAN JACOBS ARCHITECTS

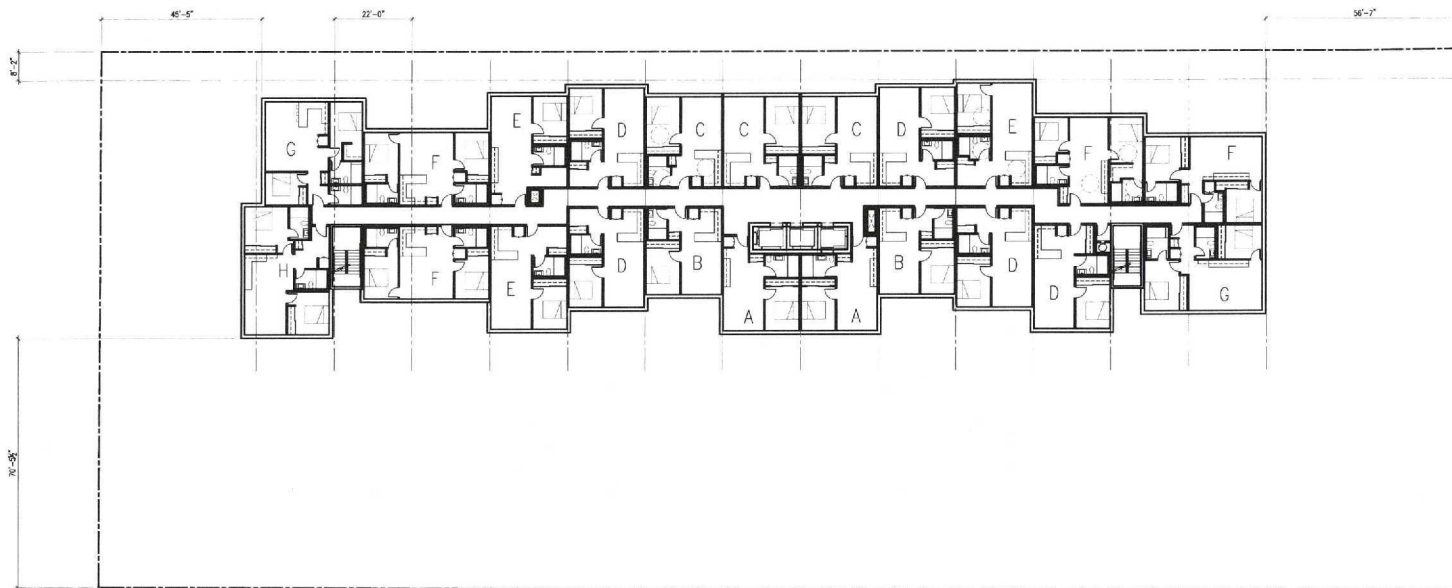
SCALE: 1'-0" = $\frac{1}{16}$ "

2

GROUND PLAN
MAY 22, 2015

TYPICAL FLOOR STATISTICS					
TOTAL FLOOR AREA			17,480 sf*		
APARTMENT SUITES			22		
			NUMBER OF FLOORS		
A	1 BR	7	500 sf	500 sf	
B	1 BR	2	609 sf	609 sf	
C	1 BR	3	600 sf	600 sf	
D	1 BR + DEN	6	625 sf	625 sf	
E	1 BR + DEN	3	625 sf	625 sf	
F	2 BR	4	725 sf	725 sf	
G	2 BR	2	800 sf	800 sf	
H	2 BR	1	925 sf	925 sf	

ALL AREAS ARE APPROXIMATE



3

TYPICAL FLOOR PLAN
MAY 22, 2015

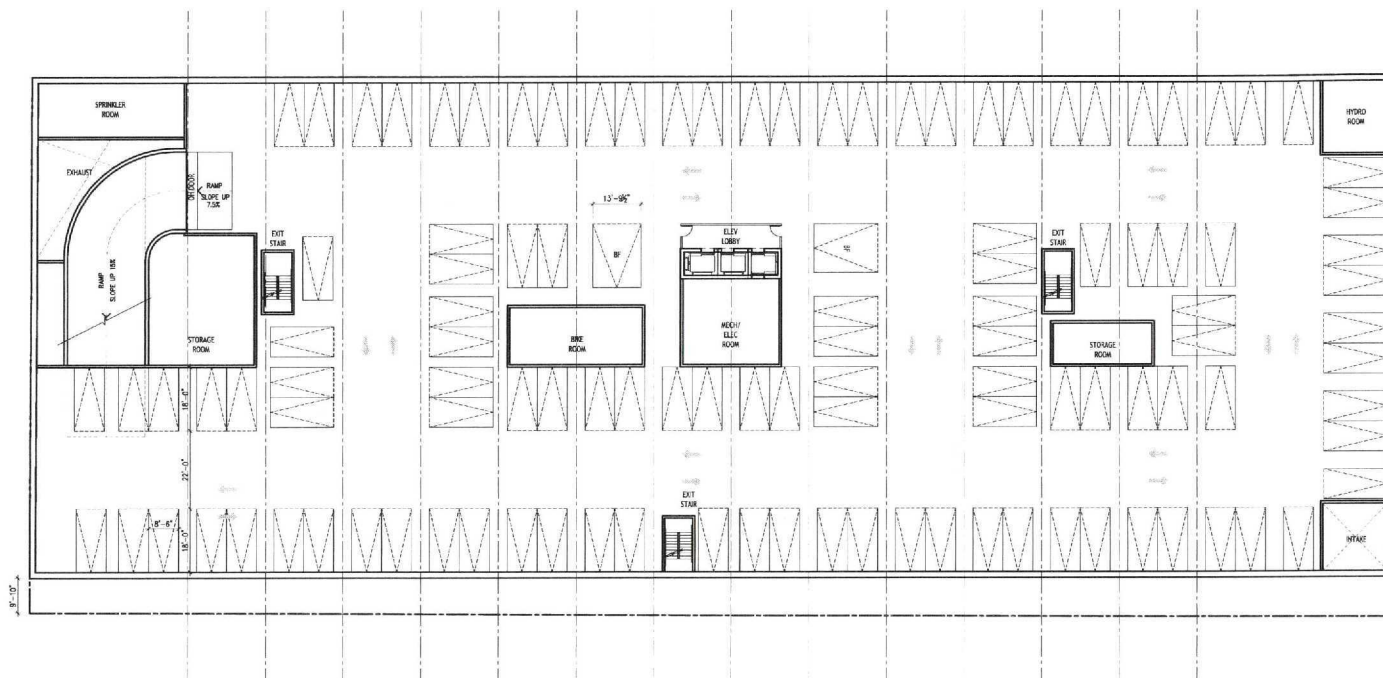
260 EAGLE STREET APARTMENT BUILDING

JULIAN JACOBS ARCHITECTS

SCALE: 1'-0" = $\frac{1}{16}$ "

P1 LEVEL STATISTICS	
TOTAL FLOOR AREA	54,850 sf
PARKING SPACES BELOW GRADE	115
BT SPACES	2

ALL AREAS ARE APPROXIMATE



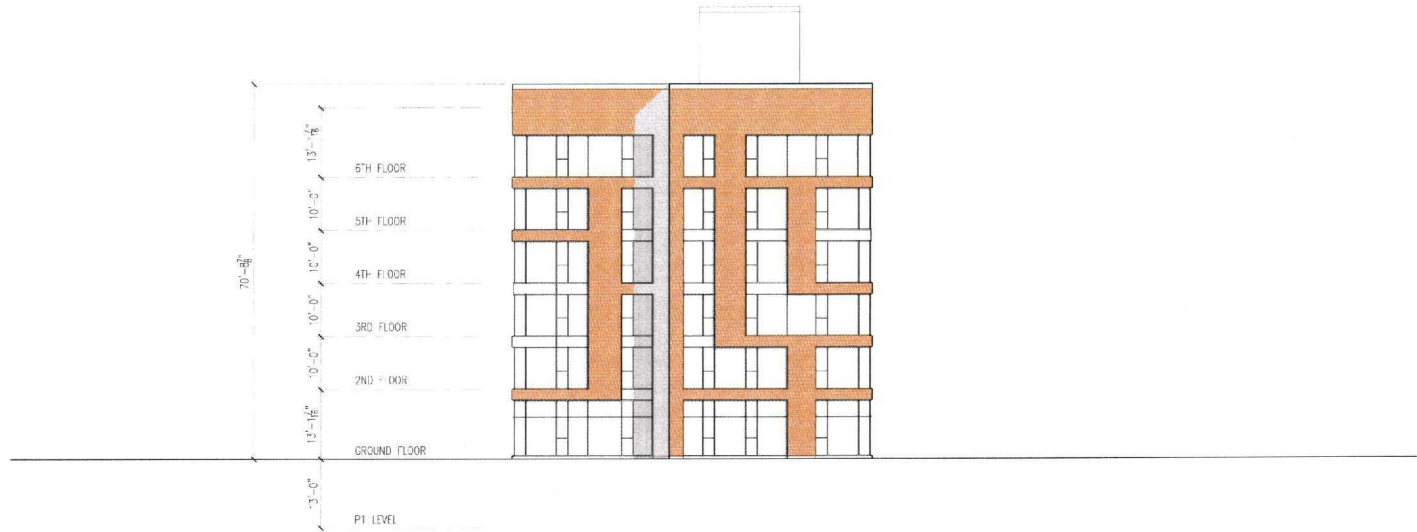
4

P1 LEVEL
MAY 22, 2015

260 EAGLE STREET APARTMENT BUILDING

JULIAN JACOBS ARCHITECTS

SCALE: 1'-0" = $\frac{1}{16}$ "



5

WEST & SOUTH ELEVATIONS
MAY 22, 2015

260 EAGLE STREET APARTMENT BUILDING

JULIAN JACOBS ARCHITECTS

SCALE: 1'-0" = 3/32"



6

EAST & NORTH ELEVATIONS
MAY 22, 2015

260 EAGLE STREET APARTMENT BUILDING

JULIAN JACOBS ARCHITECTS

SCALE: 1'-0" = 3/32"



260 EAGLE STREET APARTMENT BUILDING

Project Description		Priority	Link to Council's Strategic Priorities and/or Corporate Strategic Goals	Target for Completion	Status
1.	Municipal Register of Properties Designated under the <i>Ontario Heritage Act</i> : Review the list and determine whether each designated home is currently displaying its designation plaque and/or whether one has been provided.		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		
2.	Municipal Register of Non-Designated Heritage Properties: Review the list and determine what each plaque indicates for inclusion in the non-designated register.		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		
3.	Review and research all requests for plaques to determine whether the request merits plaque production.		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 	Ongoing	
4.	Review and research all requests for designation to determine whether the building merits designation under the <i>Ontario Heritage Act</i> .		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 	Ongoing	
5.	Set up filing system at the Heritage Office for each designated property. Develop standards for what is included in each file (for example, research, photographs, Council decision and associated designation By-law)		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		
6.	Have all deteriorating Town of Newmarket Assessment Roll Books rebound and digitized, where possible.		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		Research has been initiated to determine the cost of having the books rebound.
7.	Heritage Attributes By-law: Have the Town enact a By-law to preserve heritage properties in order to avoid demolition by neglect.		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		
8.	Review all Heritage Designation By-laws.		Well-balanced <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		

Project Description		Priority	Link to Council's Strategic Priorities and/or Corporate Strategic Goals	Target for Completion	Status
9.	<p>Education and Awareness Initiatives.</p> <p>Heritage Newmarket Workshop: Host a workshop for all York Region municipalities to discuss fundamentals of the Act, by-laws and other municipal approaches.</p> <p>Workshop for Real Estate Professionals: Create an educational workshop for real estate agents in order to provide an understanding of the Act, its implications and the benefits of heritage designation.</p> <p>Plaque Program Workshop: Host an educational workshop regarding the plaque program and/or create an educational program for homeowners related to the plaque program.</p> <p>Town Staff Education: Creation of educational documents for Town Staff in coordination with the Newmarket Historical Society.</p>		<p>Community Engagement</p> <p>i. Engaging our changing resident demographics</p> <p>Well-balanced</p> <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		
10.	<p>Provincial Offences Act – Limitation Period:</p> <p>Make motion to support the motion made by Community Heritage Ontario to provide for an override of limitation periods in the <i>Provincial Offences Act</i> or remove the limitation period as it related to heritage designated buildings altogether.</p>		<p>Well-balanced</p> <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		
11.	<p>Heritage Salvage Program:</p> <p>Develop a policy and/or implement a Heritage Salvage Program.</p>		<p>Well-balanced</p> <ul style="list-style-type: none"> Arts, culture, entertainment and heritage preservation 		



Town of Newmarket

TERMS OF REFERENCE

NAME:	Heritage Newmarket Advisory Committee
REPORTS TO:	Council
STATUS:	Statutory
ESTABLISHED:	July 21, 1980 (Local Architectural Conservation Advisory Committee) November 12, 2001 (Heritage Newmarket Advisory Committee)

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Heritage Newmarket Advisory Committee is authorized under the *Ontario Heritage Act*, Part IV, S. 27 and By-laws 1980-74 and 2001-132.

The Heritage Newmarket Advisory Committee is required to adhere to the provisions outlined in the Town's Procedural By-law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The Heritage Newmarket Advisory Committee has been created to assist the Town of Newmarket in achieving its goals for the documentation and preservation of historical structures, buildings, properties and artifacts.

The Committee will be responsible for the following:

- Advising and assisting Council on matters related to designation under Parts IV and V of the *Ontario Heritage Act*, the conservation of historic structures and the architectural and natural heritage of the community.

Deliverables

The Committee will accomplish its mandate by:

- Providing recommendations to Council with respect to the designation of buildings or sites under the *Ontario Heritage Act* as being of Cultural Heritage Value or interest.
- Reviewing applications for the completion of works on designated sites in order to ensure the features of the structure or site that are of Cultural Heritage Value or interest are preserved.
- Reviewing development applications involving sites or structures of Cultural Heritage Value or interest to make recommendations to Council on measures to incorporate or preserve these features in the development proposals.
- Conducting research on the community and creating reference materials regarding the history related to the structures and features of the community.

- Participating in the planning and carrying out of education programs such as tours of the municipality outlining these significant features.

Strategic Plan Linkages

This mandate meets the following Corporate Strategic Goals:

- *Living Well*: By centering on Environmental protection and natural heritage preservation.
- *Well-balanced*: By focusing on arts, culture, entertainment and heritage preservation.

This mandate meets the following Council Strategic Priorities:

- *Enhanced Recreational Activities*: By supporting community and neighbourhood projects.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Heritage Newmarket Advisory Committee will be composed of:

- Six (6) Newmarket residents
- One (1) Member of Council

The Heritage Newmarket Advisory Committee will supported by:

- Senior Planner

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Knowledge of heritage legislation
- Heritage architectural design and research skills
- Skills functioning as members of a team
- Problem solving skills, interpersonal communication skills
- Facilitation skills
- Interest in the community

FREQUENCY OF MEETINGS

Once per month in the evening.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request aligned with the work plan that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

A report or presentation summarizing the Committee's accomplishments and/or workplan shall be provided to Council in the fourth quarter annually.

REMUNERATION

None.

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2011-115

A by-law to delegate the power to consent/grant heritage permits for the alteration of designated heritage properties

WHEREAS pursuant to subsection 33(15) and 33(16) of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18, as amended ("*Ontario Heritage Act*"), the council of a municipality may by by-law delegate the power to consent to alterations to property designated under Part IV to an employee or official of the municipality after having consulted with its municipal heritage committee;

AND WHEREAS pursuant to subsection 42(16) and 42(17) of the *Ontario Heritage Act*, the council of a municipality may by by-law delegate the power to grant permits for the alteration of property situated in a heritage conservation district designated under Part V to an employee or official of the municipality after having consulted with its municipal heritage committee;

AND WHEREAS clause 23.2(1)(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, permits a municipality to delegate certain legislative and quasi-judicial powers to an individual who is an officer, employee or agent of the municipality;

AND WHEREAS the Council of the Corporation of the Town of Oakville has consulted with its municipal heritage committee;

COUNCIL ENACTS AS FOLLOWS:

1. The Council for the Corporation the Town of Oakville ("Council") hereby delegates to the Director of Planning Services ("Director"), or his or her designate, the power to:
 - (a) consent to the alteration of properties designated under Part IV of the *Ontario Heritage Act*, through the granting of heritage permits;
 - (b) grant heritage permits for the alteration of properties situated in a heritage conservation district designated under Part V of the *Ontario Heritage Act*; and

- (c) extend the timeline in which alterations proposed in a previously approved heritage permit can be undertaken if the applicant is not able to complete the works within the required timeline.
2. The delegated authority in section 1(a) and (b) is limited to the following alterations to properties designated, or situated within a designated heritage conservation district, under the *Ontario Heritage Act* that do not have a significant negative impact on any heritage features on the property or district:
- (a) exterior repainting of part or the whole of a building or structure;
 - (b) alterations to roofing material and colour;
 - (c) addition/removal of, or alterations to, permanent hard landscaping features, including but not limited to walkways, driveways, patios, planters, fences, gates, walls, trellises, arbours and gazebos;
 - (d) addition/removal of, or alterations to, signage;
 - (e) addition/removal of, or alterations to, exterior lighting;
 - (f) addition/removal of, or alterations to, basement windows and window wells;
 - (g) removal/replacement of, or alteration to, non-heritage features, including but not limited to doors, windows, trim, shutters, railings, stairs, porch flooring, columns, brackets, and decorative features;
 - (h) addition/removal of, or alterations to, detached single-storey accessory buildings under 15 square metres;
 - (i) minor revisions to previously approved heritage permits; and
 - (j) temporary measures reasonably necessary to deal with an emergency which puts the security or integrity of a building or structure at risk of damage.
3. Notwithstanding section 1 of this By-law, Council shall retain all powers and authority under the *Ontario Heritage Act* where the Director refers an application to Heritage Oakville and Council.
4. In exercising the delegated authority in section 1, the Director may:
-

- (a) grant a heritage permit for an application to alter a designated heritage property or a property situated within a designated heritage conservation district; or
 - (b) grant a heritage permit for an application to alter a designated heritage property or a property situated within a designated heritage conservation district, on any terms and/or conditions; or
 - (c) refer an application to alter a designated heritage property or a property situated within a designated heritage conservation district to Heritage Oakville and Council.
5. Regardless of any authority delegated to the Director under this By-law, Council may, after notifying the Director, exercise any authority that is delegated to the Director.
6. In the event any provisions of this By-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PASSED this 12th day of December, 2011.

Rob Burton

MAYOR

Vicki Tytaneck

A/CLERK



THE CORPORATION OF THE CITY OF WATERLOO

BY-LAW NO. 2014 –

BY-LAW TO DELEGATE COUNCIL'S AUTHORITY TO CONSENT TO/GRANT PERMITS FOR THE ALTERATION OF DESIGNATED HERITAGE PROPERTIES TO THE DIRECTOR OF GROWTH MANAGEMENT OR HIS/HER DESIGNATE

WHEREAS section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act, 2001;

AND WHEREAS section 11 (3) 5 of the Municipal Act, 2001 provides that a municipality may pass by-laws within the following sphere of jurisdiction: culture, parks, recreation and heritage;

AND WHEREAS section 8(1) of the Municipal Act, 2001 provides that the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 23.1 of the Municipal Act, 2001 provides that sections 9 and 11 of the Municipal Act, 2001 authorize a municipality to delegate its powers under the Municipal Act, 2001 or any Act, subject to certain limitations;

AND WHEREAS approval from the Council of The Corporation of the City of Waterloo is required for the alteration of properties designated under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended, or for properties located in heritage conservation districts designated under Part V of the Ontario Heritage Act;

AND WHEREAS sections 33 and 42 of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended, provide that Council may delegate its authority to consent to alterations to property designated under Part IV and to grant permits for the alteration of property located in a heritage conservation district designated under Part V to an employee or official of the municipality;

AND WHEREAS pursuant to sections 33(15) and 42(16) of the Ontario Heritage Act, the Council of The Corporation of the City of Waterloo has consulted with its municipal heritage committee respecting the delegation contained within this by-law

THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WATERLOO ENACTS AS FOLLOWS:

1. For the purpose of this By-Law:

- (a) **“Alteration”** means a change in any manner, including restoration, renovation, repair, erection or disturbance;
- (b) **“Application”** means a heritage permit application to obtain consent for an alteration to a heritage property;
- (c) **“City”** means the Corporation of the City of Waterloo;
- (d) **“Committee”** means the Municipal Heritage Committee for the City of Waterloo;
- (e) **“Compliant”** means conforming to the City’s heritage policies, guidelines, and agreements, including any relevant Heritage Conservation District Plans, conservation easements agreements, designation by-laws, and Urban Design Guidelines, as well as accepted conservation standards and practices, including, but not limited to, Parks Canada’s *Standards and Guidelines for the Conservation of Historic Places in Canada*, the Ontario Ministry of Tourism, Culture and Sport’s *Eight Guiding Principles in the Conservation of Historic Properties*, and the *Ontario Heritage Tool Kit*.
- (f) **“Council”** means the municipal Council of the City of Waterloo;
- (g) **“Heritage Property”** means real property, including all buildings and structures thereon, designated under Part IV or Part V of the Ontario Heritage Act or for which there is a conservation easement agreement between the City and the property owner;
- (h) **“Director”** means the Director of Growth Management or his/her designate;
- (i) **“Emergency Repair”** means an alteration to a heritage property or building required to avoid imminent structural, health, safety or security issues. These types of alterations may include more significant interventions in terms of size, scope or location than those identified as minor.
- (j) **“Minor”** means of low potential impact because of its type, location, size, or scope;
- (k) **“Owner”** means the person registered on title in the proper land registry office as owner of the property; and
- (l) **“Permit”** means written consent for the alteration of a heritage property.

2. Council delegates to the Director all of the power that Council has respecting the granting of consents and approvals for alterations to heritage properties, including the power to grant approval for alterations to heritage properties with terms and conditions. This delegation of authority is granted in relation to the following types of alterations:
 - (a) Alterations that, *prima facie*, are both minor and compliant, including but not limited to:
 - (i) repointing of masonry;
 - (ii) repair restoration or replication of doors and windows and their surrounds;
 - (iii) repair, restoration or replication of dormers, cresting, cupolas, cornices, brackets, columns, balustrades, soffit and fascia, or chimneys;
 - (iv) repair, restoration or replication of porch ceiling, floor, spindles, railings or steps;
 - (v) repair or restoration of decorative wood, metal, stone or brick;
 - (vi) replacement of eavestroughs and downspouts;
 - (vii) replacement of roofing material where there is little or no change in colour, materials or design;
 - (viii) replacement of vinyl siding with new vinyl siding or wood siding;
 - (ix) replacement of vinyl windows with new vinyl windows or wood windows within the existing openings;
 - (x) removal of signage, or alterations to signage that do not significantly change its existing location, dimensions and building coverage.
 - (b) Emergency repairs, including but not limited to:
 - (i) internal structural repairs that will affect the exterior façade
 - (ii) significant masonry repairs to load bearing exterior walls
 - (iii) structural repairs to porches, balconies or fire escapes
 - (iv) temporary measures to stabilize or secure a heritage property
3. An owner wishing to alter a heritage property shall submit an application for a permit in writing to the Director on a form prescribed by the Director and shall supply any of the following information that is requested by the Director.
4. The Director shall consult with the Committee Chair or designate before approving an application for a permit for alterations that are both minor and compliant.
5. The Director shall, where possible, consult with the Committee Chair or designate before issuing a permit for an emergency repair. Where consultation is not feasible due to the nature of the emergency, the Director will notify the Committee Chair of the approved permit.

6. Notwithstanding any other provisions of this by-law, Council shall retain decision making power for applications for a permit in the following cases:
- (a) the Director or Committee Chair or designate do not consider the alterations to be minor and compliant;
 - (b) The Director or Committee Chair or designate do not recommend approval of the alteration;
 - (c) the Director and Committee Chair or designate are not in agreement about the terms and conditions for approval;
 - (d) the alteration involves significant new construction;
 - (e) the alteration involves demolition or removal of a structure;
 - (f) the alteration requires site plan approval;
 - (g) the alteration requires the submission of additional heritage studies, such as a Heritage Impact Assessment or a Conservation Plan
7. This by-law shall come into force and effect on the date of its final passing.

Enacted this _____ day of _____, 2014.

Approval	Date	Print Name	Initials
IPPW			
Legal			
Finance			

Brenda Halloran, Mayor

Olga Smith, City Clerk



BY-LAW 2007-67

A By-law to delegate certain assigned council authority under the Ontario Heritage Act for the power to consent to the alteration of designated property

WHEREAS pursuant to subsection 33(1) and 33(4) of the Ontario Heritage Act, R.S.O 1990, Chapter 0.18, as amended (hereinafter referred to as "the Ontario Heritage Act"), the Council of The Corporation of the Town of Markham is authorized to make decisions in respect to the consent of alterations to designated heritage property under Part IV of the Ontario Heritage Act;

AND WHEREAS pursuant to subsection 42(4) of the Ontario Heritage Act, the Council of The Corporation of The Town of Markham is authorized to make decisions for the granting of permits for the alteration of property within a heritage conservation district under Part V of the Ontario Heritage Act;

AND WHEREAS pursuant to subsection 33(15) of the Ontario Heritage Act, the Council of a municipality may by by-law delegate the power to consent to alterations to property designated under Part IV to an employee or official of the municipality after having consulted with its municipal heritage committee;

AND WHEREAS pursuant to subsection 42(16) of the Ontario Heritage Act, the Council of a municipality may by by-law delegate the power to grant permits for the alteration of property situated in a heritage conservation district designated under Part V to an employee or official of the municipality after having consulted with its municipal heritage committee;

AND WHEREAS pursuant to subsections 33(15) and 42(16) of the Ontario Heritage Act, the Council of The Corporation of the Town of Markham consulted with Heritage Markham, its municipal heritage committee on April 11, 2007;

AND WHEREAS subsection 39(1) of the Ontario Heritage Act permits a municipality to provide for grants to owners of designated properties for the purpose of paying for the whole or any part of the cost of alterations to designated properties;

AND WHEREAS the Council of The Corporation of the Town of Markham has established the Commercial Signage Replacement Grant Program;

AND WHEREAS section 23.1 of the Municipal Act authorizes a council to delegate its powers or duties to a person or body;

AND WHEREAS the Council of The Corporation of the Town of Markham is desirous of streamlining the approval process for grants pursuant to the Town of Markham Commercial Signage Replacement Grant Program;

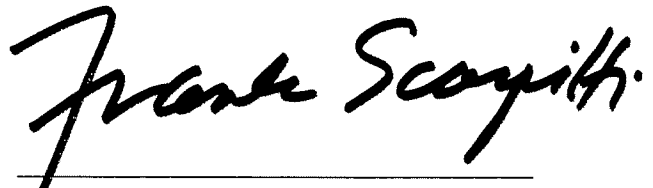
NOW THEREFORE the Council of the Corporation of the Town of Markham hereby enacts as follows:

1. That the Council hereby delegates to the Manager, Heritage Planning, or his or her designate, all power, save and except the power to refuse an application, respecting the granting of consents and approvals which was assigned to Council under section 33 and section 42(4) of the Ontario Heritage Act, including the authority to attach terms and conditions.

2. That the Manager, Heritage Planning may forward alteration requests to the municipal heritage committee for review. All decisions made by the Manager, Heritage Planning pursuant to delegated powers in Section 1 shall be reported the municipal heritage committee for information purposes.
3. That the Manager, Heritage Planning, or his or her designate, is authorized and delegated to approve the issuance of grants pursuant to the Town of Markham Signage Replacement Grant Program upon being satisfied that the eligibility criteria and other requirements established by Council have been met for an application, and that funding is available and approved by Council.
4. That the Manager, Heritage Planning, or his or her designate, is authorized to undertake all acts necessary to carry out the authority vested in the Manager, Heritage Planning pursuant to this By-law, including affixing his/her signature as required to any documents.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
24TH DAY OF APRIL, 2007.


SHEILA BIRRELL, TOWN CLERK


FRANK SCARPITTI, MAYOR



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2011-115

A by-law to delegate the power to consent/grant heritage permits for the alteration of designated heritage properties

WHEREAS pursuant to subsection 33(15) and 33(16) of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18, as amended ("*Ontario Heritage Act*"), the council of a municipality may by by-law delegate the power to consent to alterations to property designated under Part IV to an employee or official of the municipality after having consulted with its municipal heritage committee;

AND WHEREAS pursuant to subsection 42(16) and 42(17) of the *Ontario Heritage Act*, the council of a municipality may by by-law delegate the power to grant permits for the alteration of property situated in a heritage conservation district designated under Part V to an employee or official of the municipality after having consulted with its municipal heritage committee;

AND WHEREAS clause 23.2(1)(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, permits a municipality to delegate certain legislative and quasi-judicial powers to an individual who is an officer, employee or agent of the municipality;

AND WHEREAS the Council of the Corporation of the Town of Oakville has consulted with its municipal heritage committee;

COUNCIL ENACTS AS FOLLOWS:

1. The Council for the Corporation the Town of Oakville ("Council") hereby delegates to the Director of Planning Services ("Director"), or his or her designate, the power to:
 - (a) consent to the alteration of properties designated under Part IV of the *Ontario Heritage Act*, through the granting of heritage permits;
 - (b) grant heritage permits for the alteration of properties situated in a heritage conservation district designated under Part V of the *Ontario Heritage Act*; and

- (c) extend the timeline in which alterations proposed in a previously approved heritage permit can be undertaken if the applicant is not able to complete the works within the required timeline.
2. The delegated authority in section 1(a) and (b) is limited to the following alterations to properties designated, or situated within a designated heritage conservation district, under the *Ontario Heritage Act* that do not have a significant negative impact on any heritage features on the property or district:
- (a) exterior repainting of part or the whole of a building or structure;
 - (b) alterations to roofing material and colour;
 - (c) addition/removal of, or alterations to, permanent hard landscaping features, including but not limited to walkways, driveways, patios, planters, fences, gates, walls, trellises, arbours and gazebos;
 - (d) addition/removal of, or alterations to, signage;
 - (e) addition/removal of, or alterations to, exterior lighting;
 - (f) addition/removal of, or alterations to, basement windows and window wells;
 - (g) removal/replacement of, or alteration to, non-heritage features, including but not limited to doors, windows, trim, shutters, railings, stairs, porch flooring, columns, brackets, and decorative features;
 - (h) addition/removal of, or alterations to, detached single-storey accessory buildings under 15 square metres;
 - (i) minor revisions to previously approved heritage permits; and
 - (j) temporary measures reasonably necessary to deal with an emergency which puts the security or integrity of a building or structure at risk of damage.
3. Notwithstanding section 1 of this By-law, Council shall retain all powers and authority under the *Ontario Heritage Act* where the Director refers an application to Heritage Oakville and Council.
4. In exercising the delegated authority in section 1, the Director may:
-

- (a) grant a heritage permit for an application to alter a designated heritage property or a property situated within a designated heritage conservation district; or
 - (b) grant a heritage permit for an application to alter a designated heritage property or a property situated within a designated heritage conservation district, on any terms and/or conditions; or
 - (c) refer an application to alter a designated heritage property or a property situated within a designated heritage conservation district to Heritage Oakville and Council.
5. Regardless of any authority delegated to the Director under this By-law, Council may, after notifying the Director, exercise any authority that is delegated to the Director.
6. In the event any provisions of this By-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PASSED this 12th day of December, 2011.

Rob Burton

MAYOR

Vicki Tytaneck

A/CLERK

A PROCEDURAL BY-LAW FOR HERITAGE**BY-LAW 2013-141**

A By-Law To Establish Procedures For Processing Permit Applications Under The Ontario Heritage Act, And To Delegate The Power To Consent/Grant Permits For The Alteration Of Designated Heritage Properties To The Director Of Planning & Development Department

PASSED: August 13, 2013

WHEREAS clause 23.2(1)(c) of the Municipal Act, 2001, S. O. 2001, c. 25, as amended permits a municipality to delegate certain legislation and quasi-judicial powers to an individual who is an officer, employee or agent of the municipality; and

WHEREAS pursuant to subsection 33(15) and 33(16) of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended, the council of a municipality may by by-law delegate the power to consent to alterations to property designated under Part IV to an employee or official of the municipality after having consulted with its municipal heritage committee; and

WHEREAS pursuant to subsection 42(16) and 42(17) of the Ontario Heritage Act, the council of a municipality may by by-law delegate the power to grant permits for the alteration of property situated in a heritage conservation district designated under Part V to an employee or official of the municipality after having consulted with its municipal heritage committee; and

WHEREAS the Council of the Corporation of the City of Kingston has consulted with its municipal heritage committee;

NOW THEREFORE the Council of The Corporation of the City of Kingston **ENACTS** as follows:

PART I – SHORT TITLE

1. This By-law is the 'Procedural By-law for Heritage'

PART II - DEFINITIONS

2. For purposes of this By-law, words shall have the meaning set out in the Act and, additionally:

"Act" means the Ontario Heritage Act, R.S.O. 1990, C.O.18, as amended from time to time; and all definitions included therein;

"building" means a permanent or temporary enclosed structure with exterior walls and a roof, and including all attached equipment and fixtures that cannot be removed without cutting into roof or ceiling, floors, or walls.

"City" means the Corporation for the City of Kingston;

"Council" means the municipal Council of the City of Kingston;

"Committee" means the Municipal Heritage Committee for the City;

"Designated Property" for the purpose of this by-law only relates to properties designated under Part IV or Part V of the Act;

"Director" means the Director of Planning and Development Department or his/her designate;

"Heritage Conservation District" means a geographic district established under Part V of the Ontario Heritage Act, R.S. O. 1990, C.O. 18, as amended from time to time;

"Heritage Conservation District Plan" means a plan adopted by Council under Part V of the Ontario Heritage Act to provide direction in the preservation of the heritage defining character elements of a Heritage Conservation District;

"Information" means any information requested by the Director, and includes plans, reports or any other documentation requested by the Director.

"Maintenance" means routine, cyclical, non-destructive actions, necessary to slow the deterioration of Protected Heritage Properties, including the following: periodical inspection, property cleanup; gardening and repair of landscape features; replacement of glass in broken windows, minor exterior repairs, including replacement of individual asphalt shingles where there is little or no change in colour or design; repainting where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing; and any other work defined as maintenance in an individual designation by-law, or in a Heritage Conservation District Plan.

"Permit" means a permit issued under the Ontario Heritage Act which includes the Scope of Work.

"Scope of Work" means a form that summarizes the parameters of the heritage permit

"Structure" means a permanent or temporary framework of identifiable elements (components, entities, framing, parts, steps, etc.) which gives form and stability,

and resists stresses and strains, and includes but is not limited to: fences, walls, and gates, and freestanding structures, such as a windmill or a trellis.

PART III – NO APPLICATION REQUIRED

3. An owner of a designated property does not require a permit for the following:
- a. All interior work, except where specifically designated by designation by-law or easement passed under the Act;
 - b. Minor alterations as may be described in individual heritage conservation district plans as required by Section 41.1 (5) of the Act;
 - c. Landscaping which does not require heavy machinery and which will not significantly change the appearance of the property; and
 - d. Maintenance as defined in this by-law.

PART IV – AUTHORITY FOR DELEGATION AND RELATED PROCESS

4. Council delegates all of the power that Council has respecting the granting of permits to the Director to approve minor alterations to designated properties. This delegation of authority includes the power to grant approval to an application for an alteration with terms and conditions and is granted in relation to the following topics:
- a. removal of, or alterations to, signage within the sign's current configuration and building coverage;
 - b. replacement of eaves troughs and downspouts;
 - c. replacement of exterior lights with a similar style and brightness;
 - d. repair and replacement of windows undertaken in conformity with the City's 'Policy on Window Renovations in Heritage Buildings';
 - e. installation or replacement of removable storm windows and doors with historically correct materials;
 - f. replacement of roofing where there is little or no change in colour, materials or design;
 - g. repair of existing features, including wall cladding or siding, dormers, cresting, cupolas, cornices, brackets, columns, balustrades, soffit and fascia, porches and steps, entrances, foundations, and decorative wood, metal,

stone or brick, provided that the same or historically accurate types of materials are used with details replicating the original, and the repairs relate to small amounts of decay or damage, for example less than 10% of the surface area of the element being repaired;

- h. re-pointing of masonry undertaken in conformity with the City's 'Policy on Masonry Restoration in Heritage Buildings' and limited to 10% of the surface area being repaired;
 - i. repainting part of, or the whole building or structure, in the same colour or a historically-accurate colour;
 - j. installation of mechanical and electrical equipment, and vent stacks and exhaust pipes which penetrate the building envelope, are not visible from the street and are carried out in a manner that does not alter the building's attributes;
 - k. repair of sidewalks and driveways;
 - l. the erection of stand-alone accessory buildings and structures if they are no larger than 10 square metres (108 square feet) and are located in the rear yard;
 - m. repair of fences;
 - n. revisions or amendments to previously approved permits only if proposed alterations involve work for items included in the delegated authority;
 - o. final issuance of grants following completion of work which has been carried out in accordance with provisional approval for an application for alteration;
 - p. when the interior designation of the City Hall are affected, including only the permission of temporary exhibitions and for interpretive material, way-finding signage, civic collection management and for minor reversible renovations that are not significant in nature; and,
 - q. situations requiring emergency repair which are considered to be a health, safety or security issue by the Director, the Chief Building Official or the Fire Chief, and in consultation, if possible, with the Chair or the Vice-Chair of the Municipal Heritage Committee.
5. Council delegates to the Director all of the authority under the Act, to request, receive, review and accept or reject plans, information, reports and any other documentation required to make a decision, when an application is made under the Act:

- a. to alter, erect, demolish or remove any building or structure on a designated property; and,
 - b. to repeal a by-law, or portion thereof, on a designated property.
6. Notwithstanding Section 5, Council retains the authority to request additional plans, information, reports and any other document that it considers necessary that was not requested by the Director.
7. Council delegates to the Director all of the powers that Council has to process permits in accordance with the terms of this by-law and to establish any policies, guidelines, practices or procedures necessary to enact the permits in accordance with the terms of this by-law and any decision made by Council pursuant to this by-law.
8. When the Director is absent through illness, vacation or other reason, the Director's delegate shall act in the place of the Director. While so acting, the Director's delegate has all the rights, powers and authority of the Director as delegated by this by-law.
9. The Director shall prescribe all forms necessary to implement the by-law, and may amend such forms from time to time as the Director deems necessary without amendment to this by-law.
10. The Director is authorized to undertake all acts incidental to, and necessary to carry out the authority delegated to and vested in the Director under this by-law, including affixing his or her signature to documents.

PART V – PROCESSING OF PERMITS FOR DESIGNATED PROPERTIES

11. An Owner wishing to alter a designated property shall submit an application for a permit in writing to the Director on a form prescribed by the Director and shall supply the information prescribed in Schedule 'A' of this by-law that is requested by the Director in order to assess the application.
12. An Owner wishing to demolish or remove a building or structure on a designated property shall submit an application for a permit in writing to the Director on a form prescribed by the Director and shall supply the information prescribed in Schedule 'B' of this by-law that is requested by the Director in order to assess the application.
13. Any Owner wishing to repeal all, or a portion of, a designation by-law for a designated property, shall submit an application for a permit in writing to the Director on a form prescribed by the Director, and shall supply the information

prescribed in Schedule 'B' of this by-law that is required by the Director in order to assess the application.

14. For Sections 11, 12, and 13 above, an application shall be deemed complete upon receipt of all information as requested by the Director, and a letter to this effect is provided to the landowner.
15. In evaluating an application for a Permit to alter a designated property, staff of the Heritage and Urban Design Division may obtain advice from heritage experts with respect to the application, and this may take the form of a pre-consultation on complex development proposals where the input of the Committee is necessary in order to evaluate all of the implications of the proposal.
16. For all other applications for alterations to protected heritage properties other than those listed in Section 4, staff will undertake site visits accompanied, where appropriate, by Committee members or heritage experts as per Section 15. Staff will carry out an internal technical circulation to other City departments, as appropriate, and will prepare a report by staff summarizing comments, background information, and recommendations for consideration by the Committee. In these situations, the Committee shall review the merits of the applications, and provide a recommendation to Council. Council shall retain all decision-making power in relation to that application.
17. Approval by the Director, with associated terms and conditions, is required for an application for a permit to alter a building, structure on a designated property.
18. For other than those applications listed in Section 4, final approval authority by Council is retained for the following applications for a permit:
 - a. When consent to approve an application for alteration is not recommended by the Director;
 - b. To demolish or remove a building or structure or material part thereof on a designated property; and
 - c. To repeal all, or a portion of a designating by-law under the Act for a designated property.

PART VI – PROCESSING AND ISSUANCE OF PERMITS, AND AMENDMENTS THERETO

19. The following process shall apply to applications brought under this Bylaw:

- a. Permit applications are completed and are submitted to staff. An application may include plans, photographs, and written information as required under Appendix A, including a possible Heritage Impact Statement. Pre-consultation is undertaken with staff, and for major applications, (for example, those which require an Official Plan Amendment or a Zoning By-law Amendment) pre-consultation may be undertaken with the Committee;
- b. When the application is deemed complete pursuant to section 14, a letter shall be issued to the applicant containing the notice of receipt as provided for under the Act;
- c. A technical circulation to those internal departments which have an interest in the matter(s) affected is undertaken for all applications, and a site visit is carried out;
- d. Decisions on delegated matters are presented to Council on a bi-annual basis for information; and
- e. The Director shall issue a permit which includes a scope of work outlining the parameters of the permit.

20. The Director shall issue documentation outlining the parameters of the permit to an owner of the designated property that has made an application under this by-law in the following instances:

- a. Where the Director's approval has been provided for an alteration of a property.
- b. Where Council approval has been provided for the alteration of property, demolition, or removal of a building or structure on a property.
- c. Where Council or the Director is deemed to consent to an application made for a designated property.
- d. Where the Ontario Municipal Board orders that the City consent to a demolition or removal of a building or structure on a property designated under Parts IV or V of the Act.
- e. Where the Ontario Municipal Board directs that a permit is issued for a designated property.

21. The following process shall apply to applications for which approval is not delegated to staff:
- a. Staff shall conduct a technical circulation, undertake a site visit and prepare a report with recommendations which are added to the agenda for the Committee.
 - b. Committee members will review the application for a permit, and associated plans, drawings etc.
 - c. The City's Code of Conduct for Council and Committee Members applies to members of the Committee. Notwithstanding what is set out in Paragraph 6.5 of the City's Code of Conduct, members of the public who are appointed to the Committee must declare any pecuniary interest in a matter being discussed and must physically leave the room during the deliberation of the matter. They may appear as applicant or agent of the applicant during the presentation of the application and to answer Committee questions. They must physically leave the room during Committee deliberation and voting on the matter. During the Committee's deliberation of the application if the Committee has further questions of the member, the member will be invited to return to the meeting to answer questions, following which they shall again leave the room. They must not otherwise communicate with the Committee members about the matter before, during or after the meeting.
 - d. A recommendation of the Committee will be forwarded to Council for consideration for approval.
 - e. Following a resolution of Council for approval, the Director shall issue a scope of work outlining the parameters of the permit, and this shall be posted on-site in a location which is visible to the public.

PART VII – CONDITIONS OF HERITAGE APPROVALS

22. All permits issued under this by-law shall be subject to the following conditions:
- a. Applicants must permit a site inspection as part of the review being undertaken prior to the issuance of a permit;
 - b. No work affecting a heritage attribute of the building is to commence until a scope of work has been issued;
 - c. All applications, plans, specifications, documents, and delegated authority approval or resolution of Council form part of the approved permit, and all work must be carried out in accordance with this documentation and any other information that forms the basis upon which the permit is granted;

- d. Any work that deviates from the approved permit is in violation of the permit and is subject to prosecution under the Act;
- e. Any material change to the plans, specifications, documents, reports or other information that forms the basis upon which a permit is issued requires a further permit application;
- f. The permit holder allows City staff to inspect the work done under the permit;
- g. Such other terms and conditions as the Director deems necessary to maintain the heritage character of the property;
- h. Such other terms and conditions as may be required in granting consent to the permit application and issuance of the scope of work; and
- i. All work must be completed within three (3) years of approval of a permit, unless otherwise permitted under e) or f) above. Any work not completed in this allotted time frame requires the submission of a new application for alteration under the heritage legislation.

PART VIII – COUNCIL RETAINS ULTIMATE AUTHORITY UNDER LEGISLATION

23. Notwithstanding any provision of this By-law to the contrary, Council may, after notifying the Director, exercise any authority that is delegated to the Director.

PART IX – APPEALS UNDER THE HERITAGE LEGISLATION

24. In the event of an appeal under the Ontario Heritage Act, the Notice of Objection shall be placed on the Council agenda as correspondence.
25. This By-Law shall come into force and take effect on the date of its passing.

GIVEN FIRST AND SECOND READINGS July 16, 2013

GIVEN THIRD READING AND PASSED August 13, 2013


KEVIN ARJOON
ACTING CITY CLERK


MARK GERRETSEN
MAYOR



Schedule 'A'**Requirements for a Permit Application**

- 1) The name, address, telephone number, and e-mail address of the Owner or the Owner's authorized representative or agent, if applicable;
- 2) A site plan or sketch showing the location of the proposed work on the property;
- 3) A statement of the proposed work;
- 4) Drawings of the proposed work showing materials, colours, dimensions, massing and extent of the work;
- 5) Written specifications for the proposed work;
- 6) Photographs showing the existing building or landscape condition;
- 7) Documents pertaining to the proposal, including if relevant, archival photographs, pictures or plans of similarly styled buildings in the community;
- 8) A signed statement by the owner authorizing the application, if submitted by an agent;
- 9) As may be required, a Heritage Impact Statement prepared by a qualified heritage professional recognized by the Canadian Association of Heritage Professionals (C.A.H.P.); and
- 10) Any other information related to the application as required by the Director.

Schedule 'B'**Requirements for a Permit to Demolish a Protected Heritage Building or****Remove a Designation By-law**

- 1) The name, address, telephone number, and e-mail address of the owner or the owner's authorized representative or agent;
- 2) A site plan or sketch showing the location of the proposed demolition or removal;
- 3) Photographs showing the existing building or landscape condition including front and side elevations;
- 4) A building condition assessment prepared by a qualified Engineer of the building or structure or material part thereof which is proposed to be demolished or removed;
- 5) A signed statement by the owner authorizing the application, if submitted by an agent;
- 6) As may be required, a Heritage Impact Statement prepared by a qualified profession recognized by the Canadian Association of Heritage Professionals (C.A.H.P.); and
- 7) Any other information related to the application as required by the Director.