



Town of Newmarket
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292/294 Court Street - Request to remove a structure from the Municipal Register of Non-Designated Heritage Properties Staff Report

Report Number: 2019-4

Department(s): Planning and Building Services

Author(s): D. Ruggle, Senior Planner, Community Planning

Meeting Date: January 14, 2019

Recommendations

1. THAT Development and Infrastructure Services/Planning and Building Services Report dated January 14, 2019 regarding 292 and 294 Court Street and the owners request to demolish the structure listed on the Municipal Register of Non-Designated Heritage Properties be received and the following recommendation(s) be adopted:
2. THAT Council permit the removal of 292 and 294 Court Street from the Municipal Register of Non-Designated Heritage Properties of Interest; and
3. THAT Deborah Alexander, 72 Herefordshire Crescent, East Gwillimbury, L9N 0B6 be notified of this action.

Purpose

The purpose of this report is to provide Council with information and a recommendation regarding the property owners request to have the property at 292/294 Court Street removed from the Register of non-designated Municipal Properties.

Background

The owner of 292/294 Court Street, legally described as Lot 5 West Side of Court Street Plan 25, have requested Council remove the property from the Town's Municipal Register of Non-Designated Properties to allow for the demolition of the semi-detached residential building on the lands. The owner intends to demolish the semi detached dwellings and apply to rezone the property to allow for two single detached dwellings. A lot severance would also be required.

The demolition of a building that is listed on the Register requires Council's approval. Owners of listed properties must give the Council at least 60 days notice of their intention to demolish or remove a building or structure on the property. This allows time for council to decide whether to begin the designation process or consent to the permit request. If Council does not proceed to initiate the process to designate the property, the property will be removed from the Register and the demolition will be permitted.

292/294 Court Street contains a 2 storey semi detached wood framed structure with a siding exterior, built circa 1872. It has a gable roof with a symmetrical front façade.

Discussion

Heritage Newmarket

At the July 3, 2018 Heritage Committee meeting, the Committee received a presentation regarding the property at 292-294 Court Street. In regards to this presentation, the following motion was passed:

That the Heritage Newmarket Advisory Committee request that the owner of 292-294 Court Street provide drawings of the proposed single detached homes and details on how they will interface with the neighbourhood.

No objections on the removal from the registry were raised; rather discussion around the size and look if the proposed replacement single detached dwellings occurred resulting in the above noted recommendation. The Committee were circulated the below images on November 22, 2018 and requested to provide any comments member might have. While no responses from the Committee were received, the proposed designs appear to be appropriate replacement dwellings that will have a positive contribution to the community.



① SOUTH-EAST VIEW



② SOUTH WEST VIEW

Proposed 2 Single Detached Homes
 NEWMARKET, ONTARIO



PERSPECTIVE VIEWS	
Town of Newmarket Preliminary Design	SK3
Project number 1805	Scale
Date OCT 2018	

Property Evaluation

Jane Hackett et al. House, is a 2 storey semi detached dwelling built in a generic style with gable ends and enclosed porch, noted as being constructed circa 1872.



When reviewing the property against the evaluation criteria, the Jane Hackett house does not appear to have significant design value as it is a generic semi-detached structure with a side gable roof. There also does not appear to be much contextual value as the dwelling does not define the character of the area and does not appear to be linked historically or physically to its surroundings.

There does not appear to be significant historical or associative value connected to this dwelling. The property at 292/294 Court Street, does not appear to have significant heritage value to warrant full designation under the Ontario Heritage Act.

Options/Implications

Council have two options to deal with this request of the property owner to have the property be removed from the Register.

Option one: Council can remove the property from Registry as requested by the property owner. Council have the ability to add and remove properties from the register after consulting Heritage Newmarket. It would be understood that the owner of the property would be entitled to apply for and be issued a demolition permit under the normal and usual process through Building Services. If Council are of the opinion that the property does not have sufficient heritage value or interest or that designation would cause undue hardship to the owner they may remove it from the Register. Council should also consider the cost associated with designation as well as the cost associated with potentially defending the designation at the Ontario Municipal Board.

There are no financial costs associated with this option.

Option two: Council can direct staff to initiate the heritage designation process under the Ontario Heritage Act for the property. There are no requirements under the *Ontario Heritage Act* to seek or receive consent of a property owner to designate property for its cultural heritage value.

To ensure owner rights, Council's designation of a property is appealable to the Conservation Review Board.

If Council pursue this option, there are costs associated with this decision. The formal property research completed by a Heritage Professional would cost approximately \$2,500-\$3,000. There are minimal costs associated with notices in the newspaper and other incidental processing costs. There may also be costs associated with defending the designation at the Ontario Municipal Board if an Owner files an appeal.

Conclusion

Staff recommends that Council permit the removal of 292 and 294 Court Street from the Municipal Register of Non-Designated Heritage Properties of Interest.

Business Plan and Strategic Plan Linkages

The recommendations of this report assist the Town in meeting its vision of being:

Well Balanced and Well Managed by ensuring Newmarket's rich built history is acknowledged and properly reviewed, safeguarding fairness for residents and respect for the Town's built history.

Consultation

Heritage Newmarket have provided their comments as required by the Ontario Heritage Act.

Human Resource Considerations

None

Budget Impact

There are no budget considerations as a result of the recommendations of this report.

Attachments

None

Approval

Commissioner Development and Infrastructure

Director of Planning and Building Services
Services

Senior Planner – Community Planning

Contact

For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; druggle@newmarket.ca