

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 13, 2021
Subject	<b>Notice of Intention to Designate 919 York Road under Section 29, Part IV of the Ontario Heritage</b>

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## Recommendation

1. That the City Clerk be authorized to publish and serve notice of intention to designate the property known municipally as 919 York Road pursuant to section 29, Part IV of the Ontario Heritage Act.
  2. That the designation by-law for 919 York Road be brought before City Council for approval if no objections are received within the thirty (30) day objection period.
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## Executive Summary

### Purpose of Report

The purpose of this report is to recommend that Council publish its intention to designate 919 York Road according to provisions of section 29, Part IV of the Ontario Heritage Act as described in the Statement of Cultural Heritage Value and the list of heritage attributes included in this report.

Staff recommendations in this report are in response to a recent demolition permit application. The designation is intended to protect the heritage attributes and cultural heritage value of the subject property. Staff also note the association these built heritage resources have with the adjacent Ontario Reformatory CHL at 785 York Road, a cultural heritage landscape recently protected by heritage designation by-law (2021)-20631.

### Key Findings

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.

The legal owner of the subject property at 919 York Road is Brodie Limited. The owner was issued an Order of the Property Standards Officer (21-0015550 CM) pursuant to subsection 15.2(2) of the Building Code Act. The order required the owner to obtain a permit to demolish the single-detached dwelling or alternatively, repair the building and the roofing system and secure it so that it is in compliance with the Property Standards By-law. If the required repairs (or demolition) were not

carried out by the compliance date, the City may carry out such repairs at the owner's expense.

The subject property is listed as non-designated on the Municipal Register of Cultural Heritage Properties and is subject to the provisions of the Ontario Heritage Act.

The heritage attributes of the subject property meet all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06 under the Ontario Heritage Act and therefore the property merits individual heritage designation under the Ontario Heritage Act.

Staff and Heritage Guelph advise City Council to publish a Notice of Intention to Designate the property known as 919 York Road under section 29, Part IV of the Ontario Heritage Act using the statement of cultural heritage value and list of heritage attributes proposed by staff and supported by Heritage Guelph at their meeting of November 8, 2021.

### **Financial Implications**

The Planning Services budget covers the cost of a heritage designation plaque.

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## **Report**

The subject property is shown in a Plan of Survey (Attachment 1) and is described specifically as being Parts 2, 3 and 4 of Reference Plan 61R-10837 dated April 30, 2018 and historically as Part of Lots 4 and 5, Concession 2, Division C in the City of Guelph.

The subject property is located in east Guelph on the south side of York Road, west of the intersection of York Road and Watson Parkway South. The subject real property contains municipal addresses 895 and 919 York Road and consists of approximately 6.522 hectares.

The subject property is adjacent to the Ontario Reformatory cultural heritage landscape (CHL) which has been recognized by the Ministry of Infrastructure (MOI) as a Provincial Heritage Property of Provincial Significance (PHPPS) under the Part III.1 of the Ontario Heritage Act in June 2008. The Ontario Reformatory CHL was recently protected by the heritage designation of 785 York Road through by-law (2021)-20631 under section 29, Part IV of the Ontario Heritage Act. The portion of the Ontario Reformatory CHL boundary that is adjacent to 919 York Road is indicated in yellow on the air photo in Attachment 1.

The heritage attributes of the subject property meet all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06 under the Ontario Heritage Act and, therefore, the property merits individual heritage designation under the Ontario Heritage Act.

### **Compliance with the Property Standards By-law**

In September 2017, a complaint was received regarding the condition of the dwelling and the property was inspected by Property Standards and Heritage Planning staff. Numerous deficiencies were found with the roof, front porch, soffits, fascia and the building was not secured. The owner was immediately requested to:

- Secure all doors and windows on this vacant building and ensure the building is maintained in a secure condition at all times to prevent unauthorized entry into the building.
- Restore the exterior of the building, including but not limited to: replace the roof system and make water-tight to prevent infiltration by the elements, seal/repoint all cracks and gaps in the exterior walls, replace or repair all damaged, deteriorated and missing soffits and fascia, repair the roof over the basement walkout, and repair the front porch roof.
- Repair/replace the rotted, damaged or deteriorated floor boards on the front porch, repair the deflected brick support columns and ensure they are capable of safely sustaining the front porch roof and any additional load it may be subjected to through normal use.

Consultation with Heritage Planning staff confirmed that the red brick front porch was not a heritage attribute of the building as the previous wooden front porch (seen in the Couling Architectural Inventory photos in Attachment 3) had been replaced with a brick porch by the previous owner after 1969. In December 2017 Building Services approved building permit 2017-008190RR to allow the removal of the red brick front porch and interior demolitions.

The property was inspected in January 2018 to find the front porch collapsing and the building unsecure again. Property Standards staff issued a letter to the owner requiring them to secure the vacant building (specifically the basement window on the west) and any other access to prevent unauthorized entry. The letter stated that the front porch roof system was unsafe and collapsing and in need of significant repair. The owner was told they must repair the porch roofing system or remove the front porch roof system and associated structures to make this area safe. By March 2018 the roof had been covered with tarps, the front porch secured and access restricted. The front porch was demolished in January 2021 under the open permit from 2017.

In March 2021 the building was unsecure again as the window and door barriers installed by the owner had been removed to gain access. In July 2021, a follow-up inspection found the main roof starting to cave in and building still unsecure. An Order was issued the same day due to new serious roof safety issues (collapse hazards) and the structure being constantly neglected, unsecure and in close proximity to a children's daycare. On July 20, 2021 demolition permit 2021-004258DP was applied for and has been refused by Building Services because the property is listed on the Municipal Register of Heritage Properties and it is subject to the provisions of the Ontario Heritage Act.

### **Statement of Cultural Heritage Value or Interest**

The property known as 919 York Road contains vestiges of two significant aspects of the historical development of the City of Guelph: 19<sup>th</sup> century farmsteads linked to post-contact settlement in former rural farming areas within the City of Guelph and subsequently the development of the Ontario Reformatory lands. Along the southwest side of the property are three built heritage resources that are listed (as non-designated) on the Municipal Register of Cultural Heritage Properties: the stone gate at York Road; the Matthews farmhouse and a detached, stone shed (Attachment 2). These three built heritage resources have heritage attributes that meet all three criteria used to determine cultural heritage value or interest as set

out in Ontario Regulation 9/06 under the Ontario Heritage Act and, therefore, the property merits individual heritage designation under the Ontario Heritage Act. Current photos of these built heritage resources are seen in Attachment 4.

### **Stone Gate**

Detail 'A' in the survey plan (Attachment 1) shows that the west side of the stone gate is located within 785 York Road and that a portion of the east side of the stone gate is within the west corner of the subject property. As the majority of the stone gate is protected in the designation by-law for 785 York Road it is recommended that the balance of the gate is protected through the designation of 919 York Road.

The stone gate at 919 York Road has design value or physical value because it is a unique example of a stone gate built for the Ontario Reformatory about 1914; it is a representative example of materials and construction methods taught to prison workers through the Ontario Reformatory work program; it displays a high degree of craftsmanship.

The stone gate at 919 York Road has historical value or associative value because it has direct associations with the theme of the Ontario Reformatory as an institution that is significant to the City of Guelph community.

The stone gate at 919 York Road has contextual value because it is important in defining, maintaining and supporting the character of the former Ontario Reformatory lands; it is visually and historically linked to the adjacent and protected Ontario Reformatory cultural heritage landscape at 785 York Road; and it is a landmark indicating a former north east entrance and roadway connection to the Ontario Reformatory.

### **Matthews Farmhouse**

The Matthews farmhouse at 919 York Road, built in 1860 by Robert and Stephen Matthews (farmers and stone masons), has design value or physical value because it is an early and representative example of mid-19<sup>th</sup> century rural farmhouse construction using heavy timber log and fieldstone (limestone and granite) construction methods.

The Matthews farmhouse at 919 York Road has historical value or associative value because it has direct associations with the theme of 19<sup>th</sup> century farmsteads linked to pioneer settlement in former rural farming areas within the City of Guelph and direct associations with the Ontario Reformatory, an institution that is significant to the City of Guelph community. After being purchased by the Province of Ontario in 1910 the farmhouse was used as a residence for Reformatory staff whose duties included watching for escapees or "go boys".

The Matthews farmhouse at 919 York Road has contextual value because it is important in defining, maintaining and supporting the character of the former Ontario Reformatory lands; it is visually and historically linked to the adjacent Ontario Reformatory cultural heritage landscape at 785 York Road.

### **Stone Shed**

The stone shed behind the Matthews farmhouse at 919 York Road has design value or physical value because it is a representative example mid-19<sup>th</sup> century rural farm building construction using fieldstone (limestone and granite) construction.

The stone shed behind the Matthews farmhouse at 919 York Road has historical value or associative value because it has direct associations with the theme of farmsteads linked to pioneer settlement in former rural farming areas within the City of Guelph.

The stone shed behind the Matthews farmhouse at 919 York Road has contextual value because it is functionally, visually and historically linked to the Matthews farmhouse and to the adjacent Ontario Reformatory cultural heritage landscape at 785 York Road.

### **Heritage Attributes**

The following are to be considered as heritage attributes to be protected by a heritage designation by-law for 919 York Road:

#### Stone Gate

- The portion of the curved, stone wing wall (within the subject property) including the upright "battlement" or "soldier" stones along top
- The portion of the driveway (within the subject property) from gate to the east side of the farmhouse and shed

#### Matthews Farmhouse

- 1.5-storey, hip roof building form with raised basement
- Red brick chimney at peak of hip roof
- Small gable roof dormers on each of the four roof slopes
- Exterior stone walls, including the stone basement walls
- All original door and window openings including stone sills
- Low, curved wall of dry (fieldstone) construction to the west of the farmhouse

#### Stone Shed

- One-storey, front gable building form
- Stone chimney rising from the southwest gable wall
- Exterior stone walls
- All original door and window openings

### **Financial Implications**

The Planning Services budget covers the cost of a heritage designation plaque.

### **Attachments**

Attachment-1 Plan of Survey and Adjacent Ontario Reformatory Cultural Heritage Landscape

Attachment-2 Location of Built Heritage Resources and Records from the Municipal Register of Cultural Heritage Properties

Attachment-3 Historical Images

Attachment-4 Current Photos

### **Consultations**

Heritage Guelph has been consulted regarding Planning staff's intended recommendations to Council and passed the following motion at their meeting of November 8, 2021.

“That Heritage Guelph advises City Council to publish a Notice of Intention to Designate the property known as 919 York Road under section 29, Part IV of the Ontario Heritage Act using the Statement of Cultural Heritage Value and list of heritage attributes proposed by staff at the October 12, 2021, meeting of Heritage Guelph and that the Heritage Planner limit the references of Heritage attributes to the limits of the property in relation to the stone gate and the driveway.”

## **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 conservation of cultural heritage resources 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 recommended by:**

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