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Date December 16, 2024 **Report No.** 2024-468

To Chair and Members
Brantford Heritage Committee

From Patrick Vusir – Intermediate Planner, Long Range Planning
Planning and Development Services

1.0 Type of Report

Consent Item

Item For Consideration

2.0 Topic Designation of 53 Charlotte Street under Part IV of the Ontario Heritage Act [Financial Impact – approximately \$1,400, accommodated within Planning and Development Services Budget]

3.0 Recommendation

- A. THAT Report 2024-468, titled “Designation of 53 Charlotte Street under Part IV of the Ontario Heritage Act”, BE RECEIVED; and
- B. THAT the following comments of the Brantford Heritage Committee BE INCLUDED in Staff’s future report to Committee of the Whole – Planning and Administration:
- 1) _____; and
 - 2) _____; and
 - 3) _____.

4.0 Background

In 2020, the City of Brantford received a Zoning By-law Amendment Application (PZ-02-20) for 120-138 Market Street and 31-35 Chatham Street. 35 Chatham Street is designated under Part IV of the *Ontario Heritage Act* by By-law 6-85 (**Appendix A**) and was the location of the Crystal Cottage. The Applicant proposed as part of the application that the Crystal Cottage would be relocated from 35 Chatham Street to another property, ultimately settling on 53 Charlotte Street which was provided by the Brant Historical Society. 53 Charlotte Street is located at the north-east corner of Charlotte Street and Wellington Street as shown on the Location Map attached as **Appendix B** and the Aerial Photo attached as **Appendix C**.

Application PZ-02-20 was approved by Council on November 24, 2020 subject to a holding provision which included a condition that an application under Section 34 of the *Ontario Heritage Act* would be approved to facilitate the relocation of the Crystal Cottage and successfully move it to a new property.

Figure 1: Restored Crystal Cottage at 53 Charlotte Street.



On December 16, 2020, Heritage Permit Application HD-01-20 to relocate the Crystal Cottage was deemed complete. Brantford Heritage Committee was consulted on January 25, 2021 and Council ultimately approved the application with conditions on February 23, 2021; the approval included direction to report back regarding designation of 53 Charlotte Street. The Crystal Cottage was subsequently relocated to 53 Charlotte Street in November of 2021. Following relocation, due to difficulties encountered during the pandemic, the proponent went bankrupt and the task of restoration fell to the Brant Historical Society. The Brant Historical Society subsequently sold 53 Charlotte Street to a new owner who has completed an exterior restoration and interior renovations to the Crystal Cottage. The current owner has now completed work and is requesting that 53 Charlotte Street be designated under Part IV of the *Ontario Heritage Act*.

5.0 Analysis

5.1 Existing Reasons for Designation

35 Chatham Street, was designated by By-law 6-85 (Appendix A) under the *Ontario Heritage Act* in 1985 to recognize the property for its historic or architectural value or interest. By-law 6-85 provided the following description and reasons:

“Architectural Description:

Buff brick building with medium gable roof, one single stack chimney on both side walls, intricate barge board along eaves and cornice boxed pediment gable inserts with brackets, pendants and [frieze]. Wooden louvred shutters; one course of green glass bottles located above arch radiating [voussoirs] over windows and entranceway, enclosed in one layer of red brick top and bottom. One course of red brick horizontal at the level of window sill and lintel. Ornamental pattered red brick [frieze] as roof trim. Double hang such windows. Plan one step concrete porch platform. The name “Crystal Cottage” is ornamentally inset in the gable.

Reasons for the Designation on Architectural & Historical Grounds:

The above described Cottage is exceptional example of a Cottage built around the middle of the [19th] century, it is well preserved in good condition and an asset to our City.

The designation is on architectural grounds for preservation of part of Brantford's Heritage."

Based on the foregoing, 35 Chatham Street was recognized for the architectural value of the Crystal Cottage, but not for other historic reasons (e.g. association with an individual).

5.2 Criteria for determining Cultural Heritage Value or Interest

The authority to designate property under the *Ontario Heritage Act* requires that the designation proceed in accordance with the Act at the time of the designation. Amendments to the *Ontario Heritage Act* c. 2005 changed the scope of designation from architectural or historical value or interest to a broader system of "cultural heritage value or interest" ("CHVI"). As part of this change, the Province adopted [Ontario Regulation 9/06](#) ("O. Reg." 9/06) which sets out nine criteria for determining CHVI that recognize different facets of design value or physical value, historical value or associative value, and contextual value.

After reviewing the original designation by-law (**Appendix A**), inspecting the restored building, and conducting additional review of historic information, Staff is of the opinion that the 53 Charlotte Street meets the following criteria for determining cultural heritage value or interest under O. Reg. 9/06:

1. **The property has design value because it features a unique example of a material (glass bottles) and because it is a unique example of a type (cottage).** The subject property is unique for the use of glass bottles in the exterior brick wall of the Crystal Cottage. Glass bottles are found on the front and side facades, arranged in a course near the top of the wall, oriented base-outwards. Glass bottles are also used as an accent in the front wall and the right-side facade, immediately below the windowsills. The subject property is also unique because it hosts a unique example of a cottage which, though modest in scale, is comparatively highly ornamented with Victorian and Gothic details.
2. **The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.** Craftsmanship and artistic merit is visible in the composition of decorative accents located on the front and side facades of the Crystal

Cottage. Polychromatic brickwork is used to highlight and emphasize the eaves, glass bottles, and the tops and bottoms of openings. The course of bottles is enhanced by flanking courses of red brick and follows the top curve of segmental arch voussoirs. The glass bottles and surrounding brickwork below windowsills are aligned to the scale of the window openings. Wood trim on the fascia and in the front gable is also detailed, leaving few areas unadorned. The name of the cottage is also spelled out in the gable using chestnuts, laid out in a curve, and embellished with seashells.

A list of heritage attributes is attached to this Report as **Appendix D**.

5.3 Notice of Intention to Designate

A Notice of Intention to Designate (NOID) must be served on the Owner, the Ontario Heritage Trust, and published in a local newspaper. The notice served on the Owner and the Trust must contain the following information, per the *Ontario Heritage Act*:

- An adequate description of the property so that it may be readily ascertained;
- A statement explaining the cultural heritage value or interest of the property;
- A description of the heritage attributes of the property; and
- A statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality.

Subject to Council's direction, Staff will issue a NOID to the Owner and the Ontario Heritage Trust including a Statement of Cultural Heritage Value or Interest based on the information contained in subsection 5.2 of this Report, the description of heritage attributes contained in **Appendix D**, and the other necessary requirements (property description, statement regarding notice of objection). The notice published in the newspaper does not require the description of the heritage attributes but will include the other information, and direct anyone with questions about the notice to contact Planning Staff.

Following a 30-day objection period after the NOID is issued, Council may consider any objections (if they were submitted) and pass a designation by-law. The City would then issue a notice of adoption to the Owner and the Ontario Heritage Trust, and in the newspaper. This second notice will come with a 30-day appeal period during which time the designation can be appealed to the Ontario Land Tribunal. If there is no appeal, then the City will register the designation by-law on title and the designation process would be complete.

6.0 Financial Implications

Should Council wish to pursue designation, administrative costs (approximately \$1,400) would be incurred to satisfy legislated notice requirements and registration. These costs can be accommodated by the Planning and Development Services budget.

7.0 Conclusion

The Crystal Cottage has been relocated from its original property at 35 Chatham Street to 53 Charlotte Street. The restoration of the cottage has been completed by the current owner, who is requesting that the receiving property now be designated under the *Ontario Heritage Act*. The Brantford Heritage Committee is being consulted as per the Act, and has this opportunity to provide comments for Council's consideration.

Prepared by:



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Reviewed By:



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Attachments:

Appendix A: Designation By-law 6-85 for 35 Chatham Street

Appendix B: Location Map of 53 Charlotte Street

Appendix C: Aerial Photo of 53 Charlotte Street

Appendix D: List of Heritage Attributes

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required yes no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk yes no

Is the necessary by-law or agreement being sent concurrently to Council? yes no