

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services Infrastructure, Development and Enterprise Services
Date	Tuesday, October 12, 2021
Subject	239 Elizabeth Street: Proposed Demolition of a detached dwelling

Recommendation

1. That the proposed demolition of the detached dwelling located at property municipally known as 239 Elizabeth Street be approved.
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Executive Summary

Purpose of Report

The purpose of this report is to provide Council with information and staff's recommendation about the proposed demolition of the detached dwelling located at 239 Elizabeth Street. This report also provides Council with Heritage Guelph's comments with respect to the consideration of protecting the dwelling by individual designation under the provisions of section 29, Part IV of the Ontario Heritage Act.

Key Findings

The City's Demolition Control By-law applies to residential buildings and buildings designed for residential use.

The detached dwelling at 239 Elizabeth Street is included in the Couling Architectural Inventory. However, it is not listed on the Municipal Register of Cultural Heritage Properties nor is it protected through designation and therefore the provisions of the Ontario Heritage Act with respect to demolition do not apply.

Heritage Guelph reviewed the proposed demolition because the City's Official Plan considers properties identified on the Couling Architectural Inventory as potential built heritage resources.

A property may be designated under section 29, Part IV of the Ontario Heritage Act if it meets one or more of the criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06.

Heritage Guelph passed a motion that 239 Elizabeth Street be considered for individual designation under Section 29, Part IV of the Ontario Heritage Act.

Staff completed a review of the property and is of the opinion that although 239 Elizabeth Street would certainly be a contributing property within a heritage conservation district, the property on its own does not merit individual designation under the Ontario Heritage Act.

Financial Implications

None.

Report

The subject property is located at 239 Elizabeth Street on the south side of Elizabeth Street near the south corner of the intersection with Stevenson Street South.



An application for a building permit to construct a new dwelling at 239 Elizabeth Street has been received by Planning and Building Services. This application proposes to demolish the existing detached dwelling. An application to demolish a residential building requires approval in accordance with the City's Demolition Control Bylaw.

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Land Tribunal. In addition, an applicant may appeal if there is no decision within 30 days of filing the application. In March 2017, Council delegated approval authority for residential demolition permits to the General Manager of Planning and Building Services, provided the building is not listed on the Municipal Register of Cultural Heritage Properties or designated under Part IV or V of the Ontario Heritage Act. While this application falls within the authority delegated to the General Manager of Planning and Building Services, it is being brought forward to Council for a decision because of the comments provided by the City's Municipal Heritage Advisory Committee (Heritage Guelph) proposing that Council consider individual designation of this property.

Cultural Heritage Review

239 Elizabeth Street is not listed on the Municipal Register of Cultural Heritage Properties and is not designated individually or within a heritage conservation district under the Ontario Heritage Act. The building is considered by Official Plan policy as a potential built heritage resource as it has been identified in the Couling Architectural Inventory.

The subject lot is part of what can be described legally as part of Park Lot A from Plan 293. The 1922-1929 Fire Insurance Plan of Guelph shows the subject dwelling beside a 1.5-storey house at 241 Elizabeth Street that has since been demolished.

239 Elizabeth Street is a single-storey, front gable, red brick veneer dwelling with an L-plan footprint. The house contains three rooms and a bathroom and has a floor area of approximately 490 square feet. The front door opens into the front room which leads to a middle room and a kitchen and bathroom in the rear. The doors and front window have concrete lintels. The balance of the windows have brick arch heads and concrete lug sills. The exterior doors are original. The kitchen has a side door off the driveway and what appears to be an ice box cupboard or larder that is built out in brick on the back exterior wall. The interior has its original plaster walls and wood trim (subsequently painted) with entablature window and door heads typical of 1920s design. The basement is accessed by a floor hatch. The foundation walls are rubble stone and the floor joists are typical sawn lumber.

The 1922 Fire Insurance Plan for the City of Guelph (revised in 1929) shows 239 Elizabeth Street as a brick veneer building. Vernon's Directory of the City of Guelph indicates that the subject dwelling was being built in 1924.

The house at 239 Elizabeth Street is essentially in its original state having undergone very little change other than the removal of a chimney at the rear and the replacement of the kitchen roof from a shed to a gable roof as seen in the 1975 photo from the Couling Architectural Inventory (see Att-1). This building is a well-preserved, small and simple house constructed in the St. Patrick's Ward in the mid-1920s. The subject property has some cultural heritage value in that it is a representative example of a residential design type and has retained the integrity of its original massing and exterior materials. In staff's opinion the property has no historical/associative value or contextual value as defined in Ontario Regulation 9/06 under the Ontario Heritage Act.

Although 239 Elizabeth Street would certainly be a contributing property within a heritage conservation district, the subject property on its own does not merit individual designation under the Ontario Heritage Act. Staff do not advise that Council protect 239 Elizabeth Street through individual designation under section 29, Part IV of the Ontario Heritage Act.

Recommendation

The City's Demolition Control Bylaw was enacted to ensure that residential housing stock was retained. The property owner is requesting to demolish the existing single detached dwelling and replace it with a new single detached dwelling therefore no loss of housing units will occur. Following review of both the demolition control bylaw provisions and the cultural heritage resources policies and regulations, staff are recommending that Council approve the proposed demolition.

Financial Implications

None.

Attachments

Attachment-1 239 Elizabeth Street Images

Consultations

Heritage Guelph considered the proposed demolition at their meeting of September 13, 2021 and passed the following motion:

THAT Heritage Guelph proposes that 239 Elizabeth Street be considered for individual designation under Section 29, Part IV of the Ontario Heritage Act because it meets at least one criteria under Regulation 9/06.

Strategic Plan Alignment

Priority

Building our Future

Direction

Continue to build strong, vibrant, safe and healthy communities that foster resilience in the people who live here

Alignment

The replacement of dwelling units to retain and/or add to housing stock is aligned with building and maintaining vibrant and resilient communities.

Departmental Approval

Melissa Aldunate, MCIP, RPP, Manager, Policy Planning and Urban Design

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This report was approved by:

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