

Date: 2020-10-06

Subject: Heritage Permit Application and Revised Designation Report for 23 Centre Street South

Secondary Title: Recommendation Report: Heritage Permit Application for the Removal of the Kitchen Tail and Conservation of the Remainder of the Dwelling at 23 Centre Street South (Kilpatrick-Young House) and Demolition of Outbuildings on the Property and Revised Designation Report – 23 Centre Street South - Ward 3 (HE.x 23 Centre Street South)

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Report Number: Planning, Building and Economic Development-2020-237

Recommendations:

1. That the report titled: Recommendation Report: Heritage Permit Application for the Removal of the Kitchen Tail and Conservation of the Remainder of the Dwelling at 23 Centre Street South (Kilpatrick-Young House) and Demolition of Outbuildings on the Property and Revised Designation Report – 23 Centre Street South - Ward 3 (HE.x 23 Centre Street South), to the Brampton Heritage Board meeting of October 20, 2020, be received;
2. That the Heritage Permit application for the removal of the kitchen tail and conservation of the remainder of the dwelling known as the Kilpatrick-Young House be approved in accordance with Section 33 of the *Ontario Heritage Act* (the “Act”) subject to the following terms and conditions:
 - a. That prior to the issuance of site plan approval and any heritage permit or building permit, including a demolition permit, for the works associated with this heritage permit, the Owner shall:
 - i. Provide a Heritage Conservation Plan, prepared by a qualified heritage consultant and to the satisfaction of the Brampton Heritage Board and the Director of Policy Planning, in support of a subsequent

5. That staff be authorized to publish and serve the Notice of Withdrawal to Designate the property at 23 Centre Street South in accordance with the requirements of the Act.
6. That the revised Designation Report for 23 Centre Street South, attached as Appendix D to this report, be approved.
7. That the designation of the property at 23 Centre Street South under Part IV, Section 29 of the Act be approved;
8. That staff be authorized to publish and serve the revised Notice of Intention to designate the property at 23 Centre Street South in accordance with the requirements of the Act;
9. That, in the event that no objections to the designation are received, a by-law be passed to designate the subject property;
10. That, in the event that any objections to the designation are received, staff be directed to refer the proposed designation to the Ontario Conservation Review Board; and,
11. That staff be authorized to attend any hearing process held by the Conservation Review Board in support of Council's decision to designate the subject property.

Overview:

- **The property at 23 Centre Street South (the Kilpatrick-Young House) is in the process of being designated under Part IV of the *Ontario Heritage Act* (the "Act").**
- **In accordance with Sub-Section 30(2) and Section 33 of the Act, alterations to a property that is designated or has been issued a Notice of Intention to Designate that are likely to affect its heritage attributes require written consent from the Council of the municipality in the form of a Heritage Permit.**
- **A Heritage Permit application for 23 Centre Street South was submitted on September 11, 2020 for the removal of the kitchen tail of the dwelling known as the Kilpatrick-Young house, as well as the demolition of the outbuildings on the property.**

- **The property is not currently associated with a planning application but site plan approval will be required for the proposed works.**
- **This report recommends the approval of the Heritage Permit application for 23 Centre Street South subject to terms and conditions.**
- **A designation report for the property at 23 Centre Street South was originally completed in 2009. The Notice of Intention to designate based on the initial designation report was sent via registered mail on December 21, 2010.**
- **The heritage attributes identified in this designation report are inaccurate and require revision. A revised designation report has been drafted as a result.**
- **The subject property is confirmed to meet the provincial criteria for municipal designation prescribed by Ontario Regulation 9/06 under the categories of design/physical, historical/associative and contextual value.**
- **Heritage staff recommend that the original Notice of Intention to Designate be withdrawn and that the designation process proceed in accordance with the revised Designation Report attached as Appendix D to this report.**

Background:

The property at 23 Centre Street South is in the process of designation under Part IV of the Act and contains a well-preserved example of an Ontario Gothic Cottage. A Notice of Intention to Designate the property was issued on December 22, 2010.

In accordance with Sub-Section 30(2) and Section 33 of the Act, alterations to a property that is designated or has been issued a Notice of Intention to Designate that are likely to affect its heritage attributes require written consent from the Council of the municipality in the form of a Heritage Permit.

Policy Framework

The Planning Act

The *Planning Act* guides development in the Province of Ontario and states that municipalities must have regard for matters of provincial interest. The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest is identified under paragraph 2(d) of the *Planning Act* as a matter of provincial interest.

Provincial Policy Statement (2014)

The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act. The *Planning Act* requires that all decisions affecting land use planning be consistent with the Provincial Policy Statement.

Policies 1.7.1 d) and 2.6.1 of the Provincial Policy Statement direct that:

“Long-term economic prosperity should be supported by: d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes”

“Significant built heritage resources and significant cultural heritage landscapes shall be conserved”

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (2017) provides a framework for managing growth within the Greater Golden Horseshoe region. Policy 4.2.7.1 of the Growth Plan states that: *“Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.”*

City of Brampton Official Plan

The City of Brampton Official Plan policies that are relevant in the context of this report and heritage permit application are:

4.10.1.8 Heritage resources will be protected and conserved in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards. Protection, maintenance and stabilization of existing cultural heritage attributes and features over removal or replacement will be adopted as the core principles for all conservation projects.

4.10.1.9 Alteration, removal or demolition of heritage attributes on designated heritage properties will be avoided. Any proposal involving such works will require a heritage permit application to be submitted for the approval of the City.

Current Situation:

Heritage Permit:

AREA Architects submitted a complete Heritage Permit Application (Appendix A) on September 11, 2020 on behalf of the owners of 23 Centre Street South. In accordance with Section 33 of the Act, Council must respond to the application by December 10, 2020. AREA Architects submitted a Heritage Impact Assessment (HIA) in support of the application.

The application proposes the removal of the rear kitchen tail of the Kilpatrick-Young house and conservation of the remainder of the building.

As per to Section 4.10.1.8 of the City of Brampton Official Plan (OP) the protection, maintenance and stabilization of existing cultural heritage attributes and features over removal or replacement will be adopted as core principles for all conservation projects in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

The *Standards and Guidelines for Conservation of Historic Places in Canada* outlines processes for the evaluation, protection and interventions required to maintain character-defining elements of cultural heritage resources. These guidelines include concepts such as minimal intervention and the conservation of the character-defining elements. In accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and the City of Brampton's Official Plan, interventions required to stabilize and, if necessary, protect the character-defining elements must occur to conserve the character defining elements of a cultural heritage resource. The proposed works in this heritage permit impact the kitchen tail of the Kilpatrick-Young House.

The kitchen tail proposed to be removed was originally included as a heritage attribute in the designation report. It is located to the rear of the building and does not retain the same level of integrity or detailing as the front, main portion of the building. While the exact date of construction for the kitchen tail is unknown, it was arguably constructed later than the original structure as indicated by a differentiation in the window detailing and the foundation material. The kitchen tail has been significantly altered and added to since its initial construction and is surrounded on two sides by incompatible 20th century expansions, which are also proposed to be removed. As detailed in the HIA submitted as part of the application, the property will retain its cultural heritage value if the kitchen tail is removed, as the kitchen tail is not identified as contributing to the significance of the property.

In addition, the conservation of the main portion of the building, with its three bay front façade wood detailing and gabled dormer, is of greater importance than the kitchen tail of the property. The property owners are committed to the rehabilitation and restoration of the main Ontario Gothic Cottage portion of the building, which is proposed to be adaptively re-used as a pharmacy or offices to support the adjacent medical building.

As the removal of the kitchen tail will not detract from the cultural heritage value of the property and in order to facilitate the conservation of the most significant portion of the building, Heritage staff recommend the approval of the heritage permit subject to terms

and conditions. The terms and conditions reflect the recognition that the overall conservation of the building requires further consideration in a subsequent heritage conservation plan which will set out the restoration and rehabilitation work to be undertaken on the property.

A Heritage Conservation Plan (HCP) was not provided as part of this Heritage Permit application but is required as the basis of a subsequent Heritage Permit application to be brought to the Brampton Heritage Board at a later date. As stated in the HIA, this HCP will be required as part of a site plan application.

Approval of this subsequent heritage permit site plan approval, heritage permit is required prior to site plan approval and any building permit, including a demolition permit other than those for the demolition of the outbuildings, which do not have any cultural heritage value.

Heritage staff recommend the approval of the heritage permit subject to the following conditions: That the Heritage Permit application for the removal of the kitchen tail of the dwelling known as the Kilpatrick-Young House be approved in accordance with Section 33 of the Act subject to the following terms and conditions:

- a. That prior to the issuance of site plan approval and any heritage permit or building permit, including a demolition permit, for the works associated with this heritage permit, the Owner shall:
 - i. Provide a Heritage Conservation Plan, prepared by a qualified heritage consultant and to the satisfaction of the Brampton Heritage Board and the Director of Policy Planning, in support of a subsequent heritage permit application for the conservation of the dwelling at 23 Centre Street South known as the Kilpatrick-Young House;
 - ii. Provide measured drawings and photo documentation of the interior and exterior portion of the building to be removed to the satisfaction of the Director of Policy Planning and for submission to the Archives at the Peel Art Gallery Museum and Archives (PAMA);
 - iii. Provide financial securities as specified in the Heritage Conservation Plan plus an additional 30% contingency in a form and amount satisfactory to the Commissioner of Planning and Development Services to secure all work included in the Heritage Building Protection Plan and Heritage Conservation Plan; and,

- iv. Enter into a Heritage Easement Agreement (the “HEA”) with respect to the conservation of the Kilpatrick-Young House with the City, with content satisfactory to the Commissioner of Planning and Development Services, and in a form satisfactory to the City Solicitor.
- b. That prior to the release of financial securities, the owner provide a letter, prepared and signed by a qualified heritage expert, certifying that all works as outlined in the approved Heritage Conservation Plan have been completed, and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Director of Policy Planning, Planning and Development Services; and,
- c. That the owner notify Heritage Planning staff of the removal date for the kitchen tail so that Heritage staff can be in attendance.
- d. That until such time as the conservation work on the property at 23 Centre Street South can be completed, the owner ensure that the Property Standards By-law, as amended, is adhered to.

Heritage Impact Assessment (HIA)

The HIA prepared by AREA Architects, submitted as part of the Heritage Permit application, confirmed that the subject property meets the criteria for designation under the Act for its Design/Physical, Historical/Associative, and Contextual Value.

The HIA also included a set of recommendations, many of which are reflected in the terms and conditions for the approval of the heritage permit. These recommendations include:

- a. The partial demolition of the rear one-story section of the house, later construction than the original house, should be permitted in order to allow for additional outdoor parking spaces.
- b. The Heritage Designation Report should be updated and amended to include corrections and account for the proposed partial demolition, rear parking and change of use.
- c. This HIA should form part of a Heritage Permit Application (HPA) for the demolition of the rear portion of the house. In conjunction with the partial demolition would be a Site Plan Approval (SPA) application to follow the HIA submission. But approval in principle of the HIA and the associated HPA for the demolition of the rear portion are needed before the client

undertakes the considerable engineering and other services to prepare the SPA application.

- d. Part of the SPA submission would be a set of Heritage Conservation Plan (HCP) drawings outlining in detail the methodology for the partial demolition, rehabilitation and restoration of the remaining front portion of the building.
- e. Following the SPA completion and execution of the associated agreements, a Building Permit Application (BPA) will be submitted to implement the change of use from residential to commercial. In conjunction with the BPA will be a second HPA. The BPA and HPA will allow for the proposed interior alterations and exterior restoration work outlined in the HCP.
- f. It is recommended that Council approve and, following which, that Heritage Planning and other staff undertake actions and permits to implement this partial demolition. After (and only with) the approval of the Heritage Conservation Plan and its proposed demolition of the rear wing, a Heritage Easement Agreement (HEA) would be entered into by the owner/applicant to ensure the conservation and protection of the subject property.

Revised Designation Report:

The property at 23 Centre Street South is in the process of designation under Part IV of the Act, meaning that the Notice of Intention to Designate has been served on the property owner. To complete proper due diligence and to maintain transparency with the Brampton Heritage Board, Council and the property owner, Heritage staff have revised the designation report, including the description of the property's heritage attributes.

Heritage staff have worked with the current property owner to address the inaccuracies in the original designation report (Appendix C) which are detailed in the HIA submitted as part of the Heritage Permit application. The revisions address the statement of cultural heritage value, heritage attributes, and the proposed removal of the kitchen tail of the building.

The subject property meets the provincial criteria for municipal designation prescribed by Ontario Regulation 9/06 under the categories of design/physical, historical/associative and contextual value. The revised designation report is attached as Appendix D.

The cultural heritage resource was initially identified as a Regency Cottage but, based on the *Canada Farmer's Journal* volume cited in the revised designation report, the style has been revised to Ontario Gothic Cottage. The cultural heritage resource exhibits several Gothic elements, including its prominent gabled dormer with pointed Gothic or lancet window.

Numerous alterations have been made to the building since its construction; however, these alterations do not detract from the cultural heritage value of the property. Some of these alterations include:

- A concrete front porch with metal railings;
- Cinder block chimney stack off south side elevation at rear of main house block;
- Enclosed porch on north side elevation clad in metal siding;
- 80% of the original pebbled stucco replaced with a similar stucco by 1970, some original stucco remaining on east façade of the building;
- Most of the horizontal trim boards replaced in the late 1970s and early 1980s;
- Twelve (12) decorative window shutters and wood storm windows installed in the mid-1970s.

The property is no longer identified as having historical associative value for its association with the Kilpatrick family, as Heritage staff determined they were not significant to the community. However, the property was determined to retain historical/associative value based on its location in the Railway Block neighbourhood and it is one of the last remaining historic structures in the area. The information on the Kilpatrick family has been included as an appendix at the back of the designation report but will not be part of the attributes of the property.

Statement of Cultural Heritage Value:

Design/Physical Value

The property at 23 Centre Street exhibits design/physical value as a representative example of an Ontario Gothic Cottage. True examples of this particular style are rare in Brampton. Another similar example can be found at 102 Main Street South. The “Ontario Cottage” house form was featured in the February 1, 1864 edition of the Canada Farmer Journal. The typical features shown in this Journal of what has become known as the Ontario Gothic Cottage house include a hip (or side gable roof), low, one-and-a-half storey height, symmetrical three bay front façade, and central gabled dormer with a window above the main entrance door. Many Ontario Cottage houses have a lancet window above the front entrance and other decorative wood features such as bargeboard, which are trademarks of Gothic Revival architecture, hence the Ontario Gothic Cottage style attributed to these dwellings.

The house at 23 Centre Street includes many of the key architectural features associated with the Ontario Gothic Cottage. Its main rectangular portion has a symmetrically proportioned, three bay front (east) façade, is one-and-a-half storeys in height, and has

a hipped roof. It also, as with many of the examples in Ontario, has a central gabled dormer with lancet window above the front entrance framed by decorative vergeboard. The windows have segmented arched openings and 2-over-2 wood sashes.

The house is clad in stucco. Although the current stucco on the house is all original and much of it has been replaced over time, as far as can be determined, stucco has been the principle cladding material for the house since its construction. As such, its rough cast construction is part of its representative value.

Certain features of the building exhibit a high degree of craftsmanship including the moulded, segmentally arched window surrounds with eared architraves. This decoration is also applied to the front (east) entrance doorway. Other surviving wood elements include vertical wood cornerboards and horizontal trim boards, and wood window sills. The property does not demonstrate a high degree of scientific or technical achievement as it is was built using construction methods common during the 19th century.

Historical/Associative Value

The property at 23 Centre Street South has historic/associative value as it yields or has the potential to yield information that contributes to an understanding of a community or culture. The property is part of BR-5, registered in 1854, in the Railway Block neighbourhood, one of the earliest subdivisions in Brampton, and is one of the few remaining historic structures in the area of Centre Street south and Queen Street. The construction of the house is associated with the increase in Brampton's population after it was declared the County seat of Peel and the railway boom which brought increased industry to Brampton.

Contextual Value

The property has contextual value as it was part of one of Brampton's early residential subdivision known as the "Railway Block". This neighborhood grew when the town was entering a residential building boom following the arrival of the railway, the emergence of the local flower industry, the choice of Brampton as the seat of Peel County, and the incorporation of Brampton from a Town into a City. This property defines and supports the character of what was a prosperous, working class neighborhood.

Contextually, the surrounding area has changed considerably since the "Railway Block" plan of subdivision was developed, particularly along Centre Street. Nevertheless, the parcel helps to illustrate the characteristics of a typical mid-Victorian building lot in Brampton – noted by narrow lots and shallow front yard setbacks which were intended to encourage closer interaction between its working and middle class residents and passers-by.

Description of Heritage Attributes:

- Representative example of Ontario Gothic Cottage style of architecture;
- One-and-a half storey height;
- Well-proportioned symmetrical massing;
- Three bay front (east) fenestration;
- Wood frame construction clad in stucco;
- Medium pitch hipped roof;
- Steeply pitched gabled dormer with pointed Gothic window over the front (east) entrance;
- Decorative vergeboard of east central gable dormer;
- Original window openings;
- Two-over-two wood sash windows;
- Moulded segmentally arched door and window trims with eared architraves;
- Moulded wood window sills;
- Front door opening with single-leaf front door, fixed transom, and moulded eared surround;
- Vertical wood corner boards and horizontal trim boards
- Association with the evolution of "Railway Block" neighbourhood, one of Brampton's earliest neighborhoods;
- Association with the construction boom in Brampton following introduction of railway and local flower industry in the mid 1850s;
- Contribution to the understanding of original character of "Railway Block" as a cohesive mid-Victorian residential neighbourhood;

Heritage staff recommend that the Brampton Heritage Board endorse and Council approve the designation of 23 Centre Street South under Part IV of the Act based on the revised designation report dated May 2020.

Corporate Implications:

Financial Implications:

Upon designation, the property will become eligible for the City of Brampton's Designation Heritage Property Incentive Grant program. A property owner can apply for the grant once every two years.

Other Implications:

None.

Term of Council Priorities:

This report meets the Term of Council Priorities by building on Brampton’s commitment to sustainability by adaptively re-using existing building stock and contributing to sustainable growth.

Conclusion:

Heritage staff have reviewed the Heritage Permit application for the removal of the kitchen tail of the Kilpatrick-Young House at 23 Centre Street South. It is recommended that the Heritage Permit be approved subject to the terms and conditions recommended by Heritage staff. This report further recommends that the HIA attached as Appendix B to this report be received and the recommendations/mitigation options contained therein be approved. The original Notice of Intention to Designate is recommended to be withdrawn in order to facilitate the designation of the property under Part IV of the Act with a revised designation report.

Authored by:

Reviewed by:

[Author/Principal Writer]

[Manager/Director]

Approved by:

Submitted by:

[Commissioner/Department Head]

[Chief Administrative Officer]

Attachments:

- Appendix A – 23 Centre Street South Heritage Permit Application
- Appendix B – 23 Centre Street South Heritage Impact Assessment
- Appendix C – 23 Centre Street South Designation Report 2009
- Appendix D – 23 Centre Street South Designation Report 2020