

**Filing Date:** September 13, 2023

**Hearing Date:** November 14, 2023

**File:** B-2023-0026 & A-2023-0305

**Owner/**

**Applicant:** SEAN LALL, KEKULI RANATUNGA, MICHAEL LALL, ZARENA LALL, VIVAKE LALL/ DON ARTHUR

**Address:** 85 Victoria Street

**Ward:** WARD 6

**Contact:** Rajvi Patel, Planner I

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### **Proposal:**

The purpose of the application is to request the consent of the Committee of Adjustment to sever a parcel of land currently have a total area of approximately 3,732.34 square metres (0.92 acres). The proposed severed lot has a frontage of approximately 25.95 metres (85.14 feet), a depth of approximately 34.2 metres (112.20 feet) and an area of approximately 1,000.34 square metres (0.247 acres). The effect of the application is to create a residential lot for future development of single detached dwelling.

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### **Recommendations:**

That applications B-2023-0026 and A-2023-0305 be refused.

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### **Background:**

The subject lands are located within the Churchville Heritage Conservation District under Part V of the Ontario Heritage Act. In accordance with the Ontario Heritage Act, a heritage permit is required to be issued by City Council for all applications proposing to erect, demolish, remove or alter the exterior of buildings or structures or other cultural heritage attributes within the Churchville Heritage Conservation District.

A Heritage Impact Assessment and a Heritage Permit Application are required in support of the consent and minor variance applications. A Heritage Impact Assessment and Heritage Permit application were prepared by the applicant and presented to the City of Brampton Heritage Board at the July 26, 2023 meeting under item HB048-2023 (see Appendix B). The Heritage Board recommended refusal of the Heritage Permit application. The Heritage Permit application was subsequently heard and approved by City Council at the August 9, 2023 meeting.

- **Official Plan:** The subject property is designated 'Open Space', 'Valleyland/ Watercourse Corridor', and 'Unique Communities' in the Official Plan;
- **Secondary Plan:** The subject property is designated 'Village Residential' and 'Churchville Heritage Conservation District' in the Bram West Secondary Plan (Area 40(c)); and
- **Zoning By-law:** The subject property is zoned 'Residential Hamlet Two', Special Section 1386 (RHm2-1386), according to By-Law 270-2004, as amended.

**Current Situation:**

The subject property is located south of Steeles Avenue West and east of Creditview Road. The subject property is designated as 'Open Space', 'Valleyland/ Watercourse Corridor', and 'Unique Communities' in the Official Plan. The Bram West Secondary Plan 40(c) sub-designates the subject property as 'Village Residential' and is located within the 'Churchville Heritage Conservation District'.

In determining whether a consent application may be granted for lots designated as Village Residential in the Churchville area, the requirements outlined in Section 4.2.4.4 of the Official Plan shall be met:

4.2.4.4 Consent applications in respect of land located within the Village Residential designation (Churchville and Huttonville) or one of the identified hamlets shall be considered and may only be granted:

- (i) In accordance with the policies of this Plan;
- (ii) When it is clear that the consent will not adversely impact the ultimate development pattern of the entire holding and a plan of subdivision is not necessary;
- (iii) If the general policies, conditions and criteria in the consent policies of the Implementation section of this Plan are complied with; and,
- (iv) The creation and use of the proposed lot is genuine infilling between existing developed lots.

In addition, Section 5.17.14 of the Official Plan states that "the creation of new lots located totally in flood susceptible areas will not be permitted". As noted within the Credit Valley Conservation Authority (CVC) comment letter dated November 1, 2023, the entirety of the subject lands are located within the floodplain and partially within the erosion hazard of the Credit River. The CVC regulations prohibit development within hazardous lands without the prior written approval of the CVC (i.e. the issuance of a permit). As the entire property is within the floodplain, there is no area outside of the natural hazard for the creation of a new lot. Access to the property is located within the Regulatory Floodplain with depths of approximately 2 metres during a Regulatory Flood Event. Based on the depths of flooding, the CVC's safe access criteria cannot be met and therefore, the CVC does not recommend approval of the applications. Consequently, the proposed severance does not conform to the Official Plan Consent Policies for granting a consent to sever application.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise

that the proposed consent application cannot be supported from a land use perspective. Planning Staff are recommending refusal of both the Consent and Minor Variance applications.

**Requested Variances:****A-2023-0305 – 85 Victoria Street (Severed Parcel)**

The applicants are requesting the following variance(s) in conjunction with the proposed retained lot under Consent Application B-2023-0026:

2. To permit a lot area of 1000.34 square metres, whereas the By-law requires a minimum lot area of 1350 square metres;
3. To permit a lot width of 25.95 metres, whereas the by-law requires a minimum lot width of 30 metres; and
4. To permit a lot depth of 34.2 metres, whereas the by-law requires a minimum lot depth of 45 metres.

**1. Maintains the General Intent and Purpose of the Official Plan**

The subject lands are designated 'Open Space', 'Valleyland/ Watercourse Corridor', and 'Unique Communities' in the Official Plan. The subject lands are further designated 'Village Residential' and 'Churchville Heritage Conservation District' in the Bram West Secondary Plan (Area 40(c)). As per the Council endorsed Draft City of Brampton Official Plan, the subject lands are designated 'Natural Heritage System' (Schedule 1) and 'Valleyland and Watercourse Corridor' (Schedule 6B) of the Draft City of Brampton Official Plan.

The subject lands are designated 'Open Space' as per Schedule A of the Official Plan. The City's Open Space System consists of both natural and cultural heritage including public and private open space, valleylands/ watercourse corridors, wetlands and woodlands. One of the objectives of recreational open space policies is to encourage the conservation and incorporation of significant natural heritage features into the recreational open space system and has regard for the long term sustainability of these areas (Section 4.7 h).

Additionally, the subject lands are designated as 'Valleyland/ Watercourse Corridor' as per Schedule D of the Official Plan. The Valleyland/ Watercourse designation is intended for the preservation and conservation of the natural features, functions and linkages. As per Section 4.6.7.1, development is generally prohibited within a valleyland or watercourse corridor, unless it has been demonstrated that there will be no negative impact on the significant natural features and their functions in accordance with the required studies.

The subject lands are designated as 'Unique Communities' in Schedule 1 of the Official Plan. Unique Communities are identified as areas that preserve and enhance historical, cultural, natural and landscape characteristics that are valued by the Brampton community. Section 3.2.10 of the Official Plan recognizes that Churchville is already a designated Heritage Conservation District under the

Ontario Heritage Act and its development or redevelopment needs to conform to the Churchville Heritage Conservation District Plan.

The subject lands are further designated as 'Churchville Heritage Conservation District' in the Bram West Secondary Plan (Area 40(c)). As per Section 5.3.4 of the Bram West Secondary Plan, the Churchville Conservation District contains a collection of built heritage resources and represents a cultural heritage landscape that is itself worthy of protection and preservation. Development within the boundaries of the Churchville Heritage Conservation District including new development, alterations, redevelopment and infilling shall be required to be consistent with the guidelines of the Churchville Heritage Conservation District Plan as they relate to conservation, development, design, landscaping and public works. Moreover, the Secondary Plan specifies that no new lot creation is permitted on lands designated Village Residential and located within the floodplain of the Credit River and shall be subject to the requirements of Credit Valley Conservation.

The Churchville Conservation District Plan provides guidance on relevant planning and development matters that may affect the unique character of the valley settlement area. The Churchville area is characterized by its rural setting comprising of small scale residential buildings and uses served by an irregular configuration of narrow tree lined roads. The District Plan aims to maintain, protect, and enhance the Churchville Heritage Conservation District in relation to heritage buildings, landscape, archaeology, land use, and new development. Recognizing that new construction, infill and alterations occur in Churchville, certain design principles should be considered. For instance, the plan encourages the protection and retention of existing road and streetscapes within Churchville and to avoid or minimize the adverse effects of public undertakings. Section 7.4.2 provides that no person shall within any floodplain zone, erect, alter or use any building or structure for any purpose except that of flood or erosion control.

The subject lands are also designated 'Village Residential' in the Bram West Secondary Plan (Area 40(c)). Section 3.4.30 of the Secondary Plan refers to the Section 4.2 of the Official Plan. Section 4.2 of the Official Plan characterizes the Village Residential designation as low density, low intensity forms of housing situated on large, individual lots which do not require full urban services. Section 4.2.4 of the Official Plan provides that although these lands are now part of the urban system, it is desirable to maintain the unique or historical character of the Village Residential to preserve and reflect the history of the City. Section 4.2.4.4 of the Office Plan provides policy direction with respect to the severance of lots in Village Residential areas, stating that consent applications in respect of land located within the Village Residential designation (Churchville and Huttonville) or one of the identified hamlets shall be considered and may only be granted:

- (i) In accordance with the policies of this Plan;
- (ii) When it is clear that the consent will not adversely impact the ultimate development pattern of the entire holding and a plan of subdivision is not necessary;
- (iii) If the general policies, conditions and criteria in the consent policies of the Implementation section of this Plan are complied with; and,
- (iv) The creation and use of the proposed lot is genuine infilling between existing developed lots.

To facilitate the proposed lot severance, variances are requested to permit a minimum lot area of 1,000.34 sq. m, a minimum lot width of 25.95 m, and a minimum lot depth of 34.2 m which do not meet the requirements set out in the Zoning By-law. Section 5.17.14 of the Official Plan clearly states that “The creation of new lots located totally in flood susceptible areas will not be permitted.” The application has been reviewed by the Credit Valley Conservation Authority (CVC) and confirmed that the entirety of the subject lands are located within the floodplain and partially within the erosion hazard of the Credit River (see Appendix A). As a result, the requested variance to facilitate the lot severance and future development of a residential dwelling does not maintain the general intent and purpose of the Official Plan.

## 2. Maintains the General Intent and Purpose of the Zoning By-law

The subject lands are currently zoned ‘Residential Hamlet Two’, Special Section 1386 (RHm2-1386), according to By-law 270-2004, as amended. Lands zoned Residential Hamlet and located within the Churchville Conservation District are characterized as rural lots which have large building envelopes.

Variance 1 is requested to permit a lot area of 1000.34 square metres, whereas the By-law requires a minimum lot area of 1350 square metres. Variance 2 is requested to permit a lot width of 25.95 metres, whereas the by-law requires a minimum lot width of 30 metres. Variance 3 is requested to permit a lot depth of 34.2 metres, whereas the by-law requires a minimum lot depth of 45 metres. The intent of the by-law in requiring a minimum lot area, lot width, and lot depth is to ensure that a certain character is maintained for the property, adequate site access and the development is in keeping with the Churchville Heritage Conservation District. Heritage Staff note that the conclusion provided in the Heritage Impact Assessment that the proposed severed parcel will have no negative impacts is premature as the impact of the lot cannot be appropriately addressed based on the conceptual building envelope.

As per the Special Section 1386 of the RHm2 Zone, no building or structure may be erected, altered or used except in accordance with the regulations of the Credit Valley Conservation. The CVC has provided that the entirety of the subject lands are located within the floodplain and partially within the erosion hazard of the Credit River (see Appendix A). As the subject lands are located within a floodplain, further development of the lands is not permitted due to the risk of flooding. Therefore, the requested variances does not maintain the general intent and purpose of the Zoning By-law.

## 3. Desirable for the Appropriate Development of the Land

The variances are requested to facilitate the creation of a new residential lot for the future development of a new residential dwelling on the severed lot. The subject property is designed as ‘Open Space’ and further classified as ‘Valleyland/ Watercourse Corridor’ in the Official Plan. The policies for these natural features state to protect and enhance these features and their ecological functions. Development is generally prohibited within a valleyland or watercourse corridor, unless it has been determined that there will be no negative impact on the significant natural features and their functions. The subject lands are also located within a floodplain and partially within the erosion hazard of the Credit River. The Official Plan states that the creation of new lots located totally in flood susceptible areas will not be permitted. Therefore, the requested variances are not considered to be desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variances are requested to permit a reduction in the lot area, lot width and lot depth as a result of the proposed severance. No construction is contemplated as part of the scope of this application. The subject lands are located within the Churchville Heritage Conservation District which recognizes that infill and provides direction to preserve the unique character of the valley settlement area such as the streetscape pattern, height, massing, and design. The size of the proposed severed lot may have impacts on the existing streetscape pattern of the community.

Additionally, the subject property is designed as 'Open Space' and further classified as 'Valleyland/ Watercourse Corridor' in the Official Plan which are identified for the preservation and conservation of natural features and ecological functions. The minor variance application has been circulated to the CVC who have provided that the subject property is located within a floodplain and partially within the erosion hazard of the Credit River. The creation of new lots located totally in flood susceptible areas will not be permitted. Therefore, the requested variances are not considered to be minor in nature.

Respectfully Submitted,

*Rajvi Patel*

Rajvi Patel, Planner I

**SCHEDULE "A"**

**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT**

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed severance has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is neither premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severance does not conform to the general intent and purpose of the Official Plan. The proposed severance and associated minor variances do not conform with Official Plan policies under Section 4.6 and 5.17.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed severance is not suitable for the purposes for which it is to be subdivided as the entirety of the subject lands are located within a flood plan and partially within the erosion hazard of the Credit River.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed severance does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The shape and dimension of the proposed lot may not be in keeping with the Churchville Heritage Conservation District as only a conceptual building envelope is provided. Minor Variance A-2023-0305 are requested to permit reductions to the lot area, lot width, and lot depth.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected</i>	There are restrictions on the subject lands being subdivided as they are designated 'Valleyland/ Watercourse Corridor' where development is generally prohibited, unless it

<i>on it and the restrictions, if any, on adjoining land;</i>	has been demonstrated that there will be no negative impact on the significant natural features and their ecological functions.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severance present concerns with regard to flood control and the conservation of natural resources as the subject lands are located within a flood plan and partially within the erosion hazard of the Credit River.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.
j) <i>The adequacy of school sites;</i>	The proposed severance presents no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	No conveyance of lands are required.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severance has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no concerns related to the design of the proposal and matters of Site Plan Control under the Planning Act.

**Appendix A – Letter from Credit Valley Conservation Authority dated November 1, 2023**



November 1, 2023

City of Brampton, Committee of Adjustment  
City Clerk's Office  
Brampton City Hall  
2 Wellington Street West  
Brampton, ON L6Y 4R2

**Attention: Secretary-Treasurer**

**Re: City File No. B-2023-0026 & A-2023-0305  
CVC File No. B 23/026 & A 23/305  
Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall  
85 Victoria Street  
Part of Lot 14, Concession 3 WHS  
City of Brampton**

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Credit Valley Conservation (CVC) staff have reviewed the subject application and offer comments based on the following roles and responsibilities:

1. Delegated Responsibilities – providing comments representing the provincial interest regarding natural hazards (except forest fires) as identified in Section 3.1 of the *Provincial Policy Statement (2020)*;
2. Regulatory Responsibilities – providing comments to ensure the coordination of requirements under the *Conservation Authorities Act Section 28 regulation*, to eliminate unnecessary delay or duplication in process;
3. Source Protection Agency – providing advisory comments to assist with the implementation of the CTC Source Protection Plan under the *Clean Water Act*, as applicable.

**CVC REGULATED AREA:**

Based on CVC mapping, the subject property at 85 Victoria Street is within the Credit River valley and is entirely within the floodplain and partially within the erosion hazard of the Credit River. As such, the property is subject to CVC's Ontario Regulation 160/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. This regulation prohibits altering a watercourse, wetland or shoreline and prohibits development in areas adjacent to the Lake Ontario shoreline, river and stream valleys, hazardous lands and wetlands, without the prior written approval of CVC (i.e. the issuance of a permit).

**PROPOSAL:**

It is our understanding that the applicant has applied for the following applications pertaining to the subject site:

1. Application B23/026 - The applicant requests the approval of Committee to sever a 1000 sq metre portion of land for the creation of a new lot.
2. Application A23/305 - The applicant requests the approval of Committee for a minor variance for lot width, depth and area for the severed portion of lands.

November 1, 2023

Re: City File No. B-2023-0026 & A-2023-0305  
CVC File No. B 23/026 & A 23/305  
Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall  
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City of Brampton

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## COMMENTS:

Based on available information, the floodplain elevation applicable to the property has been determined to be 173.10 metres with a corresponding velocity of 0.53 m/s. Based on information available in our office, the entire property is within the floodplain with the majority of the site subject to approximately 2 metres of flooding during a Regulatory Storm Event.

CVC policy does not support the creation of new lots that extend into, or fragment ownership of hazardous land, in consideration of the long-term management concerns related to risks to life and property. The proposed severance would fragment the Credit River floodplain. As the entire property is within the floodplain, there is no area outside of the natural hazard for the creation of a new lot.

In accordance with the Provincial Policy Statement (2020), Section 3.1.1b directs development (including but not limited to the creation of a new lot) to areas outside of hazardous lands adjacent to rivers which are impacted by flooding hazards and/or erosion hazards. Section 3.1.2d of the Provincial Policy Statement (2020) states that development shall not be permitted within a floodway.

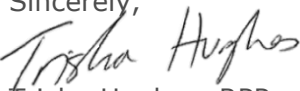
Further to the above, safe access must be available. Based on information available, the existing access to Victoria Street and Church Street is located within the Regulatory Floodplain with depths of approximately 2 metres during a Regulatory Flood Event. CVC staff do not support new lot creation unless safe access can be achieved in accordance with CVC's Watershed Planning and Regulation Policies (Section 7.5), and as stated in the Provincial Policy Statement (2020) Section 3.1.2c. Based on the depths of flooding, our safe access criteria cannot be met.

As noted above, a CVC permit would be required prior to any new development proposed within the regulated area. CVC policy does not support construction of a new house in depths of flooding greater than 0.8 metres. As such, CVC would not be able to support a new house on the proposed lot to be severed.

## Conclusion

As noted above, the current proposal does not meet Provincial or CVC policy due to the flood hazard on the property. CVC staff are not able to clear our interests for the current proposal to sever the property to create a new residential lot within the flood hazard, and without safe access. Further, our policies would not support a permit application for a new house on the proposed severed lot due to the depths of flooding. As such, CVC staff **do not** recommend approval of this application.

We trust that these comments are sufficient. If you have any questions or concerns, please do not hesitate to contact the undersigned at 905-670-1615 (x 325).

Sincerely,  
  
Trisha Hughes, RPP  
Acting Senior Planner

November 1, 2023

Re: City File No. B-2023-0026 & A-2023-0305  
CVC File No. B 23/026 & A 23/305  
Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall  
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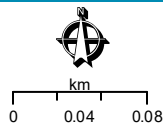
cc: François Hémon-Morneau, City of Brampton  
Sara Feshangchi, Region of Peel  
Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall (owners)  
Don Arthur (agent)

# 85 Victoria St, Brampton



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, CVC

## Credit Valley Conservation



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|------------------------------|-------------------------------|
| Regulation Limit             | Crest of Slope Component 2012 |
| Rivers and streams (Feb2022) | Meander Belt Component 2012   |
| Road Network (2020)          | Wetlands Component 2012       |
| Floodlines Component 2013    | Wetlands_ELC                  |
| Slope Hazard Component 2012  |                               |

This is not a plan of survey. Credit Valley Conservation makes no guarantees about the accuracy or currency of the information presented. Conclusions and decisions made on the basis of the information on this map are the sole responsibility of the user.

11/1/2023, 8:20:04 AM

Credit Valley Conservation

**Appendix B – Heritage Impact Assessment, Heritage Permit Application and Staff Report**

**Date:** 2023-06-29

**Subject:** **Heritage Impact Assessment and Heritage Permit - 85 Victoria Street - Ward 6**

**Contact:** Shelby Swinfield, Heritage Planner, Integrated City Planning

**Report Number:** Planning, Bld & Growth Mgt-2023-609

**Recommendations:**

1. That the report from Shelby Swinfield, Heritage Planner, to the Brampton Heritage Board Meeting of July 25, 2023, re: **Heritage Impact Assessment and Heritage Permit - 85 Victoria Street - Ward 6** be received; and
2. That the Heritage Impact Assessment for 85 Victoria Street, prepared by CHC Limited, dated May 25, 2023 and the associated Heritage Permit Application be received.

**Overview:**

- **85 Victoria Street is located within the Churchville Heritage Conservation District. The property is not considered to be a contributing property within the District.**
- **A Heritage Impact Assessment (HIA) and associated Heritage Permit Application were submitted by the property owner to evaluate a proposed severance on the property. This information was submitted to Heritage Staff for review ahead of the property owner submitting the Application for Consent to Sever.**
- **The proposal involves the creation of a new lot by severing a “pan handle” shaped parcel from the existing property that would be approximately 1,000 square metres in size.**
- **The proposed size of the severed parcel would not comply with the “Residential Hamlet Two” Zoning By-law requirement for minimum lot size, which states that the minimum required lot size is 1,350 square metres.**

- **The proposal does not contemplate construction on the severed parcel at the time of severance but the HIA indicates that a dwelling may be constructed at a future date.**
- **As construction is not contemplated within the current proposal, the HIA does not evaluate any implications related to the construction of a dwelling on the parcel but concludes that the construction of a dwelling will not have a negative impact on the character of the Heritage Conservation District.**
- **Staff have reviewed the HIA and Heritage Permit Application and have noted that there are a number of aspects of the proposal that are in conflict with the requirements and guidelines of the Heritage Conservation District Plan.**
- **In this report, staff have presented the application and noted the issues that have been identified through the review of the HIA and Heritage Permit Application for the consideration of the Board in their decision making process.**

### **Background:**

85 Victoria Street is located within the Churchville Heritage Conservation District (HCD) and as such is Designated under Part V of the Ontario Heritage Act. The property is subject to the guidelines and requirements of the Churchville Heritage Conservation District Plan (HCD Plan).

The property owner reached out to City Heritage staff to discuss a proposed severance on the property ahead of submitting an application for Consent to Sever for the purposes of constructing a new residential dwelling on the severed parcel. Staff advised the applicant that a Heritage Impact Assessment and Heritage Permit application would be required in support of any application for Consent to Sever and that the proposed severance would be required to comply with the policies of the HCD Plan. It is noted that this staff report is not intended to provide staff approval of a future severance and associated minor variance application. The appropriate mechanism for staff's analysis for this would be through any forthcoming application(s) to the Committee of Adjustment.

The property owner retained CHC Limited to prepare the Heritage Impact Assessment (HIA). The HIA is considered to be complete in accordance with the City's Terms of Reference.

### **Proposed Severance:**

The proposal involves the creation of a new lot by severing a “pan handle” shaped parcel from the existing property that would be approximately 1,000 square metres (10,764 sq. ft.) in size. The lot is proposed to have a frontage of 24.36 metres (79 feet) and a depth of 34.2 metres (112 feet).

The property is located within the Residential Hamlet Two – Section 1386 (RHM2-1386) zone which sets forward the performance standards for the property. Within Table 1 below, the requirements of the RHM2-1386 zone are compared to the measurements of the proposed severed parcel based on the sketch provided within the Heritage Impact Assessment.

**Table 1: RHM2-1386 Zone Comparison**

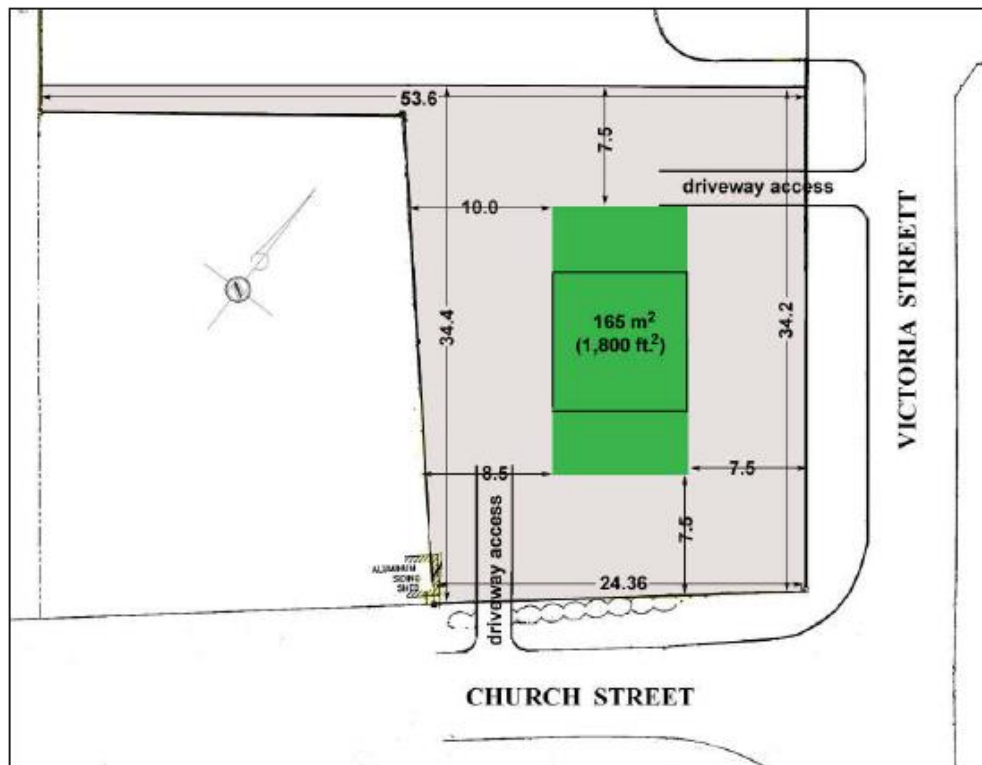
<b>Performance Standard:</b>	<b>RHM-1386 Zone Requirement</b>	<b>Proposed Severed Parcel</b>
Minimum Lot Area	1,350 sq. m. (14,531 sq. ft)	1,000 sq. m (10,764 sq. ft)
Minimum Lot Depth	45 m (147 ft)	34.2 m (112 ft)
Minimum Lot Width	30 m (98 ft)	24.36 m (79 ft)

In order to facilitate the creation of the lot as proposed, the applicant would be required to apply for relief from the Zoning By-law. The applicant has indicated that it is their intent to apply for a concurrent Minor Variance Application to permit the deficiencies related to the lot size (i.e. area, depth, width) for the severed parcel. It is not noted within the scope of the application whether any relief from the Zoning By-law will be required for the proposed retained parcel.

*Conceptual Building Envelope:*

The HIA presents a conceptual building envelope on the severed parcel, and it is noted that this is for “evaluation purposes only” as no construction is contemplated within the scope of the application. The HIA indicates that the owner may construct a dwelling at a future point in time. Figure 1 illustrates the proposed severed parcel.

**Figure 1: Proposed Severed Parcel Showing Conceptual Building Envelope**



The HIA notes that the green area shown is the total building envelope while the black outlined portion is a visualization of the footprint of a 165 square metre, 2 storey dwelling located within the building envelope.

The Zoning By-law requires a minimum rear yard depth of 12 metres and, in the case of the subject property, defines the “front” lot line as the one abutting Church Street. The conceptual building envelope demonstrates a proposed rear yard of only 7.5 metres which would require relief from the Zoning By-law to be permitted.

The applicant has advised that they will not be seeking this relief within the scope of their application, but that it would be sought at a later point in time if construction of a dwelling on the lot were to take place.

### **Current Situation:**

The HIA concludes that the proposed severance and construction of a dwelling on the severed lot are not anticipated to negatively impact the character of the Churchville Heritage Conservation District. In support of this conclusion, the HIA states that “the proposed severance is larger than almost half the properties in the landscape unit.”

Until such time that further details on any proposed structure are presented, staff cannot fully assess the appropriateness of any new lot being created.

Alternative Approach:

As an alternative to the severance, staff have noted to the property owner that there is a new as-of-right zoning for Additional Residential units was recently created by the Province of Ontario under Bill 23 the More Homes Built Faster Act and adopted by the City of Brampton. This would allow for a small secondary residential unit to be built within the current limits of the property without the need for a severance. The property owner has indicated their preference for the severance.

Severance:

The proposed severed parcel does not comply with the zoning provisions required by the Churchville HCD Plan. The severed parcel is proposed to be 1,000 sq. m (10,764 sq. ft) whereas the By-law requires a minimum lot size of 1,350 sq. m (14,531 sq. ft). The proposed severed parcel also does not conform to the minimum lot depth or minimum lot width performance standards set by the Zoning By-law.

The intent of the plan is to maintain and enhance the Cultural Heritage Value of the Churchville Heritage Conservation District. Recognizing that infill does and can take place within the HCD, the Plan identifies standards related to lot creation including that new lots within the HCD should conform to the Residential Hamlet Two – Section 1386 (RHM2-1386) zoning. This is to ensure that infill takes place within the HCD in such a way that respects and enhances the existing rural character of the HCD. The prescribed minimum lot size helps to ensure that infill within the HCD does not reflect an “urban scale” of redevelopment but rather more “rural scale”, conscientious growth within the HCD.

In support of the proposed severance, the HIA notes that Policy 5.5.2 (Building Location) of the HCD Plan states: “There is no one predominant building line or setback that distinguishes the district” and notes that “lot sizes in the [landscape] unit vary dramatically”.

The HIA identifies that there are approximately 20 properties within the “Village Core” Landscape Unit and states that the proposed severed parcel is larger than 9 existing lots within the Landscape Unit.

Upon review of the 20 properties noted, staff have identified 11 properties within the landscape unit that meet or exceed the minimum lot requirement. Among those are lots that share direct property boundaries with the proposed severed parcel. These 11 properties represent over half of the properties within the Landscape Unit.

### Dwelling Construction:

The applicant has advised that proposed severance is intended to facilitate the construction of a residential dwelling however detailed information has not been provided to staff regarding the dwelling. The HIA further concludes that the construction of a dwelling on the severed parcel is not expected to have a negative impact on the HCD. The HIA additionally recommends that an additional HIA should be prepared “if and when the property owner ultimately determines to move forward with construction of a dwelling”.

The full impact from the construction of a dwelling has multiple contributing factors outside of the building’s footprint such as height, massing, design, cladding choice, etc. that are not considered as part of the Impact Assessment. It is staff’s position that the conclusion of the HIA – that the impact of a dwelling being constructed on the proposed severed parcel will have no negative impacts – is premature. This is because the impact cannot be appropriately assessed based on the conceptual building envelope. It can only be assessed through the additional HIA noted above that addresses a proposed design.

The HIA concludes that any impacts from a dwelling constructed within the conceptual building envelope on the proposed severed parcel can be addressed through a future HIA. Staff have concerns with this approach as the limitations related to lot size and setbacks that are created by the proposed severed parcel may preclude the use of mitigation strategies deemed necessary by a future HIA.

The HIA also concludes and recommends that if a dwelling is constructed on the severed parcel, it should be located within the conceptual building envelope shown in the HIA. As noted above, the conceptual building envelope shown in the HIA is not in compliance with the Zoning By-law. However, that outcome cannot be certain as any such relief pursued through a Minor Variance Application will have to be adjudicated by the Committee of Adjustment.

### Corporate Implications:

None.

### Financial Implications:

None.

### Other Implications:

None.

**Term of Council Priorities:**

This report is consistent with the Term of Council Priority “Well Run City” as it allows for the Brampton Heritage Board to provide a recommendation to staff and Council regarding the requested Heritage Permit within the Churchville HCD.

**Conclusion:**

Although the Heritage Impact Assessment cites language within the HCD Plan regarding variation in building location and setbacks within the Heritage Conservation District as a basis for supporting the severance. While the HCD Plan does provide guidance relating to varied building location and form, other aspects of the proposal are in conflict with the requirements of the HCD Plan. For example, the District Plan states that regardless of whether the proposed works require a heritage permit, homeowners are still required to comply with the requirements of the Zoning By-law and Building Code.

**Issues identified:**

- That the proposed severed parcel does not comply with the minimum standards set by the Zoning By-law and outlined within the Heritage Conservation District Plan;
- That the conceptual building envelope does not comply with the minimum standards set by the Zoning By-law and outlined within the Heritage Conservation District Plan;
- That the conclusion that any dwelling constructed on the severed parcel would have no negative impact on the District is premature; and
- That the proposal is not consistent with the Heritage Conservation District Plan’s objective of maintaining the rural character of the District.

Should the Board recommend approval of the Heritage Permit, the Permit should be issued on the condition that the applicant must receive approval of the severance and variance applications contemplated within the HIA. If the applicant is unsuccessful in obtaining those approvals, the Heritage Permit would be considered void.

Authored by:

Reviewed by:

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Shelby Swinfield, Heritage Planner,  
Integrated City Planning

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Jeffrey Humble, RPP, MCIP  
Manager, Policy Programs and  
Implementation

Submitted by:

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Henrik Zbogar, RPP, MCIP  
Director, Integrated City Planning

Approved by:

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Steve Ganesh, RPP, MCIP  
Commissioner, Planning, Building and  
Growth Management

**Attachments:**

Attachment 1 – Heritage Impact Assessment – 83 Victoria Street  
Attachment 2 – Heritage Permit Application – 83 Victoria Street

**Scoped Heritage Impact Assessment  
85 Victoria Street  
Churchville Heritage Conservation District  
Brampton, ON**



prepared by

**CHC Limited**

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May 2, 2023  
revised May 11, 2023  
revised May 25, 2023

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## EXECUTIVE SUMMARY

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The property at 85 Victoria Street is within the Churchville Heritage Conservation District (HCD) and subject to the policies of the *Churchville Heritage Conservation District Plan* (HCD Plan).

85 Victoria Street is a large L-shaped lot. The leg of the L is located at the corner of Church Street and Victoria Street and it is this leg that is proposed to be severed from the lot. There are no structures on the proposed severance. A modern residence is located on the larger portion of the lot.

This HIA is scoped to determine if the creation of the proposed lot aligns with the HCD Plan and its objectives and policies. The subject property falls within the “Village Core” landscape unit of the HCD Plan. The cultural heritage landscape features which positively contribute to the rural village atmosphere of the Village Core include the existing street layout and width, the grassed ditches and narrow shoulders along Victoria and Church Streets and the property line hedgerows and post and wire fencing along Victoria Street and Church Street. The potential impact of the creation of a severance is limited to the landscape/streetscape heritage attribute of the HCD.

The HCD Plan notes that there is no one predominant building line or setback that distinguishes the district and the varied topography, road alignments and landscape features argue for the consideration of each individual development on its own merits while maintaining the existing setbacks of adjacent properties; siting buildings with their front façades parallel to the roadway; and locating the bulk of the building within the width of the lot, rather than the depth.

In spite of the zoning bylaw requirement for a minimum lot size of 1,350 m<sup>2</sup>, nearly half the lots in the landscape unit are smaller than that, and it is the opinion of the author that a dwelling on this lot would not be out of place in the HCD. There would be no adverse impact on the Churchville Heritage Conservation District as a result of the proposed severance should the dwelling unit be constructed according to the HCD Plan guidelines within the conceptual building envelope illustrated in this report and with the driveway access provided from Victoria Street with the house facing that street.

This HIA does not address the design, size, and detailed placement of a dwelling on the lot; that will require a Heritage Permit and an additional HIA when the property owner ultimately determines to move forward with construction of a dwelling. Mitigation strategies can be addressed at that time.

## 1.0 INTRODUCTION and BACKGROUND

The property at 85 Victoria Street is within the Churchville Heritage Conservation District (HCD) and subject to the policies of the *Churchville Heritage Conservation District Plan* (HCD Plan). 85 Victoria Street is a large L-shaped lot. The leg of the L is located at the corner of Church Street and Victoria Street and it is this leg that is proposed to be severed from the lot (Figure 1).

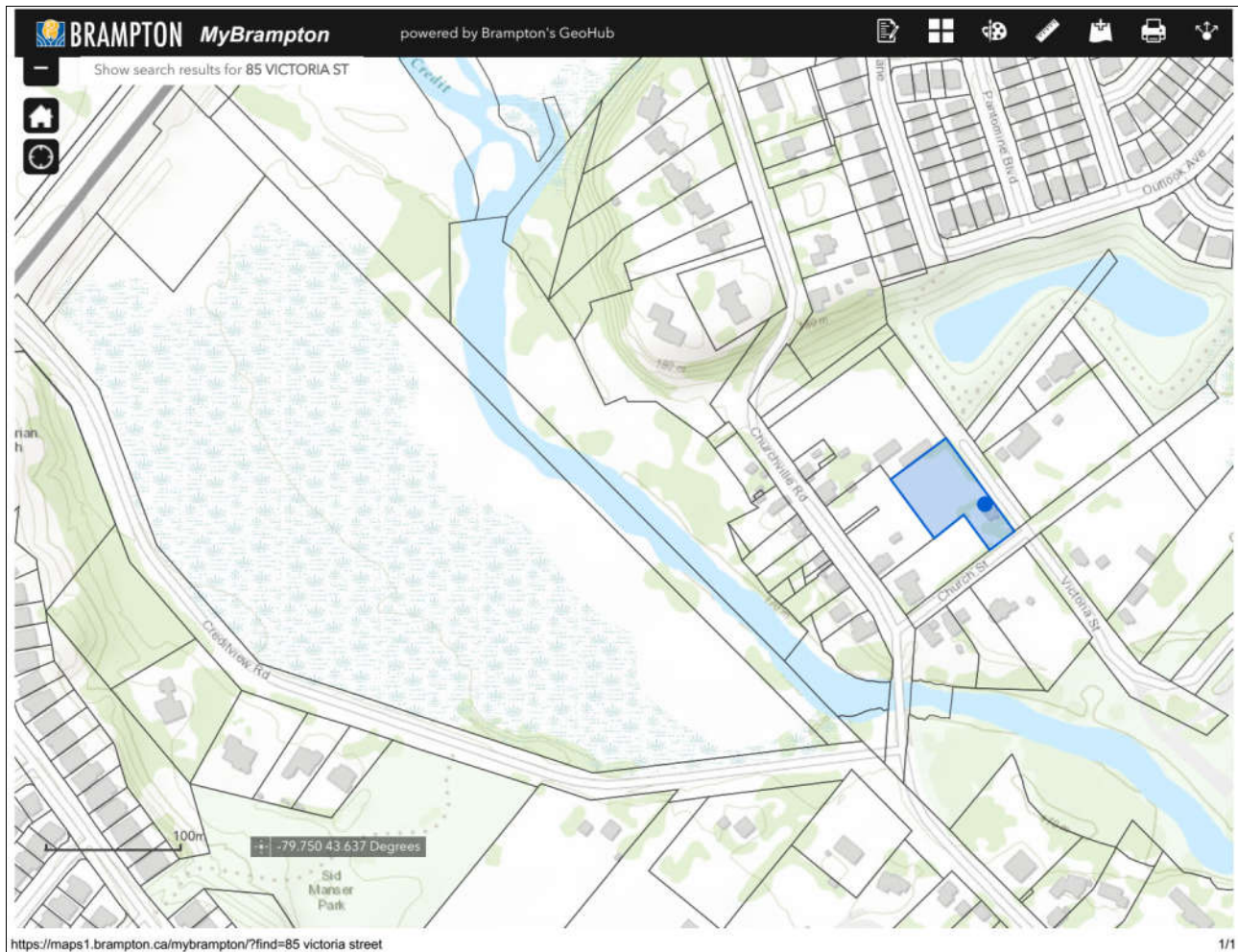


Figure 1

Location Map - MyBrampton GeoHub

In 2015 a proposal to demolish a then vacant existing house at 58 Church Street (Figure 4) which had no heritage significance and construct a new single family residence with an address of 85 Victoria Street was supported by a Heritage Impact Assessment (HIA)<sup>1</sup>. The house was subsequently demolished and a new home built on the northwesterly portion of the very large lot of approximately 3,732 m<sup>2</sup> (Figures 2 & 3).

This HIA was commissioned by the owners of 85 Victoria Street to facilitate the severance. CHC Limited was engaged in April of 2023 to prepare the HIA with information proved by Don Arthur, agent for the owners.

<sup>1</sup> CHC Limited, *Heritage Impact Assessment, 58 Church Street, Churchville, Brampton, ON*, August 2015

There are no structures on the proposed severance. A modern residence is located on the larger portion of the lot (Figure 2).



Figure 2 85 Victoria Street, proposed severance in yellow outline - City of Brampton MyBrampton GeoHub, fall 2022

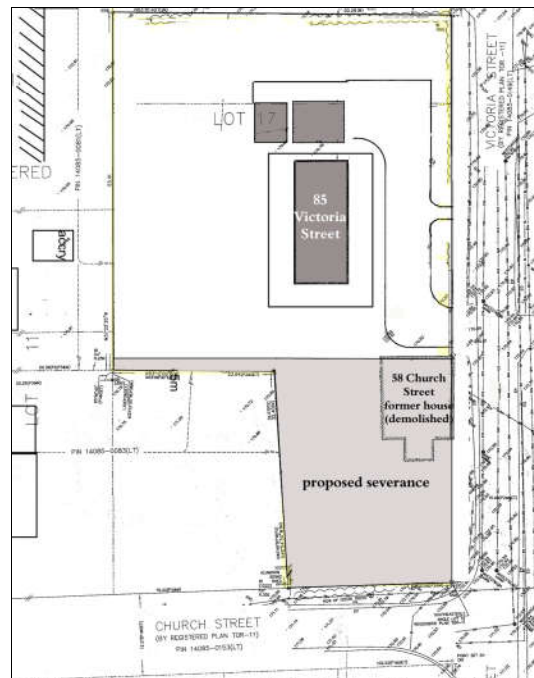


Figure 3 85 Victoria St. & former 58 Church St.



Figure 4 58 Church St., August 17, 2015 (demolished) - CHC

The streetscapes of both Church Street and Victoria Street are well vegetated (Figures 5 and 6). A residence is located on the adjacent westerly lot, approximately 55 metres from the westerly property line of the subject property (Figure 6). A 21<sup>st</sup> century residence is located across Church Street, about 50 metres from the Church Street property line (Figure 7) and the aforementioned new residence is about 10 metres from the proposed northerly property line at 85 Victoria Street (Figures 2, 3 & 9). The to-be-severed parcel is mostly open lawn with a border on the two streets of fairly dense vegetation (Figures 6, 8 & 9).



Figure 5 Church Street streetscape along subject property, April 12, 2023



Figure 6 Victoria Street streetscape at subject property, April 12, 2023



Figure 7 new residence opposite subject property on Church Street, August 17, 2015 - *CHC Limited*



Figure 8 to be severed parcel from the north on Victoria Street - *Google Maps*



Figure 9

85 Victoria Street residence April 12, 2023

The proposed severance is the area inside the chain link fence in the foreground in Figure 9.

The HIA is scoped to determine if the creation of the proposed lot aligns with the HCD Plan and its objectives and policies. The HCD Plan includes zoning recommendations and the HIA addresses any deficiencies as it relates to those. Required variances to the Zoning By-law associated with the proposed severance are evaluated within the HIA as well. A conceptual building envelope has been created based on the RHM2 zoning requirements to evaluate and make recommendations related to the future placement of a dwelling on the lot to ensure any potential impacts can be mitigated. This HIA does not address the design, size, and detailed placement of a dwelling on the lot; that will require a Heritage Permit and an additional HIA when the property owner ultimately determines to move forward with construction of a dwelling. Mitigation strategies can be addressed at that time.

## **2.0 THE CHURCHVILLE HERITAGE CONSERVATION DISTRICT PLAN**

The Churchville Heritage Conservation District is protected by By-law 218 which was passed on October 10, 1990. The designation was approved by the Ontario Municipal Board under the 1980 *Ontario Heritage Act* on May 2, 1991 (M900143). The By-law was amended in 2002 (By-law 221-2002) to change the boundary of the

district to "exclude lands that will accommodate the development adjacent to the Village proper". The *Heritage Conservation District Plan* contains sections on:

- the objectives of the district;
- conservation guidelines;
- guidelines for alterations, additions and new construction;
- landscape conservation and enhancement and a description of landscape units.

The subject property falls within the "Village Core" landscape unit. The Plan states that the cultural heritage landscape features which positively contribute to the rural village atmosphere of the Village Core are to be conserved by:

- retaining the existing street layout and width in order to prevent further encroachment on the narrow yards of the adjacent buildings;
- retaining grassed ditches and narrow shoulders along Victoria and Church Streets;
- retaining the property line hedgerows and post and wire fencing along Victoria Street and Church Street.<sup>2</sup>

As there are no buildings on the parcel that is proposed to be severed and the building on the to be retained parcel is a modern one, the potential impact of the creation of a severance is limited to the landscape/streetscape heritage attribute of the HCD.

Section 3.3.1 Landscape of the HCD Plan addresses the landscape/streetscape with a number of objectives, the relevant ones in this case being:

- to maintain and preserve natural features such as the Credit River, valley slopes, existing trees, treelines, hedgerows, fields and grasslands within the area; and
- to encourage the protection and retention of existing road and streetscapes within Churchville and to avoid or minimize the adverse effects of public undertakings.<sup>3</sup>

The HCD Plan makes recommendations regarding zoning, noting that:

"there is no one predominant building line or setback that distinguishes the district. The varied topography, road alignments and landscape features argue for the consideration of each individual development on its own merits but with particular attention being given to the following:

- New residential infill should maintain the existing setbacks of adjacent properties. Appropriate variances to the zoning by-law should be sought where the minimum requirement for front yards does not permit this. Where there are areas of significant variation in setback new residential infill should generally respect the existing required setback of 24'-6" (7.5 m).
- New buildings should be sited with their front façade parallel to the roadway except where a building line has been established to the contrary as it is along portions of the west side of Churchville Road and portions of the east side of Creditview Road south.

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<sup>2</sup> *Churchville Heritage Conservation District Plan*, May 1990, Office Consolidation 2015, p. 65

<sup>3</sup> *Ibid*, p. 21

- Buildings should be located with the bulk of the building accommodated within the width of the lot, rather than the depth, in keeping with a side gable structure. Where floor space requirements are such that this cannot be achieved rear extension in the form of a traditional tail or “T” shape should also be encouraged.
- Ancillary buildings should be located towards the rear of the lot. Garages in particular should not form part of the front façade of a new building and are best located towards the rear of the building or, preferably, detached.”<sup>4</sup>

The HCD Plan recommends the following amendments to the Residential Hamlet RH zone in Churchville, listed in priority and considered to be maximum limits to building form:

- Maximum building height of 8.75 metres (28.7 feet);
- Maximum building width of 12.25 metres (40 feet);
- A floor space index of 0.17 or a ratio of approximately 1:6.<sup>5</sup>

The above recommended amendments are in response to the RH Zoning By-law’s minimum lot size of 1,350 square metres.<sup>6</sup>

### 3.0 RESIDENTIAL HAMLET TWO – RHm2 ZONE

The following table provides the lot size, building size and building location for lots in the Churchville Heritage Conservation District.<sup>7</sup>

(a) Minimum Lot Area	1,350 square metres
(b) Minimum Lot Width	30 metres
© Minimum Lot Depth	45 metres
(d) Minimum Front Yard Depth	7.5 metres
(e) Minimum Interior Side Yard Width	7.5 metres provided that in the case of a lot having a lot width of more than 30 metres the combined side yards shall not be less than 50% of the lot width
(f) Minimum Exterior Side Yard Width	7.5 metres provided that in the case of a lot having a lot width of more than 30 metres the combined side yards shall not be less than 50% of the lot width
(g) Minimum Rear Yard Depth	12 metres
(h) Maximum Building Height	8.7 metres

<sup>4</sup> *Ibid*, p. 55

<sup>5</sup> *Ibid*, p. 9

<sup>6</sup> *Ibid*, pp. 85 & 85

<sup>7</sup> City of Brampton (242-07)(253-2021) SECTION 11.5 RESIDENTIAL HAMLET TWO – RHm2 ZONE

(I) Maximum Lot Coverage	No requirement
(j) Minimum Landscaped Open Space	70% of the front yard
(k) Minimum Gross Floor Area	100 square metres per dwelling unit
(l) Maximum Floor Space Index	0.17
(m) Maximum Dwelling Size	255 square metres

#### 4.0 THE CHURCHVILLE “VILLAGE CORE” LANDSCAPE UNIT

The HCD Plan states that: “there is no one predominant building line or setback that distinguishes the district”.<sup>8</sup> As well as that inconsistency, lot sizes in the unit vary dramatically, ranging from approximately 464 square metres to 7,492 square metres (Figure 10)<sup>9</sup>. It is these inconsistencies that help to create the character that is Churchville, especially in this landscape unit.

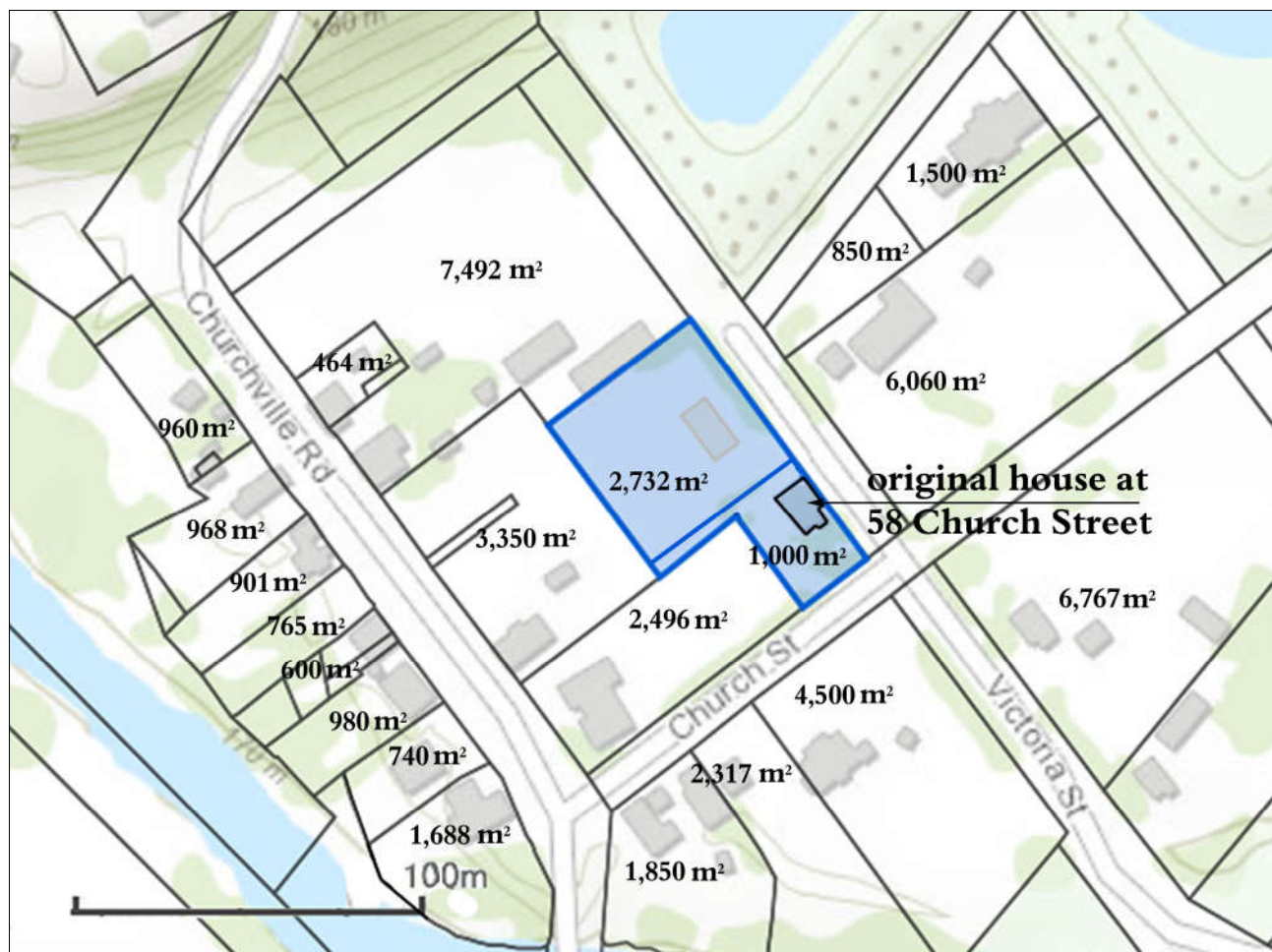


Figure 10 approximate lot sizes in Churchville “Village Core” landscape unit <https://maps1.brampton.ca/mybrampton/>

<sup>8</sup> Churchville Heritage Conservation District Plan, May 1990, Office Consolidation 2015, p. 9

<sup>9</sup> Areas taken from <https://maps1.brampton.ca/mybrampton/> and are approximate

Of the twenty properties in the landscape unit and in the vicinity of the subject property, nine, or nearly 50%, are smaller in area than the minimum by-law requirement of 1,350 square metres and do not meet the minimum lot widths or depths in some cases, nor do they meet the sideyard or rear yard depth minimums in some cases. Those same nine lots are smaller than the proposed severance of approximately 1,000 square metres.

The original house at 58 Church Street (Figure 4) was another example of the inconsistent setbacks, building locations and lot sizes in the landscape unit.

## **5.0 THE PROPOSED SEVERANCE**

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The 3,732 square metre L-shaped lot is proposed to be severed into two parcels (Figures 2 & 3). The to-be-severed portion is located at the northwest corner of Victoria and Church Streets with 24.36 metres of frontage on Church Street and 34.2 metres on Victoria Street, leaving an approximately 1,000 square metre lot (Figure 11). The retained lot at 85 Victoria Street would be approximately 2,732 square metres in area (Figures 2 & 3).

In order to predict what impact the severance might have on the Heritage Conservation District, a conceptual building envelope that respects the zoning by-law as much as possible is illustrated in Figure 11. The building envelope is conceptual for evaluation purposes only.

The conceptual building envelope sketch also indicates the location of the proposed access to the property to illustrate what the creation of a driveway access may have on the Victoria or Church Street streetscapes.

Because the proposed lot fronts on two streets, access could be provided from either. Two alternatives are illustrated in Figure 11. As far as conformity with the zoning by-law is concerned, both alternatives satisfy most of the requirements and neither satisfies all. Although the proposed lot size is 75% of the zoning by-law requirement, and the minimum lot width or depth (depending upon the orientation to which street) is 80% of the requirement, all front and side yard requirements can be met with a 100 to 255 square metre, 1½ or 2-storey dwelling.

The green rectangle in Figure 11 is the conceptual building envelope. The black outline square represents a 165 square metre on 2 floors (1,800 square foot) dwelling unit.

Access from either Church Street or Victoria Street is shown, with the resultant front yard being from either street.

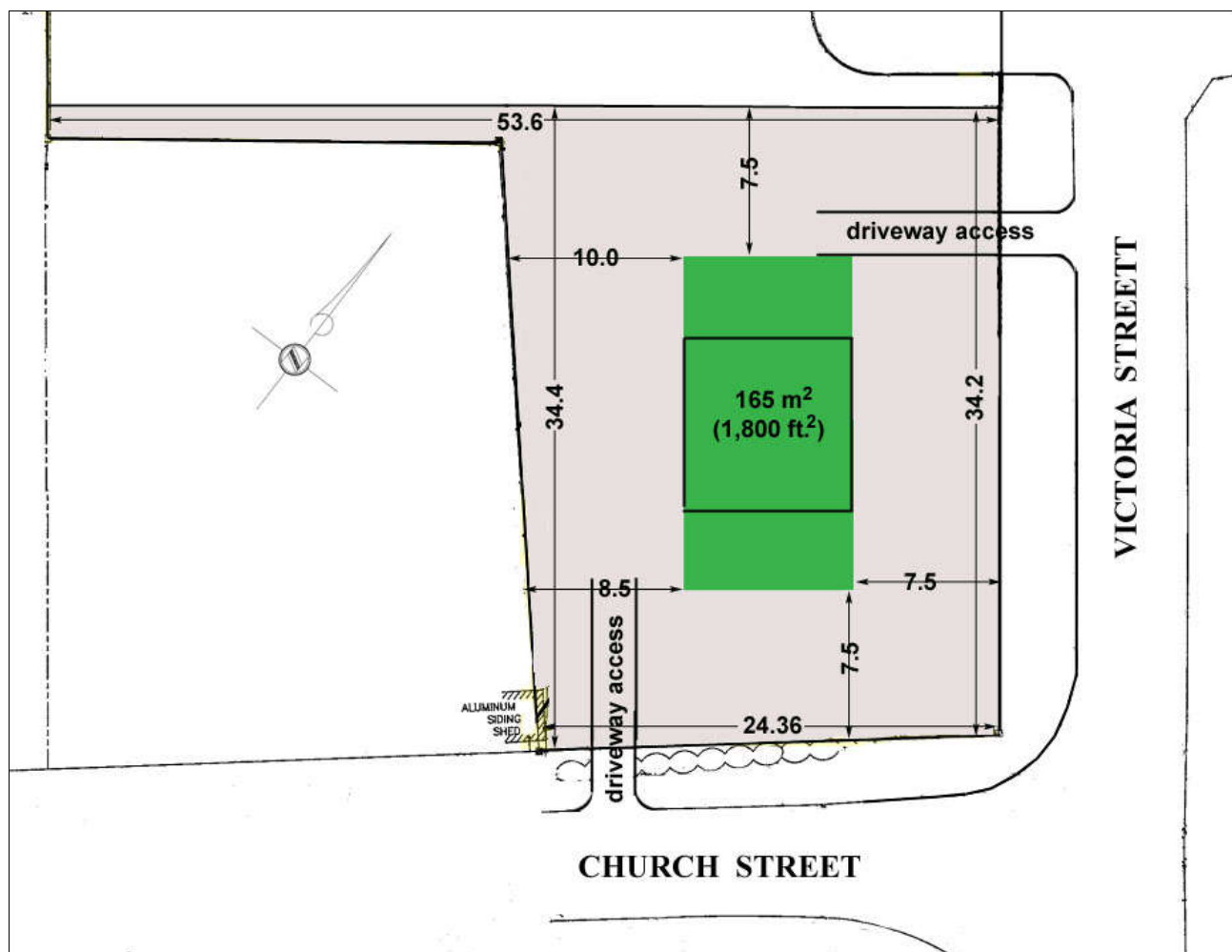


Figure 11

proposed severance with conceptual building envelope & access

## 6.0 CONCLUSIONS and RECOMMENDATIONS

Impact on the Churchville Heritage Conservation District as a result of the proposed severance and the construction of a dwelling unit within the conceptual building envelope in Figure 11 is not expected to be negative. As has been noted, the proposed severance is larger than almost half the properties in the landscape unit.

If access were from Victoria Street rather than Church Street, there would be almost no disruption to either streetscape as the driveway location on Victoria Street could take advantage of the area where the former house stood. In addition, the driveway could be located further from the intersection of the two streets and on a dead end street with a minimum of traffic. This would be consistent with the HCD Plan's recommendations to allow retention of the grassed ditches and narrow shoulders along Victoria and Church Streets; and retain the property line hedgerows and post and wire fencing along Victoria Street and Church Street.

The centre of the lot where the conceptual building envelope is located, is mostly open lawn at present. The rear of the house that is visible in Figure 6 is approximately 55 metres (the width of a football field) from the

proposed rear property line of the subject property. Additional plantings along the property line would effectively screen that view, if desired. It is likely that the proposed house would not be visible from Church Street because of the extensive existing evergreen vegetation (Figure 5).

A dwelling on this lot would not be out of place in the HCD if the design follows the guidelines in the HCD Plan and the driveway access is from Victoria Street with the house facing that street.

The recommendations of this HIA are:

- a new residence should be located within the conceptual building envelope, as shown in Figure 11;
- access should be from Victoria Street with the driveway located at the northern end of the lot;
- vegetation along Church Street and Victoria Street should be preserved;
- servicing (water, sewer, hydro, telephone, cable) should respect existing vegetation by tunnelling, boring, or avoiding existing streetscape vegetation;
- additional screening vegetation along the western boundary of the lot is not required;
- a Heritage Permit and an additional HIA to address the design, size, and detailed placement of a dwelling on the lot should be prepared if and when the property owner ultimately determines to move forward with construction of a dwelling;
- mitigation strategies should be addressed at that time.

This Heritage Impact Assessment is respectfully submitted by:

CHC Limited



per: Owen R. Scott, OALA, FCSLA, CAHP

## REFERENCES

CHC Limited, *Heritage Impact Assessment, 58 Church Street, Churchville, Brampton, ON*, August 2015

City of Brampton By-law 221-2002, A by-law to amend the boundary of the Village of Churchville Heritage Conservation District

City of Brampton (242-07)(253-2021) SECTION 11.5 RESIDENTIAL HAMLET TWO – RHm2 ZONE

City of Brampton mapping website: <https://maps1.brampton.ca/mybrampton>

City of Brampton *Heritage Impact Assessment - Terms of Reference*

Province of Ontario *InfoSheet #5, Heritage Impact Assessments and Conservation Plans*, Winter 2006

Province of Ontario *Provincial Policy Statement (PPS, 2020)*

*Village of Churchville Heritage Conservation District, District Plan*, May 1990, Office Consolidation, February 5, 2015, City of Brampton (original *Plan* by David Cuming and Associates, Unterman McPhail Heritage Resource Consultants and Wendy Shearer Landscape Architect Limited, May 1990)

## RESUME

**OWEN R. SCOTT, OALA, FCSLA, CAHP**

### Education:

Master of Landscape Architecture (MLA) University of Michigan, 1967  
Bachelor of Science in Agriculture (Landscape Horticulture), (BSA) University of Guelph, 1965

### Professional Experience:

1965 - present President, CHC Limited, Guelph, ON  
1977 - 2018 President, The Landplan Collaborative Ltd., Guelph, ON  
1977 - 1985 Director, The Pacific Landplan Collaborative Ltd., Vancouver and Nanaimo, BC  
1975 - 1981 Editor and Publisher, *Landscape Architecture Canada*, Ariss, ON  
1969 - 1981 Associate Professor, School of Landscape Architecture, University of Guelph  
1975 - 1979 Director and Founding Principal, Ecological Services for Planning Limited, Guelph, ON  
1964 - 1969 Landscape Architect, Project Planning Associates Limited, Toronto, ON

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### Historical Research, Heritage Planning and Conservation Experience and Expertise

#### Current Professional and Professional Heritage Associations Affiliations:

Member: Alliance for Historic Landscape Preservation (AHLP) - 1978 -  
Member: Canadian Association of Heritage Professionals (CAHP) - 1987 -  
Member: Ontario Association of Landscape Architects (OALA) - 1968 - (Emeritus 2016)  
Member: Canadian Society of Landscape Architects (FCSLA) - 1969 - (Fellow 1977, Life Member 2016)

#### Community and Professional Society Service (Heritage):

Director: Canadian Association of Heritage Professionals (CAHP), 2002 - 2003  
Member: Advisory Board, Architectural Conservancy of Ontario, 1980 - 2002  
Member: City of Guelph Local Architectural Conservation Advisory Committee (LACAC), 1987 - 2000 (Chair 1988 - 1990)  
Member: Advisory Council, Centre for Canadian Historical Horticultural Studies, 1985 - 1988

#### Professional Honours and Awards (Heritage):

Merit Award	2016	Canadian Association of Heritage Professionals Awards, City of Kitchener Cultural Heritage Landscapes
National Award	2016	Canadian Society of Landscape Architects (CSLA), City of Kitchener Cultural Heritage Landscapes
Mike Wagner Award	2013	Heritage Award - Breithaupt Block, Kitchener, ON
People's Choice Award	2012	Brampton Urban Design Awards, Peel Art Gallery, Museum and Archives, Brampton, ON
Award of Excellence	2012	Brampton Urban Design Awards, Peel Art Gallery, Museum and Archives, Brampton, ON
National Award	2009	Heritage Canada Foundation National Achievement, Alton Mill, Alton, ON
Award of Merit	2009	Canadian Association of Heritage Professionals Awards, Alton Mill, Alton, ON
Award	2007	Excellence in Urban Design Awards, Heritage, Old Quebec Street, City of Guelph, ON
Award	2001	Ontario Heritage Foundation Certificate of Achievement
Award	1998	Province of Ontario, Volunteer Award (10 year award)
Award	1994	Province of Ontario, Volunteer Award (5 year award)
Regional Merit	1990	CSLA Awards, Britannia School Farm Master Plan
National Honour	1990	CSLA Awards, Confederation Boulevard, Ottawa
Citation	1989	City of Mississauga Urban Design Awards, Britannia School Farm Master Plan
Honour Award	1987	<i>Canadian Architect</i> , Langdon Hall Landscape Restoration, Cambridge, ON

Citation	1986	<i>Progressive Architecture</i> , The Ceremonial Routes (Confederation Boulevard), Ottawa,
National Citation	1985	CSLA Awards, Tipperary Creek Heritage Conservation Area Master Plan, Saskatoon, SK
National Merit	1984	CSLA Awards, St. James Park Victorian Garden, Toronto, ON
Award	1982	Ontario Ministry of Municipal Affairs Ontario Renewals Awards, Millside, Guelph, ON

### **Selected Heritage Publications:**

- Scott, Owen R., The Southern Ontario "Grid", *ACORN* Vol XXVI-3, Summer 2001. *The Journal of the Architectural Conservancy of Ontario*.
- Scott, Owen R. *19th Century Gardens for the 20<sup>th</sup> and 21<sup>st</sup> Centuries*. Proceedings of "Conserving Ontario's Landscapes" conference of the ACO, (April 1997). Architectural Conservancy of Ontario Inc., Toronto, 1998.
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- Scott, Owen R. The Sound of the Double-bladed Axe, *Guelph and its Spring Festival*. edited by Gloria Dent and Leonard Conolly, The Edward Johnson Music Foundation, Guelph, 1992. 2 pp.
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- Scott, Owen R. Cultivars, pavers and the historic landscape, *Historic Sites Supplies Handbook*. Ontario Museum Association, Toronto, 1989. 9 pp.
- Scott, Owen R. Landscape preservation - What is it? *Newsletter*, American Society of Landscape Architects - Ontario Chapter, vol. 4 no.3, 1987.
- Scott, Owen R. Tipperary Creek Conservation Area, Wanuskewin Heritage Park. *Landscape Architectural Review*, May 1986. pp. 5-9.
- Scott, Owen R. Victorian Landscape Gardening. Ontario Bicentennial History Conference, McMaster University, 1984.
- Scott, Owen R. Canada West Landscapes. *Fifth Annual Proceedings Niagara Peninsula History Conference (1983)*. 1983. 22 pp.
- Scott, Owen R. Utilizing History to Establish Cultural and Physical Identity in the Rural Landscape. *Landscape Planning*, Elsevier Scientific Press, Amsterdam, 1979. Vol. 6, No. 2, pp. 179-203.
- Scott, Owen R. Changing Rural Landscape in Southern Ontario. *Third Annual Proceedings Agricultural History of Ontario Seminar (1978)*. June 1979. 20 pp.
- Scott, Owen R., P. Grimwood, M. Watson. George Laing - Landscape Gardener, Hamilton, Canada West 1808-1871. *Bulletin, The Association for Preservation Technology*, Vol. IX, No. 3, 1977, 13 pp. (also published in *Landscape Architecture Canada*, Vol. 4, No. 1, 1978).
- Scott, Owen R. The Evaluation of the Upper Canadian Landscape. Department of Landscape Architecture, University of Manitoba. 1978. (Colour videotape).

Following is a representative listing of some of the heritage consultations undertaken by Owen R. Scott in his capacity as a principal of The Landplan Collaborative Ltd., and principal of CHC Limited.

### **Cultural Heritage Evaluation Reports & Heritage Impact Assessments - Bridges**

- Adams Bridge (Structure S20) Cultural Heritage Evaluation Report & Heritage Impact Assessment, Southgate Township, ON
- Belanger Bridge Cultural Heritage Evaluation Report & Heritage Impact Assessment, Casey Township, ON
- Bridge #9-WG Cultural Heritage Evaluation Report & Heritage Impact Assessment, Township of Centre Wellington, ON
- Bridge #20 Cultural Heritage Evaluation Report & Heritage Impact Assessment, Blandford-Blenheim Township, ON
- Bridge #25 Cultural Heritage Evaluation Report & Heritage Impact Assessment, Blandford-Blenheim Township, ON
- Bridge Street Bridge Cultural Heritage Evaluation Report & Heritage Impact Assessment, Wilmot Township, ON
- Holland Mills Road Bridge Cultural Heritage Evaluation Report & Heritage Impact Assessment, Wilmot Township, ON

- Irvine Street (Watt) Bridge Cultural Heritage Evaluation Report & Heritage Impact Assessment, Township of Centre Wellington, ON
- Oxford-Waterloo Bridge Cultural Heritage Evaluation Report & Heritage Impact Assessment, Wilmot Township, ON
- Uno Park Road Bridge, Cultural Heritage Evaluation Report & Heritage Impact Assessment, Harley Township, ON

#### **Heritage Master Plans and Landscape Plans**

- Alton Mill Landscape, Caledon, ON
- Black Creek Pioneer Village Master Plan, Toronto, ON
- Britannia School Farm Master Plan, Peel Board of Education/Mississauga, ON
- Confederation Boulevard (Sussex Drive) Urban Design, Site Plans, NCC/Ottawa, ON
- Doon Heritage Crossroads Master Plan and Site Plans, Region of Waterloo/Kitchener, ON
- Downtown Guelph Private Realm Improvements Manual, City of Guelph, ON
- Downtown Guelph Public Realm Plan, City of Guelph, ON
- Dundurn Castle Landscape Restoration Feasibility Study, City of Hamilton, ON
- Elam Martin Heritage Farmstead Master Plan, City of Waterloo, ON
- Exhibition Park Master Plan, City of Guelph, ON
- George Brown House Landscape Restoration, Toronto, ON
- *Grand River Corridor Conservation Plan*, GRCA/Regional Municipality of Waterloo, ON
- Greenwood Cemetery Master Plan, Owen Sound, ON
- Hamilton Unified Family Courthouse Landscape Restoration Plan, Hamilton, ON
- John Galt Park, City of Guelph, ON
- Judy LaMarsh Memorial Park Master Plan, NCC/Ottawa, ON
- Langdon Hall Gardens Restoration and Site Plans, Cambridge, ON
- London Psychiatric Hospital Cultural Heritage Stewardship Plan, London, ON
- McKay / Varley House Landscape Restoration Plan, Markham (Unionville), ON
- Museum of Natural Science/Magnet School 59/ Landscape Restoration and Site Plans, City of Buffalo, NY
- Muskoka Pioneer Village Master Plan, MNR/Huntsville, ON
- Peel Heritage Centre Adaptive Re-use, Landscape Design, Brampton, ON
- Phyllis Rawlinson Park Master Plan (winning design competition), Town of Richmond Hill, ON
- Prime Ministerial Precinct and Rideau Hall Master Plan, NCC/Ottawa, ON
- Queen/Picton Streets Streetscape Plans, Town of Niagara-on-the-Lake, ON
- Regional Heritage Centre Feasibility Study and Site Selection, Region of Waterloo, ON
- Rockway Gardens Master Plan, Kitchener Horticultural Society/City of Kitchener, ON
- St. George's Square, City of Guelph, ON
- St. James Cemetery Master Plan, Toronto, ON
- St. James Park Victorian Garden, City of Toronto, ON
- Tipperary Creek (Wanuskewin) Heritage Conservation Area Master Plan, Meewasin Valley Authority, Saskatoon, SK
- Whitehern Landscape Restoration Plan, Hamilton, ON
- Woodside National Historic Park Landscape Restoration, Parks Canada/Kitchener, ON

#### **Cultural Heritage Evaluation Reports (CHER), Cultural Heritage Inventories and Cultural Heritage Landscape Evaluations**

- 2972 Alps Road Cultural Heritage Evaluation Report, Ayr, ON
- Belfountain Area Heritage Inventory for Environmental Assessment, Peel Region, ON
- Chappell Estate / Riverside / Mississauga Public Garden Heritage Inventory, Mississauga, ON
- 8895 County Road 124 Cultural Heritage Opinion Report, Erin (Ospringe), ON
- County of Waterloo Courthouse Building Cultural Heritage Evaluation Report, Kitchener, ON
- Cruickston Park Farm & Cruickston Hall - Cultural Heritage Resources Study, Cambridge, ON
- Doon Valley Golf Course - Cultural Heritage and Archaeological Resources Inventory, Kitchener/Cambridge, ON
- Government of Ontario Light Rail Transit (GO-ALRT) Route Selection, Cultural and Natural Resources Inventory for Environmental Assessment, Hamilton/Burlington, ON

- Hancock Woodlands Cultural Heritage Assessment, City of Mississauga, ON
- Hespeler West Secondary Plan - Heritage Resources Assessment, City of Cambridge, ON
- Highway 400 to 404 Link Cultural Heritage Inventory for Environmental Assessment, Bradford, ON
- Highway 401 to 407 Links Cultural Heritage Inventory for Environmental Assessment, Pickering/Ajax/Whitby/Bowmanville, ON
- Homer Watson House Cultural Heritage Evaluation Report, Kitchener, ON
- Lakewood Golf Course Cultural Landscape Assessment, Tecumseh, ON
- Landfill Site Selection, Cultural Heritage Inventory for Environmental Assessment, Region of Halton, ON
- Niska Road Cultural Heritage Landscape Addendum, City of Guelph, ON
- 180-B Nith River Way Cultural Heritage Evaluation Report, Ayr, ON
- 154 Ontario Street, Historical - Associative Evaluation, Guelph, ON
- 35 Sheldon Avenue North, Cultural Heritage Evaluation Report, Kitchener, ON
- 43 Sheldon Avenue North, Cultural Heritage Evaluation Report, Kitchener, ON
- Silvercreek (LaFarge Lands) Cultural Landscape Assessment, Guelph, ON
- South Kitchener Transportation Study, Heritage Resources Assessment, Region of Waterloo, ON
- 53 Surrey Street East and 41, 43, 45 Wyndham Street South Cultural Heritage Evaluation Guelph, ON
- Swift Current CPR Station Gardens condition report and feasibility study for rehabilitation/reuse, Swift Current, SK
- University of Guelph, McNaughton Farm House, Cultural Heritage Resource Assessment, Puslinch Township, ON
- University of Guelph, Trent Institute Cultural Heritage Resource Assessment, Guelph, ON
- University of Guelph, 1 and 10 Trent Lane Cultural Heritage Resource Assessments, Guelph, ON
- 2007 Victoria Road South Heritage Evaluation, Guelph, ON
- Waterloo Valleylands Study, Heritage and Recreational Resources mapping and policies, Region of Waterloo
- 69 Woolwich Street (with references to 59, 63-67, 75 Woolwich Street) Cultural Heritage Evaluation Report, Guelph, ON

**Cultural Heritage Resource Impact Assessments (CHRIA/CHIA/HIS/HIA) and Cultural Landscape Heritage Impact Statements**

- 2972 Alps Road Cultural Heritage Impact Assessment, Ayr, ON
- 33 Arkell Road Heritage Impact Assessment, Guelph, ON
- 86 Arthur Street, Heritage Impact Assessment, Guelph, ON
- William Barber House, 5155 Mississauga Road, Heritage Impact Assessment, Mississauga, ON
- Barra Castle Heritage Impact Assessment, Kitchener, ON
- 72 Beaumont Crescent Heritage Impact Assessment, Guelph, ON
- Biltmore Hat Factory Heritage Impact Assessment, Guelph, ON
- 1385 Bleams Road Heritage Impact Assessment, Kitchener, ON
- 140 Blue Heron Ridge Heritage Impact Assessment, Cambridge, ON
- 25 Breithaupt Street Heritage Impact Assessment, Kitchener, ON
- 51 Breithaupt Street Heritage Impact Assessment, Kitchener, ON
- 215 Broadway Street Heritage Impact Statement, Mississauga, ON
- Cambridge Retirement Complex on the former Tiger Brand Lands, Heritage Impact Assessment, Cambridge, ON
- Cambridge Retirement Complex on the former Tiger Brand Lands, Heritage Impact Assessment Addendum, Cambridge, ON
- 27-31 Cambridge Street, Heritage Impact Assessment, Cambridge, ON
- 3075 Cawthra Road Heritage Impact Statement, Mississauga, ON
- 58 Church Street Heritage Impact Assessment, Churchville Heritage Conservation District, Brampton, ON
- City Centre Heritage Impact Assessment, Kitchener, ON
- 175 Cityview Drive Heritage Impact Assessment, Guelph, ON
- 12724 Coleraine Drive Cultural Heritage Impact Statement, Caledon (Bolton), ON
- 12880 Coleraine Drive Cultural Heritage Impact Statement, Caledon (Bolton), ON
- Cordingly House Heritage Impact Statement, Mississauga, ON
- 264 Crawley Road Heritage Impact Assessment (farmstead, house & barn), Guelph, ON
- 31-43 David Street (25 Joseph Street) Heritage Impact Assessment, Kitchener, ON

- 35 David Street (Phase II) Heritage Impact Assessment, Kitchener, ON
- 75 Dublin Street Heritage Impact Assessment, Guelph, ON
- 24, 26, 28 and 32 Dundas Street East Heritage Impact Statement, Mississauga, (Cooksville), ON
- 1261 Dundas Street South Heritage Impact Assessment, Cambridge, ON
- 172 - 178 Elizabeth Street Heritage Impact Assessment, Guelph, ON
- 19 Esandar Drive, Heritage Impact Assessment, Toronto, ON
- 70 Fountain Street Cultural Heritage Impact Assessment, Guelph, ON
- 14 Forbes Avenue Heritage Impact Assessment, Guelph, ON
- 369 Frederick Street Heritage Impact Assessment, Kitchener, ON
- 42 Front Street South Heritage Impact Assessment, Mississauga, ON
- Grey Silo Golf Course/Elam Martin Farmstead Heritage Impact Assessment, City of Waterloo, ON
- GRCA Lands, 748 Zeller Drive Heritage Impact Assessment Addendum, Kitchener, ON
- Hancock Woodlands Heritage Impact Statement, City of Mississauga, ON
- 132 Hart's Lane, Hart Farm Heritage Impact Assessment, Guelph, ON
- 9675, 9687, 9697 Keele Street Heritage Impact Assessment, City of Vaughan (Maple) ON
- 13165 Keele Street Cultural Heritage Resource Impact Assessment, King Township (King City), ON
- 151 King Street North Heritage Impact Assessment, Waterloo, ON
- Kip Co. Lands Developments Ltd. Cultural Heritage Resource Impact Assessment - Woodbridge Heritage Conservation District, City of Vaughan (Woodbridge) ON
- 20415 Leslie Street Heritage Impact Assessment, East Gwillimbury, ON
- 117 Liverpool Street Heritage Impact Assessment, Guelph, ON
- 36-46 Main Street Heritage Impact Assessment, Mississauga, ON
- 30 - 40 Margaret Avenue Heritage Impact Assessment, Kitchener, ON
- 19 - 37 Mill Street Scoped Heritage Impact Assessment, Kitchener, ON
- 2610, 2620 and 2630 Mississauga Road, Cultural Landscape Heritage Impact Statement, Mississauga, ON
- 4067 Mississauga Road, Cultural Landscape Heritage Impact Statement, Mississauga, ON
- 1142 Mona Road, Heritage Impact Assessment, Mississauga, ON
- 1245 Mona Road, Heritage Impact Statement, Mississauga, ON
- 15 Mont Street, Heritage Impact Assessment, Guelph, ON
- Proposed Region of Waterloo Multimodal Hub at 16 Victoria Street North, 50 & 60 Victoria Street North, and 520 & 510 King Street West, Heritage Study and Heritage Impact Assessment, Kitchener, ON
- 6671 Ninth Line Heritage Impact Statement, Cordingley House Restoration & Renovation, Mississauga, ON
- 266-280 Northumberland Street (The Gore) Heritage Impact Assessment, North Dumfries (Ayr), ON
- 324 Old Huron Road Heritage Impact Assessment, Kitchener, ON
- 40 Queen Street South Heritage Impact Statement, Mississauga, (Streetsville), ON
- Rockway Holdings Limited Lands north of Fairway Road Extension Heritage Impact Assessment, Kitchener, ON
- 259 St. Andrew Street East Cultural Heritage Assessment, Fergus, ON
- 35 Sheldon Avenue, Heritage Impact Assessment, Kitchener, ON
- 43 Sheldon Avenue, Heritage Impact Assessment, Kitchener, ON
- 2300 Speakman Drive Heritage Impact Assessment, Mississauga, ON
- 10431 The Gore Road Heritage Impact Assessment, Brampton, ON
- 18, 20, 30 & 34 Thomas Street, Streetsville Heritage Impact Assessment, Mississauga, ON
- Thorny-Brae Heritage Impact Statement, Mississauga, ON
- 7 Town Crier Lane, Heritage Impact Assessment, Markham, ON
- University of Guelph, 3 - 7 Gordon Street Houses, Heritage Impact Assessment, Guelph, ON
- University of Guelph, Harrison House, Heritage Impact Assessment, Guelph, ON
- Victoria Park Proposed Washroom Cultural Heritage Impact Assessment, Kitchener, ON
- 927 Victoria Road South (barn) Heritage Impact Assessment, Guelph, ON
- 272-274 Victoria Street Heritage Impact Assessment, Mississauga, ON
- 26 - 32 Water Street North Heritage Impact Assessment, Cambridge (Galt), ON
- Winzen Developments Heritage Impact Assessment, Cambridge, ON

- 248-260 Woodbridge Avenue Cultural Heritage Resource Impact Assessment and Heritage Conservation District Conformity Report, Woodbridge Heritage Conservation District, City of Vaughan (Woodbridge)
- 35 Wright Street Cultural Heritage Resource Impact Assessment, Richmond Hill, ON
- 1123 York Road Heritage Impact Assessment, Guelph, ON
- 14288 Yonge Street, Heritage Impact Assessment, Aurora, ON

#### **Heritage Conservation Plans**

- William Barber House, 5155 Mississauga Road , Heritage Conservation Plan, Mississauga, ON
- 51 Breithaupt Street Heritage Conservation Plan, Kitchener, ON
- Hamilton Psychiatric Hospital Conservation Plan, for Infrastructure Ontario, Hamilton, ON
- Harrop Barn Heritage Conservation Plan, Milton, ON
- 120 Huron Street Conservation Plan, Guelph, ON
- 324 Old Huron Road Conservation Plan, Kitchener, ON
- Sixth Line Cultural Heritage Landscape Conservation Plan, Oakville, ON
- 264 Woolwich Street Heritage Conservation Plan, Guelph, ON
- 14288 Yonge Street Heritage Conservation Plan, Aurora, ON
- 1123 York Road Heritage Conservation Plan, Guelph, ON

#### **Heritage Conservation District Studies and Plans**

- Downtown Whitby Heritage Conservation District Study and Plan, Town of Whitby, ON
- MacGregor/Albert Heritage Conservation District Study and Plan, City of Waterloo, ON
- Queen Street East Heritage Conservation District Study, Toronto, ON
- University of Toronto & Queen's Park Heritage Conservation District Study, City of Toronto, ON

#### **Cultural Heritage Landscape Inventories/Studies**

- Cultural Heritage Landscape Study, City of Kitchener, ON
- Cultural Heritage Landscape Inventory, City of Mississauga, ON
- Cultural Heritage Resources Scoping Study, Township of Centre Wellington, ON

#### **Peer Reviews**

- Acton Quarry Cultural Heritage Landscape & Built Heritage Study & Assessment Peer Review, Acton, ON
- Belvedere Terrace - Peer Review, Assessment of Proposals for Heritage Property, Parry Sound, ON
- Forbes Estate Heritage Impact Assessment Peer Review, Cambridge (Hespeler), ON
- Heritage Square Heritage Impact Assessment Peer Review for Township of Centre Wellington (Fergus), ON
- Little Folks Heritage Impact Assessment Peer Review for Township of Centre Wellington (Elora), ON
- Potter Foundry and the Elora South Condos Heritage Impact Assessment Peer Review for Township of Centre Wellington (Elora), ON
- Tytler School Draft Designation Report Review, City of Guelph, ON
- 558 Welbanks Road, Quinte's Isle, miscellaneous heritage assessment documents, Prince Edward County, ON

#### **Expert Witness Experience**

- Oelbaum Ontario Municipal Board Hearing, Eramosa Township, ON, 1988
- Roselawn Centre Conservation Review Board Hearing, Port Colborne, ON, 1993
- Halton Landfill, Joint Environmental Assessment Act and Environmental Protection Act Board Hearing, 1994
- OPA 129 Ontario Municipal Board Hearing, Richmond Hill, ON, 1996
- Diamond Property Ontario Municipal Board Hearing, Aurora, ON, 1998
- Harbour View Investments Ontario Municipal Board Hearing, Town of Caledon, ON, 1998
- Aurora South Landowners Ontario Municipal Board Hearing, Aurora, ON, 2000
- Ballycroy Golf Course Ontario Municipal Board Hearing, Palgrave, ON, 2002
- Doon Valley Golf Course Ontario Municipal Board Hearing, Cambridge, ON, 2002
- Maple Grove Community Ontario Municipal Board Hearing, North York, ON, 2002

- Maryvale Crescent Ontario Municipal Board Hearing, Richmond Hill, ON, 2003
- LaFarge Lands Ontario Municipal Board Mediation, Guelph, ON, 2007
- 255 Geddes Street, Elora, ON, heritage opinion evidence - Ontario Superior Court of Justice, 2010
- Downey Trail Ontario Municipal Board Hearing, Guelph, ON, 2010
- Wilson Farmhouse Conservation Review Board Hearing, Guelph, ON, 2014
- 85 Victoria Street, Churchville Heritage Conservation District, Ontario Municipal Board Hearing, Brampton, ON, 2016
- Haylock / Youngblood Development OMB Mediation Hearing, Centre Wellington, ON, 2018
- Riverbank Drive LPAT Mediation Hearing, Cambridge, ON, 2019
- 50 Brookside Drive Ontario Land Tribunal Hearing, Kitchener, ON, 2021
- 70 Fountain Street, Skydevco Ontario Land Tribunal Hearing, Guelph, ON, 2022



# Heritage Permit Kit

for Properties Designated under Part IV  
of the Ontario Heritage Act

Heritage Attributes  
Masonry  
Character  
Designated  
Details  
Heritage  
Natural  
Historical  
Restoration  
Architectural  
Contextual  
Landscaping  
Alteration



**BRAMPTON**  
Flower City

Planning, Design and Development  
Heritage

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## **PART ONE - PROPERTY OWNER'S GUIDE:**

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### **Why Is A Heritage Permit Required?**

Heritage designation puts in place a simple and quick mechanism, through the heritage permit process, to encourage preservation properties designated under Part IV of the Ontario Heritage Act (section 29).

The heritage permit process is designed to ensure that the “heritage attributes”, as described in the designation by-law, are not obscured, damaged or destroyed unnecessarily by alterations and other forms of intervention. Heritage attributes are the elements that lend a property its cultural heritage value.

Any work likely to result in the loss, damage, alteration or removal of one or more heritage attributes requires written approval from City Council before the work can begin. This rule applies mostly to major exterior renovations, additions and other works subject to a building permit or demolition permit.

The heritage permit process was not designed to prevent alterations to heritage buildings. Its purpose is to guide alterations in a reasonable and balanced manner - never losing sight of the pragmatic considerations that often trigger the call for change in the first place.

The heritage permit process is also not intended to prevent the introduction of modern conveniences such as central air conditioning, wheel chair ramps, new windows, swimming pools, satellite dishes, garages, parking spaces, and modern interior design treatments. Again, the permit process is, in most cases, simply used to guide such changes so that the new feature or replacement feature does not diminish the heritage value of the property.

*“The process is generally not about “if” such changes can be made to a property - it's about “how” or “how best” within the budget constraints and objectives of the property owner - factoring in the significance of the heritage attributes that might be impacted.”*

It should be stressed that in most instances, the heritage permit process is surprisingly routine.

### **Legal Basis for Heritage Permit - Ontario Heritage Act**

To maintain consistency with provincial legislation and Brampton's new Official Plan, extending the heritage permit process Citywide, is recommended.

**Section 33** of the Ontario Heritage Act states that Council must provide its 'consent in writing' before any alterations can proceed that are likely to affect heritage attributes on properties designated under Part IV of the Act. The wording in the Act is as follows:

*“No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes... unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration.”*

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**Section 42** of the Ontario Heritage Act applies to properties designated under Part V of the Heritage Act (districts). It states:

*“The owner of property situated in a designated heritage conservation district may apply to the municipality for a permit to alter any part of the property other than the interior of a building or structure on the property or to erect, demolish or remove a building or structure on the property. 2005, c. 6, s. 32 (1).”*

Most municipalities have adopted a heritage permit system to manage the review and approval process as prescribed under sections 33 and 42 of the Ontario Heritage Act.

Despite the fact that section 33 of the Heritage Act only refers to “consent in writing” from Council, and does not specifically refer to a ‘permit’, it is industry practice to seek Council’s consent in writing, as the act requires, and to call that consent a ‘permit’.

### **What Are Heritage Attributes?**

In general terms heritage attributes are the materials, details, forms, spatial configurations, uses, historical and cultural associations and character defining elements that collectively contribute to the cultural heritage value of the designated property.

A heritage designation by-law identifies and describes these heritage attributes so that everyone knows what features should be given special consideration when an alteration is proposed.

In specific terms, these attributes can be architectural, contextual, natural and/or historical. The heritage permit focuses on the architectural and contextual elements:

**Architectural heritage attributes often include:** windows, chimneys, verandahs, porches, doors, exterior cladding materials, decorative millwork and detailing, shutters, trim, stonework and any other structural features that are obviously old or original to the building.

**Contextual and natural heritage attributes can also be significant** - particularly with regard to the designation of streetscapes, farms, cemeteries and districts. They include: visual and aesthetic qualities, historical landscaping features, mature trees and hedgerows, fences, laneways, vistas, barns and other features found on the property.

**Historical heritage attributes** relate to past ownership, history, events and associations with broader themes and subjects.

Rarity, age, landmark status, construction methods, symbolic value and other factors are also taken into consideration, depending on the type of property being designated.

### **When Is A Heritage Permit Required?**

In the most general sense, as outlined in the Heritage Act, a heritage permit is required prior to any alteration likely to result in the loss, removal, obstruction, replacement, damage or destruction of one or more heritage attributes on a property designated under Part IV of the Ontario Heritage Act.

As a rule of thumb, a heritage permit is always required for any large-scale exterior renovations and additions; essentially any works that would also require a building permit, demolition permit or other formal approvals by the City, conservation authorities and/or other agencies and other levels of government.

A heritage permit may also be required for some smaller scale projects (*e.g. replacing a front door, removing a verandah railing, etc*), if that project would impact existing heritage attributes and features as found.

The heritage permit process applies to the entire property and all exterior elevations - not just to the front facade.

Whether a heritage permit is required or not, you must still comply with the requirements of the Zoning By-law and Building Code.

Heritage permits should always be secured before seeking any other approvals, such as minor variances from the Committee of Adjustment, approvals from conservation authorities, site plan approvals and so on.

### **Typical Projects That Do Require A Heritage Permit:**

**New Construction:** such as new additions, introducing new exterior architectural detailing and finishes, along with new garages, fences, barns, outbuildings, porches, verandahs, steps and decks;

**Major Structural Alterations and Rehabilitation Projects:** such as replacement, removal and changes to existing porches, verandahs, windows and window openings, doors and door openings, chimneys, awnings, existing millwork, decorative elements, detailing and finishes, foundations, barns, outbuildings and the like;

**Major Changes to Exterior Walls and Cladding** such as introduction or removal of metal soffits, fascia, vinyl siding, stucco finishes; painting previously unpainted masonry walls or removing paint from painted masonry walls; repointing masonry, replacing bricks, repairing or replacing stone finishes, parging foundation (is there another way to describe this that average people would recognize) walls, removing key wall features such as lintels, sills, parapets, chimneys, quoins, voussoirs (these two terms too), removing insulbrick, and the like;

**Major Landscaping:** such as removal of mature trees, removal or significant alterations to period gardens and hedgerows, installation of new landscaping plans, patios, paths and laneways, altering or removing original or vintage pergolas, fences, garages, outbuildings and the like;

**New Signage;**

**Historical Restoration Projects:** such as restoration or replication of original or vintage period elements including verandahs, millwork, finishes and the like;

**Any Other Larger Scale Exterior Alterations or Structural Repairs** that are likely to affect existing heritage attributes anywhere on the property.

**Typical Projects That Do Not Require A Heritage Permit:**

If works are not likely to affect existing designated heritage attributes, a heritage permit is not required. If in doubt, contact the City for confirmation.

A property owner does not require a heritage permit for regular or routine maintenance and other day-to-day activities or functions required to use, maintain and enjoy a property.

Routine care, maintenance and minor repairs do not require a heritage permit.

Examples of such work include:

- Minor repairs to windows, doors, eaves troughs, fences, foundations, roofing, railings, steps, chimneys, etc;
- Weather-stripping, insulating, etc;
- Interior work such as plumbing and electrical upgrades, interior painting, interior renovations and other works, provided interior spaces, detailing and finishes and are not included in the scope of heritage designation; (other City permits may be required however).
- New roof shingles;
- All forms of exterior painting (suitable heritage colour schemes are encouraged but are not required);
- Construction of backyard patios, tool sheds, other small outbuildings if they are to be located at the rear of the property and/or if not readily visible from the street or other public areas;
- Gardening and minor landscaping;

**How Long Does the Permit Review Process Take?:**

The Ontario Heritage Act is very specific on this point. Once a complete permit application is received, the City is to *“cause a notice of receipt to be served on the applicant”*.

Council must then make its decision regarding the merits of an application within 90 days. If mutually agreed upon, an extension can be granted.

If the applicant does not hear back after the 90-day period expires the council shall be deemed to have consented to the application. Although the standard procedure would be for the City to notify the applicant of Council's decision.

**Role of the Property Owner / Applicant:**

The property owner must evaluate the proposed scope of work and determine if that work is likely to affect the heritage attributes as designated. If in doubt, they should contact the City Heritage Coordinator for confirmation.

If a heritage permit is required, the applicant should work with the Heritage Coordinator. Together they can review the heritage considerations and fill out the application form.

When ready, the applicant must submit the completed heritage permit application form, along with any supporting information as required, to the Heritage Coordinator.

Applicants and/or their agents are encouraged to come before the Heritage Board as a delegation to briefly outline the scope of their heritage permit application and to answer questions. Arrangements can be made with the Heritage Coordinator.

### **Role of the Heritage Coordinator:**

Heritage permit applications are available from the Heritage Coordinator the Planning Design and Development Department (3rd Floor, City Hall).

The completed application form, along with the required plans, is to be submitted to the Heritage Coordinator. The Heritage Coordinator will review the application and provide comments and recommendations.

Prior to submitting a Heritage permit application, applicants are encouraged to discuss their proposal with the Heritage Coordinator.

The Heritage Coordinator will assist the property owner at every step of the way with application process.

The Heritage Coordinator will also circulate the application to other departments as required for review and comment.

Finally, the Heritage Coordinator will take the heritage permit application to the Brampton Heritage Board for review and endorsement.

### **Role of the Brampton Heritage Board:**

The Brampton Heritage Board (BHB) reviews all heritage permit applications. The Board makes recommendations: to approve, approve with terms and conditions or to refuse. These recommendations are then submitted to the Planning Design and Development Committee (PDD) and then City Council.

The BHB comments and recommendations are forwarded to PDD and City Council - either through a motion in the minutes or in a follow-up staff report.

### **Role of Planning, Design and Development Committee and City Council:**

The Planning Design and Development Committee (PDD) and City Council will consider the permit application on its merits factoring in the comments and recommendations of staff and the Brampton Heritage Board.

**PDD Committee and City Council will then:**

- (1) Approve the permit without conditions;
- (2) Approve the permit with certain terms and conditions;
- (3) Refuse the permit.

Assuming City Council approves the permit, the City Clerk's Department issues correspondence and the heritage permit is then prepared by the Heritage Coordinator and mailed to the applicant. A copy of the permit is circulated to the Building Division.

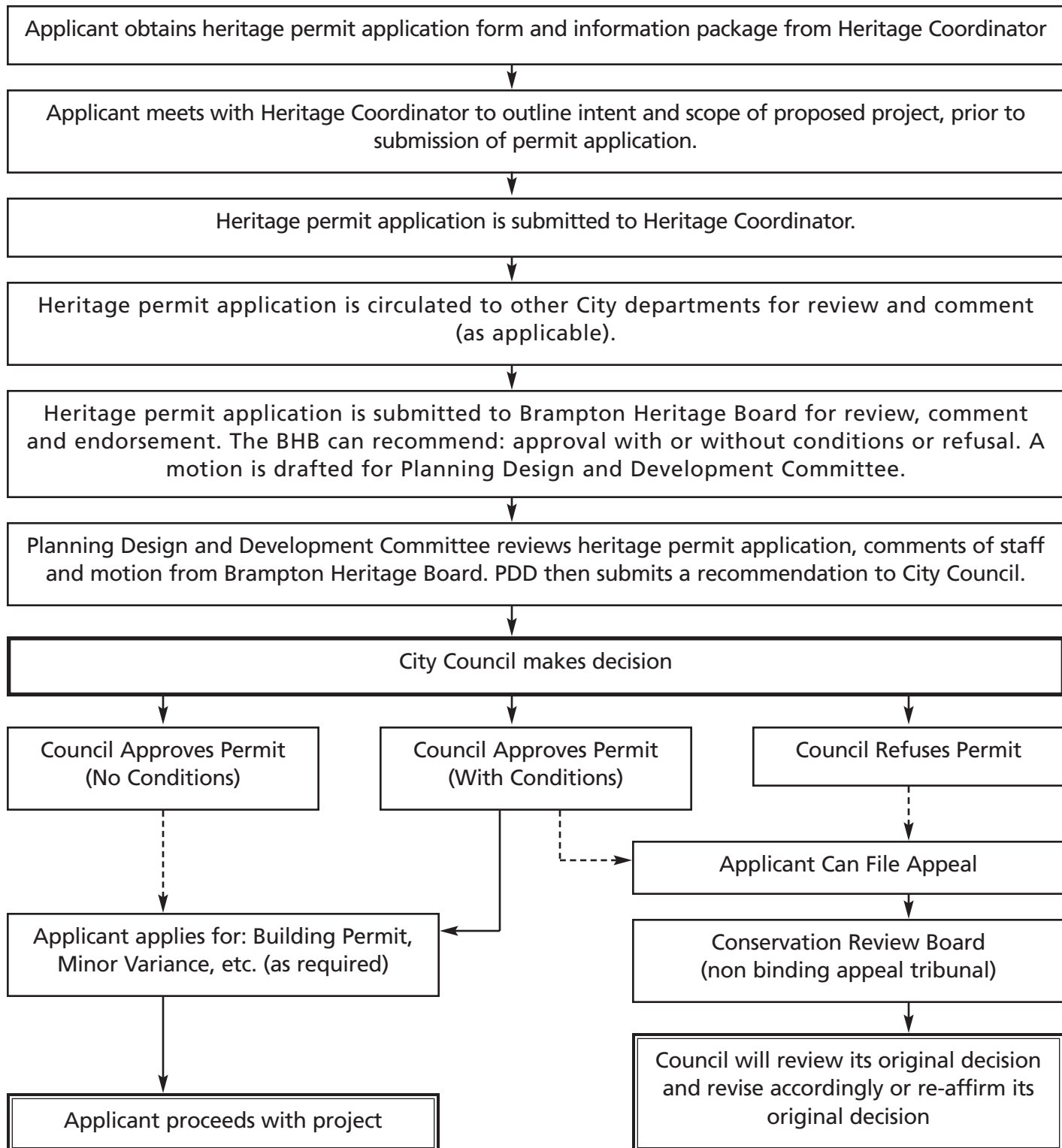
**Role of Conservation Review Board - Appeals:**

All applicants have the right to appeal if in a heritage permit application is refused by City Council or if the applicant does not support any terms and conditions. It is rare for City Council to refuse a heritage permit application.

The permit applicant always has the right to appeal. Applicants can apply to Council for a hearing before the Conservation Review Board (CRB). The Council will refer the matter to the Board. A hearing will be held and the Board will prepare a report for Council. Council will review the Board report and will either reaffirm its original decision or revise it accordingly. Council's decision is final.

The Conservation Review Board (CRB) was established in 1975 with the passage of the Ontario Heritage Act, as a Schedule I Agency whose mandate is to conduct hearings and make non-binding recommendations dealing with objections under Parts IV of the Ontario Heritage Act.

## HERITAGE PERMIT APPLICATIONS PART IV DESIGNATIONS - PROCESS FLOW



## **Supporting Documentation:**

In order to describe the intent and scope of a proposed project certain documents and supporting materials should be included with a heritage permit application. Applicants may be required to submit some or all of the following supporting documentation:

**Drawings / Plans** should be folded to 8.5" x 11" paper size, if possible, and should be measured in metric scale.

**Photographs** – May be colour or black and white and labelled. A general view of the street showing the building and adjacent properties (streetscape), as well as a frontal view of the existing building and a photograph of each elevation are recommended.

**Registered Survey** should be up to date with no construction since time of survey. The survey should be a copy of the original survey that has been prepared by an Ontario Land Surveyor. All existing easements and right-of-ways should be shown.

**Site Plans** – Showing existing and proposed structure(s)/addition(s) on the lot, setbacks from front, rear and side lot lines, demolition of existing site features, and location of proposed site features such as parking spaces, driveways, walls, gates, fences, trees, hydro poles, retaining walls, fire hydrants, and accessory buildings.

**Floor Plans** – Depicting the arrangement of interior spaces, including the existing and proposed location of walls, windows and doors. All rooms should be labelled as to use, with dimensions on each floor plan in metric scale.

**Building Elevations** – Showing all elevations of the proposed addition/alteration. Suggested details to include consist of: building height, existing/proposed grade, finished floor elevations, window and door openings, roof slopes, building materials, location and type of outdoor lighting fixtures, railings, design/location of signage, down spouts, porches, landings, stairs and balconies.

**Outline Material Specifications** – Samples, brochures, etc. of all exterior materials, finishes and colours will assist the Committee, Board and City staff in making their recommendations.

**Summary of Supporting Documents Required According to Type of Project:**

In some cases a few photographs may be sufficient to support a permit application.

If a larger project is proposed, more supporting material is required. The following list outlines what supporting documentation is generally required by type of project:

**Major Repair, Upgrade or Larger-scale Maintenance Projects (e.g. replacement of windows)**

- i) Photographs
- ii) Outline and samples of materials or products to be used
- iii) Brief description of work specifications and techniques to be applied

**Additions and Construction of New Buildings**

- i) Photographs
- ii) Site plan
- iii) Plans and elevations of existing structure - "as built"
- iv) Plans and elevations of proposed work
- v) Outline and samples of materials to be used
- vi) Description of construction specifications

**Major Alterations**

- i) Photographs.
- ii) Outline and samples of materials or products to be used
- iii) Description of work specifications and techniques to be applied
- iv) Outline and samples of materials to be used

**Exterior and Interior Restorations (i.e. replicating or revealing lost heritage elements)**

- vii) Detail photographs of all features and attributes to be restored
- viii) Brief description of restoration techniques to be applied
- ix) Outline and samples of materials to be used (e.g. mortar mixes)
- x) Copies of historical photographs or references used to document features being restored
- xi) Description of construction specifications

**Relocation of an Existing Structure**

- i) Photographs
- ii) Current registered survey
- iii) Site plan
- iv) Plans and elevations documenting existing structure

**Land Division**

- i) Photographs
- ii) Current registered survey
- iii) Site plan and subdivision

### **New Signage**

- i) Photographs – (streetscape and property)
- ii) Site Plan
- iii) Elevations affected by signage
- iv) Design of sign, including dimensions, materials list and colour scheme

### **Demolitions**

- i) Photographs of structures proposed for demolition
- ii) Current registered survey
- iii) Plans and elevations documenting existing structure
- iv) Material salvage plan as necessary

## **Standards Used to Evaluate Heritage Permit Applications:**

The following guiding principles are based on the Ontario Ministry of Culture principles of conservation for heritage properties. These principles are based on international charters, which have been established over several decades.

### **1. RESPECT FOR DOCUMENTARY EVIDENCE:**

**Do not base restorations solely on conjecture.** Conservation work should be based on historic documentation and/or historical precedents using archival photographs, drawings, physical evidence and historical references.

### **2. RESPECT FOR THE ORIGINAL LOCATION:**

**Do not move buildings unless there is no other means to save them.** Site is an integral component of a building. Change in site diminishes heritage value considerably.

### **3. RESPECT FOR HISTORIC MATERIAL:**

**Repair and Conserve existing materials and finishes rather than replacing them - except where absolutely necessary.** Minimal intervention maintains the historical integrity and true character of the resource and is often less expensive!

### **4. RESPECT FOR ORIGINAL FABRIC:**

**Repair with like material whenever possible.** Repair to return the resource to its prior condition, without altering its integrity.

### **5. RESPECT FOR THE BUILDING'S HISTORY:**

**Do not restore to one period at the expense of another period.** Do not destroy later additions to a house solely to restore to a single time period. Removal of later additions is valid only when a later addition is uncomplimentary or inappropriate historically.

Also, ensure that the massing and height of new additions do not overshadow the heritage portions of the building. Additions should appear smaller and subordinate to the original or early portions of the building. Ideally, they should be located to the rear of the heritage portion of the building.

#### **6. REVERSIBILITY:**

Whenever possible, alterations should be executed in such that they could be reversed later and returned to original conditions. This conserves earlier building design and technique. For example, when a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.

#### **7. LEGIBILITY:**

New work should be distinguishable from old. Building additions and new construction should be recognized as products of their own time, and new additions should not blur the distinction between old and new by slavishly attempting to duplicate. Strive for complimentary additions not replicas of the existing building.

#### **8. MAINTENANCE:**

With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided.

## **10 Ways to Ruin an Old Building**

1. Hiring consultants, architects and/or contractors who do not specialize or who have not had experience working with heritage buildings
2. Neglecting the building by avoiding routine maintenance and regular upkeep. Costs add up and work become more complicated
3. Using Portland cement instead of softer lime mortar for old brick and stone repairs
4. Painting or coating surfaces that were originally left unpainted/uncoated such as brick walls and stone. Repair individual brick and stone instead. Avoid covering masonry walls with stucco-like coatings. They can destroy the brick underneath and greatly diminishes heritage value
5. Enlarging or altering the building in a manner that conflicts with its architectural style, form or time period
6. Introducing “period” details that were never intended for the building or removing vintage details that may not be “original”
7. Replacing original or vintage details unnecessarily and/or with modern materials that do not match (e.g. replacing wood sash windows with plate glass panels or vinyl casement windows)
8. Locating modern services and equipment (e.g. satellite dishes) in obvious, indiscrete locations (e.g. front of the house)
9. Using cleaning methods that damage original surfaces (e.g. sandblasting or caustic cleaners). Remember, old brick is supposed to look old
10. Not recognizing and embracing the value of natural age, character and patina found in old buildings

## **PART TWO - HERITAGE PERMIT APPLICATION:**

### **HERITAGE PERMIT APPLICATION FORM**

In accordance with the Ontario Heritage Act a heritage permit must be issued by City Council for all proposals to erect, remove or alter the exterior of buildings, structures or other features described as heritage attributes within the scope of a heritage designation by-law.

City staff and the Brampton Heritage Board review all applications and then submit them to City Council for approval.

City Council has the authority under the Ontario Heritage Act to approve any heritage application either with or without conditions or to refuse the permit application entirely.

Please provide the following information (type or print)

#### **A. REGISTERED OWNER**

**NAME OF REGISTERED OWNER(S)** Sean Lall, Kekuli Ranatunga, Michael Lall, Zarena Lall, Vivake Lall

**TELEPHONE NO. HOME** (647)224-3588      **BUSINESS:** (647)205-4561      **FAX:** (   )

**E-MAIL ADDRESS:** seankekuli@gmail.com

**MAILING ADDRESS:** 85 Victoria Street, Brampton. ON. L6Y0A6

#### **B. AGENT**

(Note: Full name & address of agent acting on behalf of applicant; e.g. architect, consultant, contractor, etc)

**NAME OF AGENT(S)** Don Arthur

**TELEPHONE NO. HOME** (289)233-6248      **BUSINESS:** (   )      **FAX:** (   )

**E-MAIL ADDRESS:** donarthur15@yahoo.com

**MAILING ADDRESS:** 60 Victoria Street, Brampton. ON. L6Y 0A6

*Note: Unless otherwise requested, all communications will be sent to the registered owner of the property.*

### C. LOCATION / LEGAL DESCRIPTION OF SUBJECT PROPERTY

**LOTS(S) / BLOCK(S) 17, 12, 18**

**CONCESSION NO.**

REGISTERED PLAN NO. TOR 11

**PART(S) NO.(S)**

REFERENCE PLAN NO.

**ROLL NUMBER:****PIN (PROPERTY IDENTIFICATION NO.)** 14085 0084

## D. OVERALL PROJECT DESCRIPTION / SUMMARY OF PROPOSAL

Severance from the existing lot of 85 Victoria Street, Brampton for the purpose of the construction of a new swelling and accessory on the severed lot.

## E. DESCRIPTION OF WORKS

(Please briefly describe the proposed works as they fit within one or more of the categories below; note the specific features that would be affected. Use separate sheets as required; attach appropriate supporting documentation; point form is acceptable):

**Rehabilitation and/or Preventative Conservation Measures** (e.g. repointing masonry; note which heritage attributes and features would be impacted and where, materials to be used, specifications and techniques):

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**Major Alterations, Additions and/or New Construction** (note which attributes to be impacted, location of work, materials to be used, specifications and techniques):

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**Restoration** (i.e. replicating or revealing lost elements and features; note which attributes to be impacted and where, materials to be used, specifications and techniques):

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## F. SCOPE OF WORK IMPACTING HERITAGE PROPERTY

(Check all that apply)

NEW CONSTRUCTION IS PROPOSED ☐

DEMOLISH ☐

ALTER ☐

EXPAND ☐

RELOCATE ☐

## G. SITE STATISTICS (For addition and construction of new structures)

LOT DIMENSIONS      FRONTAGE 34.2 m      DEPTH 24.95 m - 54.2 m

LOT AREA      1000.34      m<sup>2</sup>

EXISTING BUILDING COVERAGE      \_\_\_\_\_ %

BUILDING HEIGHT      EXISTING      \_\_\_\_\_ m

PROPOSED      \_\_\_\_\_ m

BUILDING WIDTH      EXISTING      \_\_\_\_\_ m

PROPOSED      \_\_\_\_\_ m

ZONING DESIGNATION RHM2

OTHER APPROVALS REQUIRED: (Check off only if required)

MINOR VARIANCE (COA)      \_\_\_\_\_

SITE PLAN APPROVAL      \_\_\_\_\_

BUILDING PERMIT      \_\_\_\_\_

CONSERVATION AUTHORITY      \_\_\_\_\_

SIGN BYLAW APPROVAL      \_\_\_\_\_

(Note: IF YES, other approvals should be scheduled after the Heritage Permit has been approved by City Council)

## H. CHECKLIST OF REQUIRED INFORMATION SUBMITTED

(Check all that apply)

- ☒ REGISTERED SURVEY
- ☒ SITE PLAN (showing all buildings and vegetation on the property)
- ☐ EXISTING PLANS & ELEVATIONS - AS BUILT
- ☐ PROPOSED PLANS & ELEVATIONS
- ☐ PHOTOGRAPHS
- ☐ MATERIAL SAMPLES, BROCHURES, ETC
- ☐ CONSTRUCTION SPECIFICATION DETAILS


## I. AUTHORIZATION / DECLARATION

I HEREBY DECLARE THAT THE STATEMENTS MADE HEREIN ARE, TO THE BEST OF MY BELIEF AND KNOWLEDGE, A TRUE AND COMPLETE PRESENTATION OF THE PROPOSED APPLICATION.

I UNDERSTAND THAT THIS HERITAGE PERMIT DOES NOT CONSTITUTE A BUILDING PERMIT PURSUANT TO THE ONTARIO BUILDING CODE.

I ALSO HEREBY AGREE TO ALLOW THE APPROPRIATE STAFF OF THE CITY OF BRAMPTON TO ENTER THE SUBJECT PROPERTY IN ORDER TO FULLY ASSESS THE SCOPE AND MERITS OF THE APPLICATION.

*(Property entry, if required, will be organized with the applicant or agent prior to entry)*

  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

30 May, 2023  
\_\_\_\_\_  
Date of Submission

Heritage Permit applications are submitted to the Planning, Design and Development Department, 3rd Floor Counter, Brampton City Hall,

The personal information on this form is collected under the authority of the *Ontario Heritage Act*, RSO 1990. The information will be used to process the Heritage Permit Application. Questions about the collection of personal information should be directed to the Heritage Coordinator, 2 Wellington Street West, Brampton, Ontario L6Y 4R2, 905-874-3825.

**J. APPROVAL CHECKLIST**  
(Internal use only)

Authority:	Date:	Resolution:
Brampton Heritage Board	_____	_____
Planning Committee (PDD)	_____	_____
City Council	_____	_____

## **APPENDIX - HERITAGE REVIEWS IN LAND USE PLANNING PROCESS**

### **Brampton Heritage - Land Use Planning**

#### **Policy Context:**

##### **Ontario Heritage Act (2005):**

The Act provides statutory protection for designated heritage properties including demolition control, enforcement provisions, minimum property standards, etc.

Section 33 of the Ontario Heritage Act states:

*“No owner of property designated... shall alter the property or permit the alteration of the property if the alteration is likely to affect the property’s heritage attributes... unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration.”*

##### **Stronger City of Toronto for a Stronger Ontario Act, 2006:**

This new piece of legislation contains certain provisions affecting all municipalities.

The Act amends Ontario Heritage Act; introduces additional statutory protection across Ontario; requires owners of listed properties to give a municipality at least 60 days notice of the owner's intention to demolish or remove a building or structure on the property.

##### **Ontario Planning Act:**

Section 2 of the Planning Act declares that the “conservation of features of significant architectural, cultural, historical, archaeological or scientific interest” is a Provincial Interest. Municipal councils, local boards, planning boards and the Ontario Municipal Board shall have regard for this interests as they carry out their responsibilities under the Act.

##### **Provincial Policy Statements - PPS (2005):**

The Provincial Policy Statement (PPS, 2005) is the framework for broad, integrated and long term planning. It provides policy direction to municipalities and approval authorities that make decisions on land use planning matters.

All decisions affecting land use planning matters “shall be consistent with” the Provincial Policy Statements.

Section 2.6 sets out the cultural heritage and archaeology policies. The two policies most pertinent are:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

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2.6.3 Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

The PPS, 2005, together with the provisions of the Ontario Heritage Act and its regulations strengthens the framework for the identification and protection of Ontario's cultural heritage and archaeological resources.

**Building Code:**

Part 11 provides compliance alternatives "where the chief building official" is satisfied that compliance with the standard requirements under the Code are impracticable because "it is detrimental to the preservation of a heritage building".

The Code would allow, for instance, the conversion of an older industrial building to residential use without requiring the use of non-combustible construction throughout the building.

Also, where an existing building is subject to material alteration or repair, the Building Code will apply only to those parts of the building that are subject to such work, and the entire building is not required to be brought into compliance with modern standards.

**Brampton Official Plan (2006):**

4.9.1.3 All significant heritage resources shall be designated as being of cultural heritage value or interest in accordance with the Ontario Heritage Act to help ensure effective protection and their continuing maintenance, conservation and restoration.

4.9.1.8 Heritage resources will be protected and conserved in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards. Protection, maintenance and stabilization of existing cultural heritage attributes and features over removal or replacement will be adopted as the core principles for all conservation projects.

4.9.1.9 Alteration, removal or demolition of heritage attributes on designated heritage properties will be avoided. Any proposal involving such works will require a heritage permit application to be submitted for the approval of the City.

4.9.9.15 Impact on the significant heritage elements of designated and other heritage resources shall be avoided through the requirements of the City's sign permit application system and the heritage permit under the Ontario Heritage Act.

### **Heritage Considerations Within Land Use Planning Process:**

1. Receive notification from Planning and Building staff of proposed development applications, building and demolition permit applications, site plan applications, minor variance applications, informal proposals; (Communication protocols are critical).
2. Circulate information on known heritage resources within subject and adjacent lands to all parties (i.e. City staff, landowner, consultants, etc).
3. Field assessment of the subject lands:
  - documenting all heritage resources including cultural landscapes and other contextual features, natural heritage elements, areas of archaeological potential, standing structures not previously listed or designated, etc.
4. Where necessary, call for heritage impact assessment by qualified heritage consultant affiliated with the Canadian Association of Professional Heritage Consultants (CAPHC).
5. Where necessary, call for archaeological assessment by licensed archaeologist if archaeological potential is apparent.
6. Propose strategies for mitigation tailored to the cultural heritage significance of any affected resources - build consensus; (This seems out of context – maybe additional explanation is needed?)

Mitigation can include:

- retention or partial retention (e.g. front façades);
- adaptive reuse;
- heritage designation - as condition of approval;
- heritage conservation easements;
- cost sharing agreements;
- letters of credit;
- archaeological assessments;
- documentation;
- relocation and adaptive reuse;
- salvage;
- site security measures;
- preventative and long term conservation plans;
- sensitive site avoidance measures.

7. Review and provide comments to City staff upon submission of studies, draft guidelines, heritage impact reports, etc.
8. Provide comments on recommended mitigation.
9. Formalize mitigation measures through conditions in agreements.
10. Brief Brampton Heritage Board and Planning, Design and Development Committee as required.

11. If property is designated under either Part IV or V of the Ontario Heritage Act statutory approval by Council is required (i.e. heritage permit process followed by endorsement of Brampton Heritage Board and approval by Council).
12. Work with landowners to ensure approved mitigation plans are implemented, prepare designation reports and bylaws, negotiate easement agreements and ensure prior to conditions are satisfied.

**Planning Processes Where Heritage Reviews May Be Applicable:**

Environmental Assessments  
Official Plan / Amendments  
Secondary Plans / Amendments  
Block Plans  
Zoning Bylaws / Amendments  
Subdivision Agreements  
Site Plan Applications / By-laws  
Architectural Controls  
Minor Variances - Committee of Adjustment  
Building Permits  
Demolition Permits  
Sign Permits  
Topsoil stripping permits  
Downtown Façade Improvement Loans  
Heritage Incentive Grant Program  
Capital Works on City Owned Assets  
Property Maintenance Standards  
Bylaw Enforcement  
Public Works (e.g. in Village of Churchville)  
Parks Planning

## APPENDIX - HERITAGE PERMIT APPLICATIONS - STAFF CHECKLIST

1. Significance of the Heritage Property	Yes	No	N/A
i) Is the current property a prominent local landmark?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Do the proposed changes compliment or contribute to the character of the surrounding streetscape or neighbourhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Will the proposed changes be visible from the street or other nearby public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Does the property hold provincial or national significance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Architectural Heritage Attributes	Yes	No	N/A
i) Is the current building considered to be a good example of a particular style of architecture (e.g. Gothic Revival)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Have the possible impacts on existing architectural heritage attributes been sufficiently considered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Have measures been taken to protect or avoid impacts to existing architectural heritage attributes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Have sufficient measures been taken with plans and designs to ensure compatibility between new and old?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v) Are any existing architectural heritage attributes being replaced? If so, are these replacement features appropriate, both visually and functionally with the existing structure?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
vi) Has the applicant provided justification for the alteration, removal or replacement of existing architectural heritage attributes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
vii) Do the proposed works effectively compliment the existing building and its architectural heritage attributes in massing, material(s) composition, design, texture and colour?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 3. Compatibility of Materials and Detailing

Yes No N/A

- i) Are original materials and detailing being retained and repaired to the greatest degree possible? ☐ ☐ ☐
- ii) Where removal or replacement of original materials and detailing is proposed, has the applicant provided appropriate evidence/rationale for why this is necessary? ☐ ☐ ☐
- iii) Are replacement materials and detailing, as proposed, appropriate and compatible with the following structural elements as applicable:
- Foundations ☐ ☐ ☐
  - Wall cladding (e.g. stucco, clapboard, and brick) ☐ ☐ ☐
  - Roofing ☐ ☐ ☐
  - Chimney and other roof structures ☐ ☐ ☐
  - Exterior trim work and detailing ☐ ☐ ☐
  - Windows and doors ☐ ☐ ☐
  - Porches and verandahs ☐ ☐ ☐
  - Fences and retaining walls ☐ ☐ ☐
  - Colour Schemes (i.e. Paint - Exterior colours) ☐ ☐ ☐
- viii) Are replacement materials similar to or complimentary to the prevailing building or on adjacent properties in the neighbourhood, area or streetscape? ☐ ☐ ☐
- ix) Are conservation/preservation measures, materials and techniques compatible with recognized heritage conservation standards (e.g. natural lime mortar mixes instead of Portland cement, gentle cleaning methods, etc)? ☐ ☐ ☐
- x) Are restoration techniques compatible with recognized heritage conservation standards? Have appropriate measures been taken to ensure protection and avoidance of existing architectural heritage attributes during construction phase? ☐ ☐ ☐

4. Windows, Doors, Porches	Yes	No	N/A
i) Are original windows and doors being retained where possible?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Are new windows, if any, consistent in size, shape, configuration, materials, opening and placement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Are new doors, if any, consistent in size, shape, configuration, materials, opening and placement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Is the design of the new porch or verandahs, if any, compatible with the character of the existing heritage building(s) and/or surrounding building stock?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Roofs	Yes	No	N/A
i) Is the roofline, roof details and roof pitch consistent with the existing heritage building? (Every effort should be made to respect the predominant roof line and to minimize the impacts.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Are proposed roof vents, solar panels, skylights, dormers and satellite dishes located inconspicuously away from public view and in a manner that does not damage important heritage attributes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Overall Scale	Yes	No	N/A
i) Is the scale and size of the proposed alteration/addition in keeping with the prevailing character and massing of the existing heritage building(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Is the alteration/addition in keeping with the building heights and scale found on adjacent properties and with the immediate streetscape or neighbourhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Do upper storey additions compliment the height and roof profile of existing rooflines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Location & Setbacks	Yes	No	N/A
i) Is the proposed alteration or addition (including attached garages, balconies and greenhouses) located in a subordinate location or to the rear of existing heritage building?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Are the setbacks for this application consistent with those found along the streetscape and in particular with neighbouring structures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Are new structures or outbuildings to be located in a subordinate location or to the rear of existing heritage building and principle facades?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) If a garage and driveway are proposed, has the impact been minimized by locating them to the rear or to the side of the existing heritage building(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

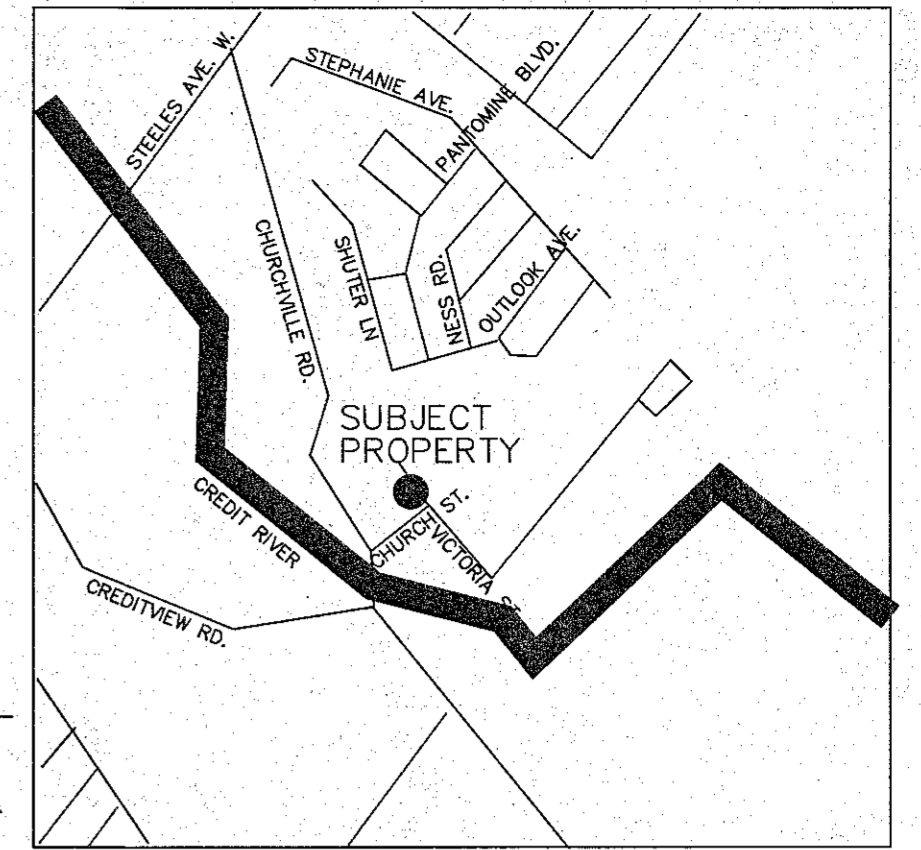
  

8. Contextual and Natural Heritage Attributes	Yes	No	N/A
i) Do the proposed changes maintain traditional views, vistas and spaces of the property and surrounding neighbourhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) If not, have satisfactory mitigation been outlined?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Do the proposed changes attempt to preserve and maintain existing driveways, walkways, fences and walls that contribute to the character of the grounds surrounding the heritage building?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Do the proposed changes maintain heritage attributes and features found on the grounds such as front lawns, vistas, mature trees, hedges, and period gardens?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v) Do fences, walls, gates, pathways, plantings, and light standards reflect the historic presence and character of the property and streetscape or neighbourhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
vi) Do the proposed changes impact views of the heritage attributes from the street and other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
vii) Have appropriate measures been taken to ensure protection and avoidance of existing contextual and natural heritage attributes during construction phase?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

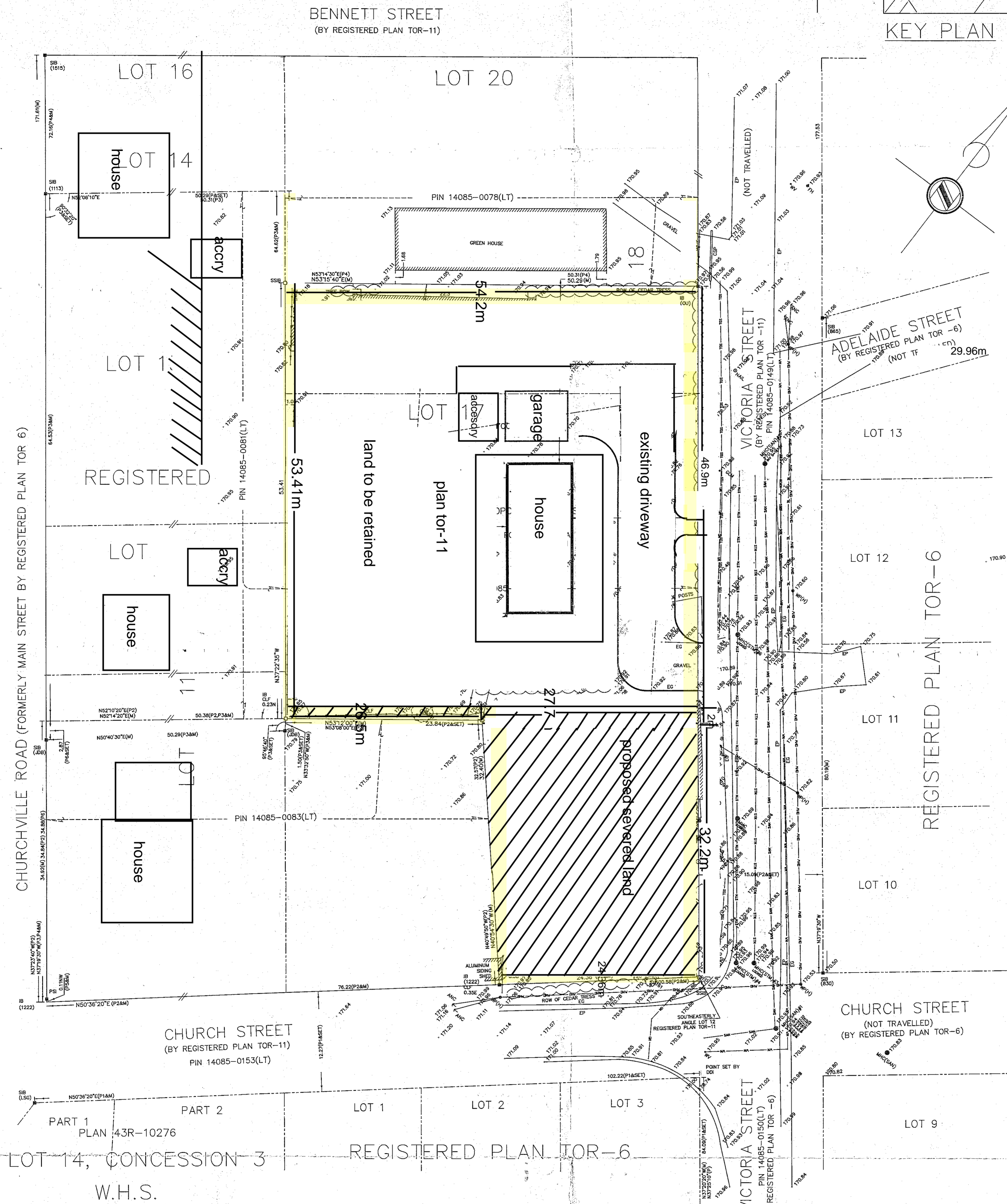
## This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

SKETCH ILLUSTRATING  
TOPOGRAPHIC INFORMATION  
85 Victoria st, formerly known as 58 CHURCH STREET  
CITY OF BRAMPTON  
REGIONAL MUNICIPALITY OF PEEL

SCALE 1: 250  
David B. Searles Surveying Ltd.  
ONTARIO LAND SURVEYORS  
METRIC  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN  
METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



KEY PLAN



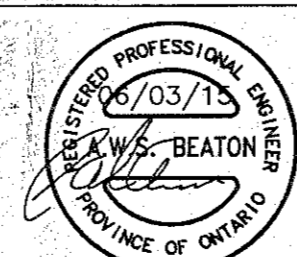
SITE PLAN STATISTICS		METRIC:	IMPERIAL:
LOT AREA:		9054.91	97466.27
LOT COVERAGE:		348.42	3750.36
(INCLUDES PORCHES & DECKS)			
GROSS FLOOR AREA PERMITTED:		255.46	2750.00
GROSS FLOOR AREA:			
PROPOSED:	254.32	2737.73	
GROUND FLOOR:	137.83	1483.73	
SECOND FLOOR ADDITION:	116.49	1254.00	
TOTAL:	254.32	2737.73	
BASEMENT/CRAWLSPACE:			
PORCHES:	137.83	1483.73	
EXISTING GARAGE:	49.05	528.00	
MIN. HEIGHT:	8.53	28.00	
PERMITTED:	8.70	28.54	

SETBACKS	EXISTING	PROPOSED	ALLOWABLE
FRONT YARD		11.37 m	MIN 9.06 m (Zoning Notice 07/04/2015)
REAR YARD		23.44 m	MIN 7.5 m
EAST SIDE YARD		12.04 m	MIN 1.2 m
WEST SIDE YARD		17.87 m	MIN 1.2 m
BUILDING HEIGHT		7.47 m	MAX 9.5 m
HEIGHT OF EAVES		5.06 m	MAX 6.5 m

REVISED JAN. 2, 2017

David B. Searles Surveying Ltd.		Calculator	Draftsperson
ONTARIO LAND SURVEYORS		1495	KP/BJ
4255 Sherwoodtowne Blvd., Suite 206, Mississauga, Ontario L4Z 1Y5		Editor	Plan Index No.
Tel: (905) 273-6840 Fax: (905) 896-4410			D 16
Email: info@dssearles.ca			
Calculation File	Drawing File	File No.	
	31-3-14.DWG	31-3-14	

AIM Engineering  
Civil/Structural Engineers  
(905) 206-9005  
3045 Southcreek Road, Unit 23, Mississauga, L4X 2X7



NEW 1 1/2" STOREY  
RESIDENCE  
58 CHURCH STREET  
BRAMPTON, ONTARIO  
PROJECT TITLE:

SITE PLAN, SITE STATISTICS			
SHEET TITLE:			
DESIGNED BY: AU/SB	DATE: JUNE 3/15	PROJECT NO.	DRAWING NO.
CHECKED BY: SB	SCALE: 1 : 250		A 0.0