

Date: 2022-09-12

Subject: Presentation of Heritage Impact Assessment and Authority to Enter into a Heritage Easement Agreement – 28 Elizabeth Street North (The Haggertlea House) – Ward 1 (File H.EX. 28 Elizabeth Street North).

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Report Number: Planning, Bld & Growth Mgt-2022-896

Recommendations:

1. That the report titled: Presentation of Heritage Impact Assessment and Authority to Enter into a Heritage Easement Agreement – 28 Elizabeth Street North (The Haggertlea House) – Ward 1 (File H.EX. 28 Elizabeth Street North), to the Brampton Heritage Board Meeting of September 20, 2022, be received;
2. That the Heritage Impact Assessment of the property at 28 Elizabeth Street North, titled: Heritage Impact Assessment for 31-33 George Street North (including 28 Elizabeth Street North) Brampton, Ontario, prepared by Goldsmith Borgal & Company Ltd. (GBCA) Architects, dated August 11, 2022 and attached as Appendix A to this report (“HIA”) be received and accepted; and
3. That the Commissioner of Planning, Building and Growth Management be authorized to enter into a Heritage Easement Agreement with the Owner of the property at 28 Elizabeth Street North in accordance with Part IV, section 37 of the Ontario Heritage Act, as amended (the “Act”).

Overview:

- **The subject property currently accommodates seven residential apartment units, while the property at 31-33 George Street N accommodates mixed-use commercial tenants, with two separate storefronts fronting George Street N. The houses at 18 to 24 Elizabeth Street North are single family residential.**
- **The property also known as the Haggertlea House (28 Elizabeth Street North) is on the City of Brampton’s Municipal Register of Cultural Heritage**

Resources, designated under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest (By-Law 324-2013).

- Zoning By-law Amendment and Site Plan Approval applications have been submitted to the City to develop the Subject Lands for high-density, mixed-use development consisting of two towers (37 and 42 storey), 928 rental units (40 of which will be affordable units), 146 hotel units, and 799 m2 of retail space.
- The proposed development will also retain the heritage building at 28 Elizabeth Street North in situ.
- The HIA reconfirms that the property is worthy of designation and meets the criteria prescribed by the Province under Ontario Regulation 9/06 to determine cultural heritage value or interest.
- A final Heritage Conservation Plan, Heritage Building Protection Plan, specifications for a heritage pedestal plaque, or other commemoration and heritage permit application made in accordance with Sections 33 and 34 of the Ontario Heritage Act are expected to be presented at a future Brampton Heritage Board meeting to provide the details of the conservation strategy proposed in the HIA.
- To ensure the optimal option for the successful, effective and long-term conservation and protection of the Haggertlea House, the posting of financial heritage securities and the entry into a heritage easement agreement between the owner and the City are recommended as conditions to approve the Planning Applications prior to the commencement of any work on the property.
- The endorsement in principle of the conservation strategy described in the HIA and the authorization to enter into a heritage easement agreement represent the first step and first set of recommendations to support the proposed retention and restoration of the Haggertlea House.
- This report recommends that City Council authorize the authority to enter into a Heritage Easement Agreement with the Owner of 31-33 George Street North including 28 Elizabeth Street North (Haggertlea House) in accordance with Part IV, section 37 of the Ontario Heritage Act, as amended (the “Act”) for its cultural heritage value or interest. This report also recommends that the attached Heritage Impact Assessment (“HIA”) be received and accepted to endorse, in principle.

Background:

The property known as Haggertlea at 28 Elizabeth Street North is a prominent three-storey Second Empire Style House. It is located on the east side of Elizabeth Street North at Nelson Street West. The plan of the principle structure is a simple rectangular shape. The painted buff brick structure has an asphalt mansard roof. The house is located along a historic streetscape, surrounded by other late 19th and early 20th century residences to the north, south, and west. The commercial strip of Main Street North is located east of the house.

This property is located in downtown Brampton. The house has been altered, and it is currently divided into apartment units. Despite the alterations, the heritage resource maintains much of its original form and detailing and holds significant cultural heritage value.

The cultural heritage value of Haggertlea is also related to its historical value as it is associated with early Brampton resident John Haggert. The historic mansion Haggertlea was built in around 1870. Jesse Perry, a prominent Brampton builder, was involved in the construction of a residence for John Haggert, probably as a bricklayer. The contextual value of the property is also linked to its status as a historical and architectural landmark in downtown Brampton. Grand in both scale and stature relative to surrounding houses, Haggertlea stands out among the late 19th and early 20th century houses along Elizabeth Street North.

Proposed Development

The development proposes to demolish the existing commercial buildings at 31-33 George Street North, and the residential buildings at 18-24 Elizabeth Street North (along with the small detached wood-frame garage at 28 Elizabeth Street North), to erect two new residential towers with hotel and commercial programs, on a shared podium framing the Haggertlea building.

The development includes a stepped podium of 7 and 9-storeys fronting George Street North, which provides a set-back to the 42-storey Tower 1, plus mechanical, from the Nelson and George Streets intersection. A two storey podium extension provides a 3m set-back from the public plaza, adjacent to Haggertlea's former main entrance, and the 7-storey podium of Tower 1, fronting Nelson Street. Tower 1 sits aligned with its 7-storey podium, defined by a two-storey podium recess at the eighth and ninth floor levels.

A shared 1-storey podium frames Haggertlea through an 'L' shaped volume, and transitions to townhouse typologies at the base of Tower 2, fronting Elizabeth Street to the south of Haggertlea. The Tower 2 podium includes a set-back for private terraces at the sixth floor level, and additional set-backs adjacent to the property line at the ninth floor level. Tower 2 protrudes approximately 6m from its 1-storey podium, toward Haggertlea, above the residential drop off zone.

A public plaza, situated adjacent the former main elevation of Haggertlea, as well as a drop-off area adjacent to Haggertlea's east elevation (including the entrances to the loading area and parking garage below) provide intermediary spaces between the existing heritage resource and the proposed new podium volume. The public plaza provides an approximate distance of 12m between the proposed two-storey podium portions of the proposed development to Haggertlea's former main elevation. The proposed development includes five levels of below-grade parking comprising the extent of the subject site.

Haggertlea will be supported in-situ on new structural caissons during the underground parking construction phase, and will remain in its original location above new foundations detailed, above grade, to match the exterior appearance of the original stone foundations, where previously visible.

Heritage Impact Assessment

Attached as Appendix A to this report is the Heritage Impact Assessment of 31-33 George Street North including 28 Elizabeth Street North, Brampton, Ontario, prepared by Goldsmith Borgal & Company Ltd. (GBCA) Architects. This HIA was completed by the heritage consultant retained by the owners of 31-33 George Street North, 28 Elizabeth Street North and was received as part of the submission material for the Planning Application. The proposed conservation strategy described in this HIA for the property is supported by City heritage staff, provided that the built heritage resource and heritage property will be effectively protected and conserved in the immediate and long-term by maintaining the designation of the property as a property of cultural heritage value or interest and by entering into a heritage easement agreement pursuant to section 37 of the *Ontario Heritage Act*.

The HIA contains an evaluation of the property against the criteria for designation prescribed under Ontario Regulation 9/06. Both evaluations from the HIA (Appendix A) and the City's Designation By-law (City by-law number 324-2013) are concluding and concurring that the property is worthy of designation.

Heritage City staff concur with the following conclusions found within the HIA:

- The heritage house will be conserved through its incorporation into the proposed development.
- In the context of the proposed development, the heritage house and property will be conserved and the impact of the proposed development and previous alterations will be mitigated. The heritage house will be restored and provided with an appropriate adaptive reuse that will ensure its continued existence and maintenance. The restoration of the heritage house, especially the original attributes, will provide an excellent and highly visual opportunity for interpretation of the history of Brampton, the Haggert Family, and the subject property.
- A Heritage Building Protection Plan and Heritage Conservation Plan will ensure that the restoration, renovation and redevelopment processes are monitored in order to protect and maintain the cultural heritage resources on and adjacent to the site.
- The proposed development represents good opportunities for the conservation in situ of the Haggertlea building, with opportunities of being adaptively re-used to accommodate new public programming, while being incorporated within a new high density development for residential and commercial uses.
- Impacts have been identified and have been mitigated by landscape strategies, the restoration and preservation strategies, and opportunities for future public programming, to maintain the cultural heritage value of Haggertlea. Further,

unsympathetic extensions to the Haggertlea building as well as changes to the original, main, eastern façade will be removed with the intent to restore the original materials of the building.

- As plans for adaptive re-use and reprogramming of Haggertlea evolve, it will be important to develop appropriate conservation strategies for reinstating original exterior details, such as door and window openings, bay windows, veranda, and tower. Further condition assessment of any original interior features should

Heritage Easement Agreement

A heritage easement agreement is recommended as a condition of approval for the Planning Application and prior to the commencement of any site alteration to facilitate restoration and integration of the heritage house. The purpose of this heritage easement agreement is also to ensure the immediate and long-term effective protection and conservation of the built heritage resource on the property.

The agreement will include the approval of a permit for partial demolition with the exception of salvageable original building material that will be secured and safely stored for the purpose of the reconstruction of the house and/or use in a future Commemoration Plan. The HEA will be prepared, with content satisfactory to the Director of City Planning & Design, and in a form approved by the City Solicitor or designate.

Corporate Implications:

Financial Implications:

There are no financial implications resulting from the adoption of the recommendations in this report.

Other Implications:

Not applicable.

Term of Council Priorities:

This report has been prepared in full consideration of the Term of Council Priorities (2018-2022). This report aligns with a 'Mosaic City' by continuing the preservation of heritage properties and cultural heritage resources to support cultural diversity and expression. A Mosaic City reflects the commitment of the City to preserve and protect its cultural heritage. This report also aligns with a 'City of Opportunities', supporting the creation of complete communities by supporting the diversity and distinctiveness of the City through the preservation and conservation of its cultural heritage resources.

Living the Mosaic – 2040 Vision:

The report aligns with the following vision:

- **Vision 5:** in 2040, Brampton will be a rich mosaic of cultures and lifestyle, coexisting in **social responsibility**, respect, enjoyment and justice.

Conclusion:

Heritage planning staff reviewed the application and submission material for conformity with the Ontario Heritage Act, the Planning Act, the Provincial Policy Statement (2020), the Cultural Heritage Policies of the City’s Official Plan and the Standards and Guidelines for the Conservation of Historic Places in Canada. The proposed conservation strategy and approach will conserve, protect, preserve, restore and rehabilitate the significant built heritage resource of the heritage property at 28 Elizabeth Street North.

Heritage Staff concurs with the HIA and the recommendation therein. The authority to enter into a heritage easement agreement is necessary in the context to the proposed developed of the property. These measures will ensure effective protection and conservation of the property in the immediate and long-term. The endorsement in principle of the conservation and commemoration strategy described in the HIA and the authorization to enter into a heritage easement agreement represent the first step and first set of recommendations to support the proposed development.

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Attachments:

Appendix A – Heritage Impact Assessment for 31-33 George Street North
(including 28 Elizabeth Street North) Brampton, Ontario

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