

Subject: 15 Faulkner Street, Removal of Listed Property from the Municipal Heritage Register

Department: Infrastructure Services

Division: Planning

Report #: INS-2022-006

Meeting Date: 2022-01-24

Recommendations

That report INS-2022-006, 15 Faulkner Street, Removal of a Listed Property from the Municipal Heritage Register, be received;

And that Council supports the removal of this property from the Town's Municipal Heritage Register;

And that the following condition be imposed in consideration of any future residential demolition permit application submission for this property:

1. That the applicant allows Heritage Orangeville access to the subject property to document the existing structure and any existing historical elements on the property.

Background

The subject property is municipally known as 15 Faulkner Street and is located on the east side of Faulkner Street, north of McCarthy Street and south of Fead Street. It is approximately 0.47 hectares (1.16 acres) in area, with approximately 76 metres (250 feet) of frontage on Faulkner Street.

The subject property contains a two-storey, 17-unit apartment building, a detached double-car garage and an accessory storage shed. The main building is comprised of several building additions to an original two-storey red brick structure constructed circa 1879.

The property is listed on the [Town's Municipal Heritage Register of non-designated properties of cultural heritage value or interest](#), due to its period of construction and associative historic context within the community. According to the [heritage summary of the subject property](#) obtained from the Town's [interactive mapping tool](#), the property is

home to the first registered nursing home in Ontario. The summary does not indicate that there are any rare or unique architectural elements of the building that are of historical significance.

In June 2018, a zoning by-law amendment application (File No. RZ-2018-02) was submitted to facilitate a redevelopment proposal featuring a five (5) storey, 46-unit apartment building. The proposed apartment building would be constructed in the same general vicinity as the existing building footprint, with resident and visitor surface parking around the perimeter of the property. The tenure of the proposed apartment dwellings would be rental units.

The application proceeded through its statutory process, with a public meeting held on January 28, 2019, and circulation to all required public agencies and internal Town stakeholders, including Heritage Orangeville. Heritage Orangeville considered the development proposal at its meeting of September 28, 2018 and expressed no comments or recommendations.

Council passed a zoning by-law amendment on June 24, 2019, to rezone the subject property to facilitate the development proposal. Although this approval established the land use permissions for the development proposal, additional applications remain required to allow the development to proceed, including:

- i) Site Plan Approval
- ii) Removal of a Holding (H) symbol
- iii) Residential Demolition

On October 29, 2021, the owner's agent (Mr. Bob Long) approached the Town with a request to remove, or "de-list" the subject property from the Town's Municipal Heritage Register. While the owner's intended timelines for redeveloping the property are unknown at this time, the rationale for this request is that a land use approval was granted for a proposed redevelopment of the site, which as part of that process, considered the removal of the existing structure to make way for the redevelopment proposal. The heritage implications of removing the existing building would have been considered and addressed through the rezoning process. Therefore, it would be redundant to maintain this property on the Town's Municipal Heritage Register in light of this recent land use approval.

Analysis

Ontario Heritage Act

Under Section 27 of the [Ontario Heritage Act](#) (the "Act"), municipalities are required to maintain a Municipal Register that lists all heritage properties formally designated by the municipality. A municipal council may expand the Register to include "non-designated" properties that it believes to be of cultural heritage value or interest (Subsection 27 (1.2)). This is known as "listing" of a property. Listing of non-designated properties on the Municipal Register intends to provide interim protection from any proposals to

demolish or remove structures from such properties. Owners are required by the Act to provide Council at least 60 days' notice of their intention to demolish or remove a building or structure on a listed property. This allows time for the municipality to decide whether to allow the demolition to proceed, or begin the designation process to give greater heritage protection to the property. Subsection 27(4) of the Act requires a municipal council to consult with its heritage committee before adding or removing a listed, non-designated property on the Municipal Heritage Register.

[Ontario Regulation 9/06](#) of the Act sets out the criteria for determining whether a property has cultural heritage value or interest when considering designating that property under Part IV of the Act. A municipality must be satisfied that the property meets these criteria in order to proceed with its designation. The prescribed criteria for determining cultural heritage value or interest are as follows:

- 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).

This criteria also provides guidance for determining the cultural heritage value or interest of a property when considering including it on the Town's Municipal Register of Listed, Non-designated properties. This criteria is relevant for considering proposals to remove a listed or designated property from a Municipal Heritage Register.

Recommendation

At its meeting of December 16, 2021, Heritage Orangeville considered the request to have the subject property listing removed from the Municipal Heritage Register. Heritage Orangeville supported the removal of the property from the Reregister, with the stipulation that the site be documented prior to any future demolition.

Planning Division staff have no concerns with the removal of the subject property from the Town's Municipal Heritage Register. The recent zoning by-law amendment approval in support of a redevelopment of the subject property contemplated the removal of the existing buildings to make way for the development proposal. The heritage implications of removing the existing building were considered and addressed through that process. Taking this land use approval into consideration, staff are satisfied that the criteria prescribed by Ontario Regulation 9/06 are not sufficiently met by the subject property that would support maintaining its listing on the Municipal Heritage Register.

Consistent with the recommendations of Heritage Orangeville, staff recommend that a condition be imposed on any future residential property demolition permit application, which would allow Heritage Orangeville to document the existing building before any demolition were to proceed. Including this condition as part of any future residential demolition permit approval is supported by Section 16.2 of the Town's [Official Plan](#), which would be fulfilled to the satisfaction and discretion of the Committee.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Community Stewardship

Objective: Maintain and Protect our Built and Natural Heritage

Sustainable Neighbourhood Action Plan

Theme: Land Use and Planning

Strategy: Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities.

Notice Provisions

There are no public notification provisions applicable to this report.

Financial Impact

There are no financial impacts anticipated to the Town arising from this report.

Respectfully submitted

Gary Kocialek
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Attachment: 1. Location Map