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Date June 4, 2019 **Report No.** 2019-280
To Chair and Members
Committee of the Whole – Community Development
From Paul Moore
General Manager of Community Development

1.0 Type of Report

Consent Item
Item For Consideration

2.0 Topic **Demolition Control Application for 104 Alice Street Located Within the Demolition Control Area Established by By-law 141-2017 [Financial Impact – None]**

3.0 Recommendation

THAT the Demolition Control application for 104 Alice Street BE APPROVED for the reasons outlined in Report 2019-280.

4.0 Purpose and Overview

The purpose of this Report is to provide Council with information regarding the Demolition Control application for 104 Alice Street. The Applicant is proposing to demolish an existing single detached dwelling located within the City's Demolition Control Area.

5.0 Background

This Demolition Control application affects the property municipally known as 104 Alice Street, which is located within the City's Demolition Control Area, as shown in **Appendix A**. The Applicant is proposing to demolish the existing

single detached dwelling on the subject property to provide additional parking to accommodate the expansion of the industrial business (i.e., Gilbert-McEachern Electric) with a building addition that will extend toward the adjacent property at 106 Alice Street. The Applicant owns both properties and they will be merged on title. Since the Applicant does not intend to replace the dwelling unit, this application is not considered a “routine” Demolition Control application, and therefore approval from Council is required prior to the issuance of a Demolition Permit.

The subject lands front the north side of Alice Street, east of the CN Railway line and west of Brock Street. The property has an area of approximately 0.15 hectares (0.38 acres) with 19.2 metres (63.1 feet) of frontage on Alice Street. Residential uses (i.e., single detached dwellings) are located to the west of the subject lands, industrial uses are to the east, north, and southeast of the site, and Conklin Park is to the southwest. Maps showing the location of the lands as well as an air photo are attached as **Appendices B and C**.

The property at 104 Alice Street is not designated under the *Ontario Heritage Act* but it is included on the Brantford Heritage Inventory. The existing one and a half storey dwelling was built in 1948 and is clad in red brick. An addition is located at the rear of the building. The house has been vacant since August of 2018 and all services to the dwelling have been disconnected. A portion of the front and rear yards of the property are currently being used for surplus parking for the adjacent business at 106 Alice Street. Photos of the subject property are attached as **Appendix D**.

6.0 Corporate Policy Context

6.1 Shaping Our Future: Brantford’s Community Strategic Plan 2014-2018

This Demolition Control application is consistent with long term objectives identified under Goals 1 and 3 in Brantford’s Community Strategic Plan 2014-2018 as follows:

- 1. Economic Vitality and Innovation
 - Brantford will be a business friendly community.
- 3. Managed Growth and Environmental Leadership

- Brantford will be known as a city that manages growth wisely, makes optimum use of its infrastructure, and is a leader in infill and brownfield redevelopment.

7.0 Input From Other Sources

Demolition Control applications that are not considered “routine” under the Demolition Control By-law are reviewed by the Brantford Heritage Committee when the buildings are older than 40 years. The Heritage Committee reviews these applications to determine if the properties merit designation under the *Ontario Heritage Act* which would protect the buildings from demolition.

Given that the Demolition Control application for 104 Alice Street is not considered “routine” and the building is approximately 71 years old, the Brantford Heritage Committee considered a Memorandum from Planning Staff at its meeting held on May 13, 2019 and were supportive of the application.

8.0 Analysis

8.1 Heritage Considerations

Demolition Control applications for buildings older than 40 years that are not considered “routine” are reviewed by the Brantford Heritage Committee to determine whether the properties meet the criteria for designation under *Ontario Heritage Act* Regulation 9/06 and Section 9.3 the City of Brantford Official Plan. Copies of Regulation 9/06 and an extract from the Official Plan are attached to this Report as **Appendices E** and **F**. The criteria for designation are focused on the architectural, historical, and contextual values of properties. Based on the review of the criteria, the Heritage Committee can recommend to Council that the property be designated under the *Ontario Heritage Act*.

As noted in Section 5.0 of this Report, the property at 104 Alice Street is included on the Brantford Heritage Inventory, although no information related to its architectural, historical, or contextual value is included in the Inventory. The building does not appear to be representative of a distinct style of architecture; however it does exhibit some characteristics that are consistent with the Victory Housing and Post-WWII Brick Bungalow styles of architecture (refer to photos of the building attached as **Appendix D**). These characteristics are noted below:

- One and a half storeys;

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- Three bays;
 - Gable roof;
 - Rectangular plan;
 - Concrete foundation;
 - Brick exterior finish;
 - Minimal ornamentation;
 - Raised entrance with front porch; and,
 - Off-centre brick chimney.

This building is not rare or unique within the City of Brantford, nor does it display a high degree of artistic merit or demonstrate a high degree of scientific achievement. Therefore, the building is not considered to have design or architectural value.

In addition, the property does not appear to have historical value. City records indicate that the building at 104 Alice Street was constructed in 1948. According to the City Directory, the building was first occupied by James Stephenson, an electrician working at Moulded Fibre Ltd. and later a draftsman for the Brant Planning Board, and his wife Eileen. Residential use of this building has continued until August of 2018 when it became vacant. The architect and builder of the building are not known.

Finally, the property is not considered to have significant contextual value. The neighbourhood character of the area is supported by an array of residential and industrial uses, however the building at 104 Alice Street is not considered to be an important feature in defining this character as it is not a prominent or notable building in the neighbourhood. Further, the building is not a landmark within the City of Brantford.

It is Planning Staff's opinion that this building does not sufficiently meet the criteria under Regulation 9/06 or Section 9.3 of the Official Plan to merit designation under the *Ontario Heritage Act* and therefore staff do not recommend designation of this property.

8.2 Planning Considerations

The subject property is designated “Residential Area-Low Density” in the City of Brantford Official Plan, which permits single detached, semi-detached, duplex, and triplex dwellings. However, according to Zoning By-law 160-90, the lands are zoned “General Industrial Zone (M2)”. This zoning permits industrial uses and parking accessory to industrial uses, but it does not permit residential uses. The existing residential dwelling is considered to be a legal non-conforming use, which means that the dwelling was used prior to when the current zoning was established. While the existing dwelling is permitted to be used as a single detached dwelling, an expansion or modification of the building beyond the original foundation walls is not permitted without the approval of a minor variance from the Committee of Adjustment to permit the expansion of a legal non-conforming use. Further, if the dwelling was demolished, a new residential building would not be permitted on the property without an amendment to the Zoning By-law.

The proposed parking for the adjacent industrial use is permitted on the subject property in accordance with the M2 Zone regulations and the parking area, along with the proposed building addition will be reviewed through Site Plan Control. The Site Plan Control process will address matters of compatibility with the adjacent residential use, such as requiring a landscape buffer or fencing.

The building at 104 Alice Street is surrounded by industrial uses on the north, east, and south sides, and is also in close proximity to the CN Railway line which is located to the west of the property. Planning Staff is of the opinion that given the proximity of this building to existing industrial uses and the CN Railway line, this is not an ideal location for a residential dwelling and reintroducing such uses would result in compatibility issues.

8.3 Demolition Control By-law

As noted previously in this Report, the single detached dwelling located at 104 Alice Street is located within the Demolition Control Area and as such, the property is subject to Demolition Control By-law 141-2017. Demolition Control is a tool enabled by the *Planning Act* that is intended to prevent the premature loss of housing stock. It is not a heritage preservation tool and is not regulated through the *Ontario Heritage Act*.

The building occupying the subject property at 104 Alice Street has been vacant since August of 2018 and therefore the removal of this building will not negatively impact the City's current housing stock. In addition, although the building does not appear to be in poor condition from the exterior, the Applicant has also indicated that all services to the building have been disconnected and that the building no longer contains a furnace or hot water heater. Therefore, if the Demolition Permit is not granted, it is anticipated that the building would likely continue to sit vacant for some time rather than contribute to Brantford's housing stock.

9.0 Financial Implications

There are no financial implications to the municipality associated with this Report.

10.0 Conclusion

The Applicant is proposing to demolish the existing single detached dwelling at 104 Alice Street to provide additional parking to accommodate the expansion of the industrial business on the adjacent property at 106 Alice Street. Planning Staff supports the demolition of the building. The building is not considered to be of cultural heritage value or interest and its demolition will not reduce the housing stock in Brantford since it is not currently used as a residential dwelling unit. If residential use of the building was reestablished, the proximity of the property to existing industrial uses and the CN Railway line would result in compatibility issues. In addition, the proposed demolition of the building will allow the Applicant to establish parking on the subject property to support the expansion of the adjacent industrial business, which will also reduce the pressure for on street parking in the area.



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Attachments

Appendix A – Demolition Control Area Map

Appendix B – Location Map

Appendix C – Aerial Map

Appendix D – Site Photos

Appendix E – Ontario Regulation 9/06

Appendix F – Official Plan Section 9.3

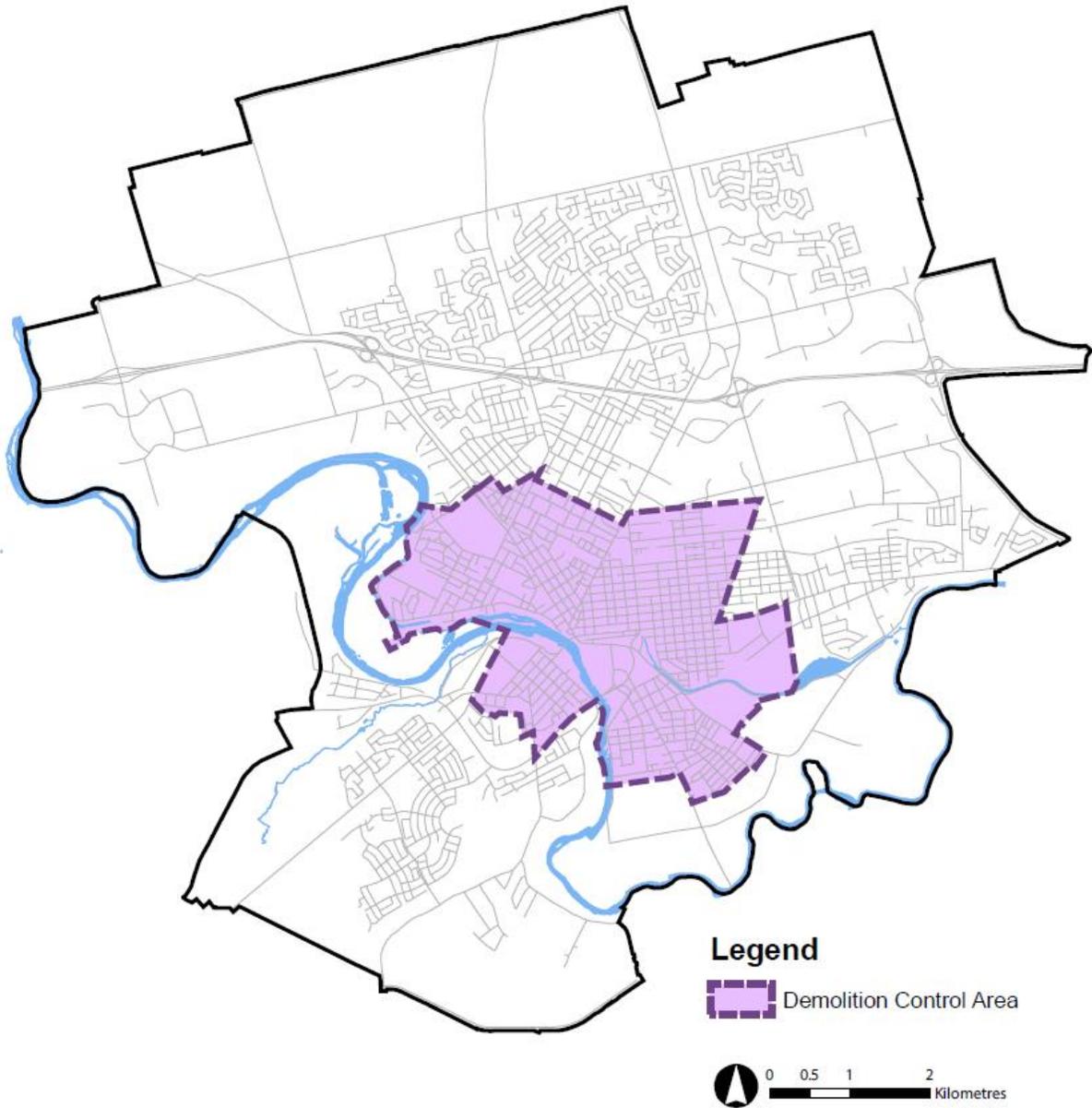
In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

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

Appendix A – Demolition Control Area Map



Appendix B – Location Map

Location Map

104 Alice Street



LEGEND

 SUBJECT LANDS
(104 Alice Street)



Appendix C – Aerial Map

Aerial Map 104 Alice Street



LEGEND

 SUBJECT LANDS
(104 Alice Street)



0 25 50 100
Metres

Appendix D – Site Photos



Figure 1 - Front façade of the dwelling at 104 Alice Street.



Figure 2 - East side façade of the dwelling at 104 Alice Street.



Figure 3 - Rear façade of the dwelling at 104 Alice Street.



Figure 4 - West side façade of the dwelling at 104 Alice Street.



Figure 5 - Rear yard of 104 Alice Street.

Appendix E – Ontario Regulation 9/06

Ontario Heritage Act

ONTARIO REGULATION 9/06

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Consolidation Period: From January 25, 2006 to the e-Laws currency date.

No amendments.

This is the English version of a bilingual regulation.

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it,

- i. is important in defining, maintaining or supporting the character of an area,
- ii. is physically, functionally, visually or historically linked to its surroundings, or
- iii. is a landmark. O. Reg. 9/06, s. 1 (2).

Transition

2. This Regulation does not apply in respect of a property if notice of intention to designate it was given under subsection 29 (1.1) of the Act on or before January 24, 2006. O. Reg. 9/06, s. 2.

Appendix F – Official Plan Section 9.3

9.3 Designation of Cultural Heritage Resources

9.3.1 The City, in consultation with the Brantford Heritage Committee, may designate properties of cultural heritage value or interest by bylaw enacted pursuant to the Ontario Heritage Act.

9.3.2 As prescribed in Ontario Heritage Act Regulation 9/06, in determining the cultural heritage significance of a heritage resource and its contextual elements, regard shall be had, but not limited, to the following criteria:

- .1 the resource and associated features date from an important period in Brantford's historical development;
- .2 it is a good, representative, early or rare example of the work of an important architect, engineer, builder, designer, or other artisan, or it is a good, representative or rare example of its period, architectural style, building or design, method of engineering or construction or form of land use within the municipality;
- .3 it is associated with a person or group of persons of local, provincial, national or international importance;
- .4 it is associated with an event or movement of local, provincial, national or international importance;
- .5 it is a good, representative example of a significant method of engineering or construction;
- .6 it is a good, representative example of outstanding interior design;
- .7 it makes an important contribution to the urban composition or streetscape which it forms a part.