



## Staff Report P2025-12

Committee 2025-05-12

Council 2025-05-26

Amendments

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**Submitted To:** Committee of the Whole | Council

**Submitted By:** Summer Valentine, Director, Growth and Development

**Prepared By:** Jocelyn Wainwright, Community Planner  
Justin Teakle, Senior Planner

**Subject:** Proposed Amendment to Heritage Designation By-law for Victoria Annex

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### Recommendation

**THAT** Report P2025-12, “Proposed Amendment to Heritage Designation By-law for Victoria Annex” dated May 12, 2025, be received;

**AND THAT** a notice of proposed amendment to Heritage Designation By-law 2019-083 be issued to the property owner in accordance with Section 30.1(3) of the *Ontario Heritage Act* for the reasons detailed in Report P2025-12; and

**AND THAT** staff be directed to bring forward the amended Heritage Designation By-law to Council for approval, if no objections are received to the Notices of Intention to Amend Designation By-law in accordance with the *Ontario Heritage Act*.

### Amendments

None.

## 1. Executive Summary

The Annex subdivision is located on lands formerly addressed as 400 Maple Street and known as the Victoria School Annex, which is a designated property under Part IV of the *Ontario Heritage Act*. The lands have been subject to a number of development applications in recent years to facilitate the construction of a residential subdivision

currently under construction. As such, it is appropriate to initiate a proposal to amend to the Heritage Designation By-law (By-law 2019-083) which currently applies to the entire Annex subdivision, as contemplated through the various applications required to finalize the project. An amendment is therefore proposed to update the legal description and municipal address to clarify which lands in the Annex subdivision should remain subject to the Heritage Designation By-law.

The *Ontario Heritage Act* (OHA) provides municipal councils with the ability to amend existing Heritage Designation By-laws for reasons including the need to correct the legal description of the property, clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes, and to otherwise revise the by-law to make it consistent with the requirements of the Act and regulations (Section 30.1). The proposed amendment to the Designation By-law would ensure that heritage designation only applies to Block 10 being the lot that contains the Victoria School Annex building, which is the only heritage attribute identified in the Designation By-law. Therefore, it is recommended that Council direct staff to proceed with issuing the notice of the proposed amendment and to bring forward the amended Heritage Designation By-law for Victoria Annex for approval following the 30-day objection period, provided no objections are received.

## 2. Analysis

### Background

The property formerly known as 400 Maple Street (Victoria School Annex) was designated under Part IV of the *Ontario Heritage Act* (OHA) in 2019 per By-law 2019-083 ("the Heritage Designation By-law") ([P2019-53](#)). Since that time, the property has been subject to a number of *Planning Act* applications to facilitate the redevelopment of the site. The Annex Draft Plan of Subdivision received Council approval on September 19, 2022 ([P2022-33](#)). Subsequently, Council granted approval and enacted and passed authorization by-laws to execute both the Subdivision and Site Plan Agreements on June 5, 2023 ([P2023-14](#)). The Subdivision Agreement was executed on October 27, 2023, and the subdivision was registered in July 2024. A consent for the creation of two

easements for storm sewers was provisionally granted on April 25, 2024 ([D102024](#)). The subject development received a Part Lot Control Exemption Certificate on April 14, 2025, to further subdivide the property and allow for the creation of 10 lots for semi-detached dwellings ([PDA2025-05](#)).

In accordance with the requirements of the OHA, staff consulted the Town's Heritage Committee on the proposed amendment at the December 5, 2024, Committee meeting and they are in support of the proposed amendment (Resolution number HER-043-2024).

### **Property Description**

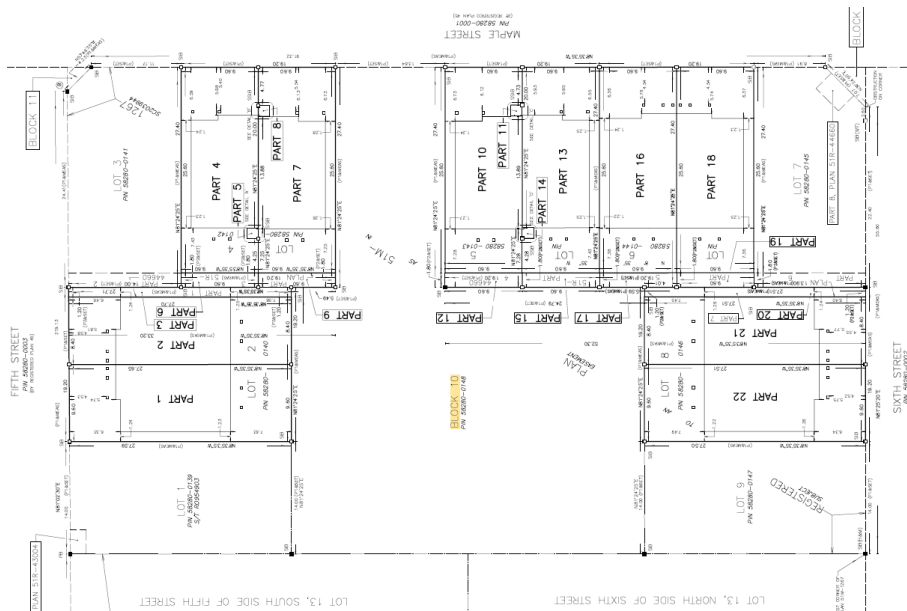
Per Figure 1, the subject lands are located on the north side of Sixth Street, the south side of Fifth Street, and the west side of Maple Street and are approximately 0.6 hectares (1.48 acres) in total size. The Annex Subdivision represents a rectangularly shaped development block divided into 14 lots and one (1) block. The Victoria School Annex building is located on Block 10, Plan 51M-1267 which is located centrally within the subdivision and has access from Maple Street (See Figure 2.). Per Figure 3, once complete, there will be five (5) dwelling units located on Block 10, each with their own municipal addresses, including 368, 370, 372, 374, 376 Maple Street.

Per Figures 1, surrounding land uses include residential uses (predominantly single detached dwellings).



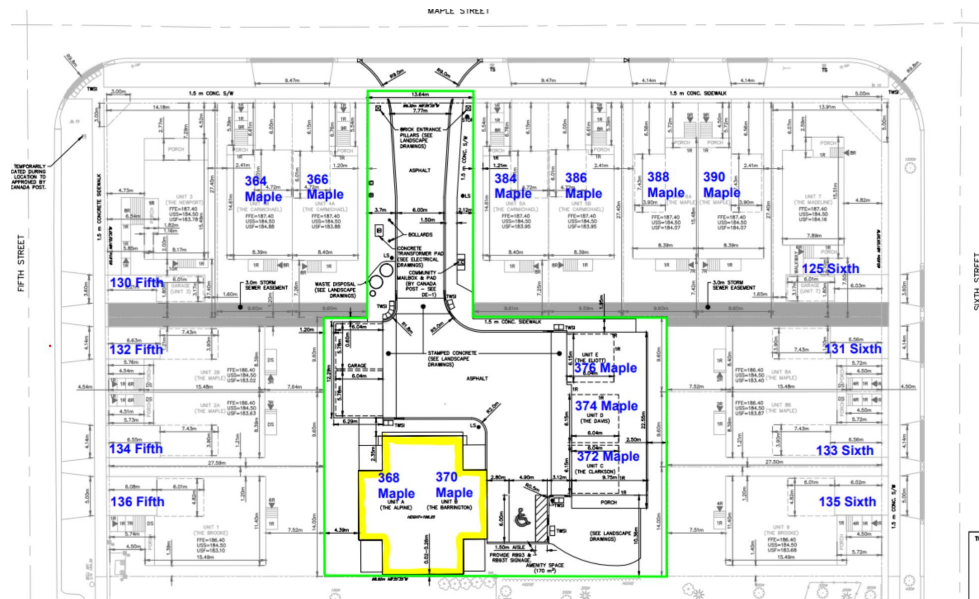
**Figure 1: 2024 Aerial Image of the Subject Lands**

Source: Simcoe County GIS Maps



**Figure 2: Reference Plan**

Source: J.D. Barnes Ltd



**Figure 3: Site Plan with Assigned Municipal Addresses**

Source: Tatham Engineering

## Proposal

The proposed amendment to the Designation By-law would ensure that heritage designation only applies to Block 10 (municipally addressed as 368, 370, 372, 374, 376 Maple Street), being the lot that contains the Victoria School Annex building, which is the only heritage attribute identified in the Designation By-law. The effect of amending the legal description and municipal addresses included in the Heritage Designation By-law would be to remove the new dwellings on the neighbouring lots from the By-law and the associated requirements for the future property owners to obtain heritage permits to undertake alterations to their properties.

While the properties within the Annex subdivision contiguous to Block 10, including 136, 134, and 132 Fifth Street, 366, 384, 386, and 388 Maple Street, 131, 133, and 135 Sixth Street would no longer be designated, any proposed development requiring *Planning Act* applications would be required to undertake a Heritage Impact Assessment to evaluate any impacts to the heritage value of the adjacent heritage property.

The properties within the Annex subdivision that are not contiguous to Block 10, including 130 Fifth Street, 364 and 390 Maple Street, and 125 Sixth Street would also

no longer be designated and would not be required to undertake a Heritage Impact Assessment for any proposed *Planning Act* applications.

Any alterations on Block 10 including both to the Victoria School Annex building as well as any new structures including the townhouse dwellings and detached garage would still be required to obtain heritage permits.

## **Planning Analysis**

The analysis section of this Report provides a review of the proposed amendment relative to the planning policy framework and regulatory instruments as follows.

### **Ontario Heritage Act (OHA)**

The OHA, Section 30.1 titled, *Amendment of Designation By-law* outlines procedures that enable municipal councils to amend existing Heritage Designation By-laws. A link to the Act is provided as Resource 1.

The proposed amendment would refine the legal description as well and the municipal addresses included in the by-law. As noted above, the amendment proposes that only Block 10 will continue to remain subject to the Heritage Designation By-law. It merits note that Block 10, includes five dwelling units which are municipally addressed as 368, 370, 372, 374, 376 Maple Street. The units addressed 368 and 370 Maple Street comprise the Victoria School Annex building, whereas the units addressed 372, 374, and 376 Maple Street are a new three-unit townhouse on the same property as the Victoria Annex School Building. Also on Block 10 will be a detached garage for the use of 368 and 370 Maple Street. Any alterations on Block 10 including both to the Victoria School Annex building as well as any new structures including the townhouse dwellings and detached garage would still be required to obtain heritage permits.

The properties within the Annex subdivision contiguous to Block 10, would no longer be designated, however, any proposed development requiring *Planning Act* applications would be required to undertake a Heritage Impact Assessment to evaluate any impacts to the heritage value of the adjacent heritage property. The properties within the Annex

subdivision that are not contiguous to Block 10, would also no longer be designated and would not be required to undertake a Heritage Impact Assessment for any proposed *Planning Act* applications.

### **Matters of Provincial Interest**

The *Planning Act* provides that Council in carrying out their responsibilities under the *Act* shall have regard to matters of provincial interest.

Planning Services is satisfied that the proposed amendment has regard to the applicable matters of provincial interest and, more specifically, supports the following principle:

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

In light of the foregoing, Planning Services can confirm that the proposal has regard for the applicable matters of provincial interest under the *Planning Act*.

### **Provincial Planning Statement (2024)**

The *Planning Act* provides that a decision of the Council of a municipality in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements issued by the Province and shall conform with the provincial plans that are in effect or, at minimum, shall not conflict with them.

Section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The PPS states that protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved, and that Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage structures of the protected heritage property will be conserved.

As discussed, the only heritage attribute listed in the existing Heritage Designation By-law is the Victoria Annex School building and its exterior components, which is located

on Block 10 of the subject lands. However, the designation by-law applies to the entire Annex subdivision. Refining the legal description and municipal addresses included in the by-law would provide clarity to future owners and staff in determining the applicability of the heritage designation and when associated requirements including heritage permits, would be required. The proposed amendment will support the continued conservation of the Victoria School Annex. Alterations and future redevelopment on Block 10 would continue to be subject to the heritage designation and associated requirements.

The properties within the Annex subdivision contiguous to Block 10, would no longer be designated but would be considered as “adjacent lands” under the PPS built heritage protection policies. Therefore, any proposed development requiring *Planning Act* applications would be required to undertake a Heritage Impact Assessment to evaluate any impacts to the heritage value of the adjacent heritage property. The properties within the Annex subdivision that are not contiguous to Block 10, would also no longer be designated and would not be required to undertake a Heritage Impact Assessment for any proposed *Planning Act* applications.

In consideration of the above, Planning Services is satisfied that the proposed amendment is consistent with the PPS.

### **County of Simcoe Official Plan**

The *Cultural Heritage Conservation* policies of the County of Simcoe Official Plan, identifies that significant built heritage resources will be conserved.

Updating the designation by-law supports the continued conservation of the Victoria School Annex as a significant built heritage resource. Therefore, Planning Services is satisfied that the proposed amendment is consistent with the County’s Official Plan.

### **Town of Collingwood Official Plan (2024)**



The Town's Official Plan outlines policies for the management and conservation of cultural heritage resources. The policies of the Official Plan provide that the Town may designate whole or specific parts of buildings or structures upon designated property.

The proposed amendment will refine the legal description and municipal addresses listed in the Heritage Designation By-law. The purpose of refining the legal description and municipal address is to clarify that the by-law only applies to Block 10 and does not apply to the other lands within the Annex subdivision.

While the properties within the Annex subdivision adjacent to Block 10 would no longer be designated, any proposed development requiring *Planning Act* applications would be required to undertake a Heritage Impact Assessment to evaluate any impacts to the heritage value of the adjacent heritage property. The properties within the Annex subdivision that are not contiguous to Block 10, would not be subject to this requirement.

In consideration of the foregoing, Planning Services is satisfied that the proposed amendment is consistent with the Town's Official Plan.

### **Financial Impacts**

Staff anticipate costs associated with publishing the notice of passing of the amendment in *Collingwood Today* newspaper and registering the amended by-law on title of the property. These costs would be covered by the property owner.

In the unlikely event that the owner appeals the amended by-law to the Ontario Land Tribunal (OLT) there would be costs associated with defending the Town's position.

### **Conclusion**

Based on the land-use planning analysis and the process set out in Section 30.1 of the *OHA*, Planning Services confirms that the proposal is in conformity to and consistent with the relevant land use planning instruments and has considered input from internal/external commenting agencies and that feedback received from the public through the associated applications for the project have been addressed.

Therefore, it is recommended that Council direct staff to proceed with issuing the notice of the proposed amendment, and to bring forward the amended Designation By-law for Victoria Annex for approval following the 30-day objection period, provided no objections are received.

### 3. Input from Other Sources

The Report was reviewed by Department Heads on May 6, 2025, and the content responds to input and advice received.

The procedure set out in the *OHA* for amending a designation by-law requires that Council consult with its municipal heritage committee before giving a property owner notice of a proposed amendment. The Town's Heritage Committee was consulted on the proposed amendment at the December 5, 2024, meeting. The Heritage Committee is supportive of the proposed amendment (Resolution number HER-043-2024). Meeting minutes are provided as Resource 2.

### 4. Applicable Policy or Legislation

- *Ontario Heritage Act*
- *Planning Act* (1990, as amended)
- Provincial Planning Statement (2024)
- Simcoe County Official Plan (2016)
- Town of Collingwood Official Plan (2024)
- Town of Collingwood Zoning By-law 2010-040

### 5. Considerations

2024-2028 Community Based Strategic Plan: Advances pillar(s) below:

- |  |  |                                  |                                      |
|--|--|----------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> Sustainable                      | <input type="checkbox"/> Connected   | <input type="checkbox"/> Vibrant | <input type="checkbox"/> Responsible |
| <input type="checkbox"/> Services adjusted if any                    | Not applicable   |                                  |                                      |
| <input checked="" type="checkbox"/> Climate Change / Sustainability: | The proposed amendment will support the continued conservation of the Victoria School Annex, a designated heritage |                                  |                                      |

property. Designation helps to ensure the long-term conservation of an existing building.

Communication / Engagement: Advertisement/Notice will be provided  
Notice of Proposed Amendment and Notice of Passing will be given.

Accessibility / Equity, Diversity, Inclusion: Not Applicable

Registered Lobbyist(s) relating to content: Not Applicable

Next steps and future action required per Section 30.1 of the *OHA* following endorsement:

- Notice of the proposed amendment is given to the property owner. The notice shall include an explanation of the purpose and effect of the proposed amendment and inform the owner of the right to object to the proposed amendment by filing a notice of objection with the clerk of the municipality within 30 days of receiving the notice. Under the *Act*, the notice is not required to be made public, and members of the public cannot object to the proposed amendment.
- If no objection is submitted within the 30-day objection period, staff will bring forward the amending by-law for approval at the next available and scheduled Council meeting. In this case, staff do not anticipate the owner will object to the proposed amendment, as the owner has been consulted on the proposal. However, if an objection is submitted, it must be considered by Council within 90 days of the 30-day objection period ending. Council may then decide to issue a notice of withdrawal or pass the amending by-law.
- Notice of the passing of the amendment to a Heritage Designation By-law and a copy of the amending by-law will be served on the property owner and the Ontario Heritage Trust. This notice would also be published in *Collingwood Today* newspaper. Within 30 days of receiving the notice, the owner may appeal the decision to the Ontario Land Tribunal which can make a binding decision to dismiss the appeal, have the Designation By-law amended, or repeal the Designation By-law. Only the property owner has the right to appeal.

- If no appeals are filed, the amending By-law comes into force on the day following the last day of the appeal period. The Clerk shall register the amending By-law on the title of the affected property and serve a copy of the registered By-law on the Ontario Heritage Trust.

## 6. Appendices and Other Resources

**Appendix A:** Victoria Annex Heritage Designation By-law 2019-083 (existing).

**Resource 1:** [Ontario Heritage Act](#)

**Resource 2:** [Heritage Committee Minutes – December 05, 2024](#)

## 7. Approval

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**CAO Comments:**

Endorsed by CAO Skinner on May 7, 2025 to proceed to COW.