

Town of Whitby

Staff Report

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Report Title: Heritage Permit Application, request for demolition and new dwelling at 404 Ontario Street West., designated under Part V under the Ontario Heritage Act; HP-01-23

Report to: Committee of the Whole

Date of meeting: April 3, 2023

Report Number: PDP 21-23

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

Roger Saunders, Commissioner of
Planning and Development

**Acknowledged by M. Gaskell, Chief
Administrative Officer**

For additional information, contact:

Dave Johnson, Planner II – Heritage, ext.
3166

1. Recommendation:

1. That Council approve the Heritage Permit application requesting demolition of the existing dwelling at 404 Ontario Street West (HP-01-23), in accordance with Section 42 of the Ontario Heritage Act; and
2. That staff continue to work with the applicant to approve the Heritage Permit application (HP-01-23) for the replacement dwelling at 404 Ontario Street West, subject to the comments contained in report PDP 21-23, and the timelines required under the Ontario Heritage Act.

2. Highlights:

- DeNoble Homes has submitted a Heritage Permit Application (HP-01-23) to permit the demolition of the existing dwelling and construct a new dwelling at 404 Ontario Street West, which is located within the Werden's Plan Neighbourhood Heritage Conservation District.
- DeNoble Homes submitted a Heritage Permit Application (HP-01-23) to permit the demolition of the existing dwelling and construct a new dwelling.
- A Cultural Heritage Impact Assessment was submitted along with the application.
- The Heritage Whitby Advisory Committee reviewed the application on February 14th and deferred the item to the next available meeting of March 14th, 2023, at which time they supported the application.

3. Background:

3.1 Site and Area Description

The subject land is located at 404 Ontario Street West, between King Street and Henry Street, and is approximately 0.08 ha in size (refer to Attachment #1). The subject land is located within the Werden's Plan Neighbourhood Heritage Conservation District (Werden's Plan HCD) and is designated under Part V of the Ontario Heritage Act.

3.2 Heritage Permit Application

A Heritage Permit Application has been submitted to request demolition of the existing dwelling at 404 Ontario St. W., designated under Part V of the Ontario Heritage Act, within the Werden's Plan HCD.

3.3 Documents Submitted in Support

A number of documents were submitted in support of the application, including the following:

- A Cultural Heritage Impact Assessment (CHIA), prepared by Archaeological Services Inc. (refer to Attachment #2) dated September 2018 and an addendum dated October 31, 2022. According to the CHIA, the building was constructed sometime between 1954 and 1960. The building is a typical post-war bungalow and sits on a square floor plan and features a gable roof with asphalt shingles, a gabled roofed front porch and a shed dormer at the rear. The foundation is poured concrete and showing signs of spalling. The main portion of the building utilizes long grey bricks in a running bond. Aluminum siding is found beneath the gables and cladding of the shed dormer.

The CHIA includes interior and exterior descriptions, background research and analysis, an overview of the historical context and an evaluation of the proposed demolition of the existing dwelling and the replacement dwelling.

- Plans and Drawings prepared by VASCAN Design Build (refer to Attachment #3)

4. Discussion:

4.1 Werden's Plan HCD Plan

The subject land is designated under Part V of the Ontario Heritage Act and is located within the Werden's Plan (HCD). The goal of the Werden's Plan HCD Plan is to preserve the neighbourhood's small-town historic character through the conservation of cultural heritage resources. The Werden's Plan HCD Plan identifies the subject property as being "Complementary Usual" (refer to Attachment #4).

4.2 Heritage Permit Application and Review Process

The applicant, Denoble Homes, has submitted a Heritage Permit Application (HP-01-23) for 404 Ontario St. W., to permit the demolition of the existing structure to facilitate the construction of a new residential structure, as required by Section 42 of the Ontario Heritage Act, for properties designated under Part V of the Act.

As part of the review process, the applicant is required to determine the site's historical significance through a Cultural Heritage Impact Assessment.

Under Section 42 of the Ontario Heritage Act, a decision to permit the demolition of a property designated under Part V of the Act must be made by Council. Further, where Council has established a municipal heritage committee, they are required to consult with the municipal heritage committee before making a decision.

The subject Heritage Permit Application was considered by the Heritage Whitby Advisory Committee on February 14, 2023, and March 14, 2023.

Should Council not render a decision by April 24, 2023, the Heritage Permit Application will be 'deemed' approved in accordance with Section 42 (4) of the Ontario Heritage Act.

4.3 Evaluation of proposed demolition and replacement dwelling

The applicant's CHIA provided an evaluation of the proposed demolition of the existing dwelling in accordance with the Werden's Plan HCD Plan policies for Demolition of "Complementary" classes of property within the District (Section 5.2.2). The Werden's Neighbourhood Plan HCD Plan indicates a preference to retain "Complementary" properties within the District. However, if demolition is proposed, any new dwelling must provide greater harmony with the neighbourhood's residential streetscapes, and it must conform to the policies and guidelines for new construction.

The applicant's heritage consultant, ASI, has provided information as to how this application would meet the intent of the HCD Plan, including the following:

- The building at 404 Ontario Street West reflects the cultural heritage value of the W.P.N.H.C.D. However, the way it reflects these values is limited to very basic attributes (such as building height, roof type and building material) rather than substantial architectural features that would be associated with "historic" buildings within the district and could be a candidate for replacement. As such, the demolition of the existing building could be permitted provided that a replacement dwelling can demonstrate greater harmony with the neighbourhood's residential streetscape and if the proposed building is consistent with the policies and guidelines for new buildings in the W.P.N.H.C.D. Furthermore, the new residence can be designed in a manner

that meets the guidelines set within the W.P.N.H.C.D. Plan, while maintaining the existing vegetation and green envelope.

The applicant's CHIA also provided an assessment of the proposed new dwelling, as follows:

- Building on the conclusions presented in the 2018 [CHIA], the primary issue to consider is whether the proposed new building achieves a level of compatibility within the W.P.N.H.C.D. The 2018 [CHIA] noted that impacts of the new building should consider existing landscape features on the property. However, further review of 404 Ontario Street confirms that there are not any specific landscaping treatments on the property that require further assessment or consideration from a heritage perspective. Additionally, a further review of the W.P.N.H.C.D. confirms that adjacent properties to 404 Ontario Street, have not been categorized as "historic". Accordingly, the primary issue for assessment herein, is whether the proposed new building achieves a level of compatibility with other complementary buildings located with the W.P.N.H.C.D.
- Assessment of compatibility can be considered by comparing the proposed new residence with other "complementary" buildings in the W.P.N.H.C.D. and also analyzing its physical and contextual fit within the existing streetscape. For purposes of this assessment, A.S.I. has assessed physical and contextual fit through consideration of complementary properties in various nearby locations of the W.P.N.H.C.D. and by comparing the proposal to existing fabric within the block surrounding 404 Ontario Street West, and as defined by lands shown in the block diagram. In doing so, this assessment considers how the new residence will relate to and build on established lotting conditions, such as front yard setbacks, orientation on the lot, and building to lot coverage ratios.

The applicant's CHIA drew some comparisons to other recently developed properties within the District that are considered complementary properties.

The applicant's CHIA has also provided an overview and evaluation of the proposed attached 2-car garage as policy 4.3.3.2 speaks to minimizing parking in the front yard, as follows:

- As part of the design refinement process, the proposed two-car garage was reviewed to assess how this component relates to the proposal's objective to be considered "complementary" with the District's architectural patterns. To better understand how the integration, presence and siting of garages permeates the W.P.N.H.C.D. Plan area, select examples of historic and complementary buildings featuring either single or 2-car garages were identified. A review of these examples demonstrates that there are a range of siting approaches for integrating garages as part of new development

projects. “Historic” properties within the W.P.N.H.C.D. feature integrated garages as exemplified at 700 Brock Street South. In this instance, the garage features two bays and is integrated with, but recessed from the front elevation. In other instances of newer residential buildings considered “complementary”, single, or double car garages are featured, typically either recessed, or where flush with the front elevation, other built form approaches are utilized to minimize their visual intrusion or dominance within the streetscape.

The applicant’s CHIA also provided an analysis of how the new dwelling will fit into the Werden’s Plan HCD streetscape, as follows:

- Assessment of how the new residential building will “fit” into the existing streetscape and block confirms that the proposal will not result in significantly adverse changes to existing lotting patterns within the streetscape. The new residential building will continue to be oriented to Ontario Street. The proposed new building will be sited minimally closer to the Ontario Street West road right-of-way. While the building to lot coverage ratio will change from a lot coverage of approximately 8.75% to 39.13%, the new proposed building to lot ratio is more compatible with extant buildings on adjacent lots as compared to the currently extant building at 404 Ontario Street West.

As a result of the analysis, ASI concluded that the proposal is not anticipated to have significant adverse impacts on the Werden’s Plan Neighbourhood HCD.

4.4 Consultation with Heritage Whitby Advisory Committee (HWAC)

The applicant attended the February 14th, 2023 meeting of the Heritage Whitby Advisory Committee.

At the meeting, the applicant presented to Committee and the HWAC passed the following motion:

“That the Heritage Whitby Advisory Committee recommends to defer the application for demolition for 404 Ontario Street West to the March 14, 2023 Committee meeting to allow the applicant to prepare a redesign of the replacement building that is more in keeping with the district conservation plan with respect to lot coverage, front and side yard building setbacks, and respecting the existing architecture that is onsite including the roofline.” (refer to Attachment #5)

After the HWAC meeting of February 14th, 2023 staff discussed HWAC’s concerns regarding lot coverage/opens space; roof pitch; streetscape; proposed garage, with the applicant. The applicant then submitted a revised plan showing a reduced roof pitch and revised colour palette to be more in keeping with the HCD. The applicant and their heritage consultant attended the March 14th, 2023

meeting and presented the CHIA and analysis, as well as the revised plans to HWAC.

At the March 14, 2023 HWAC meeting, the Committee passed the following motion:

“That the Heritage Whitby Advisory Committee supports the demolition and that the applicant continue to work with staff to alter the colour palate and materials to better reflect the Heritage Conservation District, and create a design that increases the side yard by either:

- building a detached garage in the rear yard; or,
- decreasing the width of the garage by one foot and decreasing each principle room in the front of the house design by six inches while extending the house in the back to maintain the proposed square footage.” (refer to Attachment #6)

4.5 Conclusion

The applicant’s Heritage Consultant (ASI) has concluded that the proposed demolition and re-construction is in keeping with good heritage practice, and that the new building will be sympathetic to the attributes and character of the Werden’s Neighbourhood Plan HCD. HWAC has accepted the conclusions of ASI, with further considerations related to the location/orientation of the proposed garage to increase the side yard setback, in consultation with staff.

Accordingly, it is recommended that Council approve the Heritage Permit application requesting demolition of the existing dwelling at 404 Ontario Street West (HP-01-23), in accordance with Section 42 of the Ontario Heritage Act; and, that staff continue to work with the applicant to address the outstanding concerns of HWAC related to side yard setbacks.

5. Financial Considerations:

Not applicable

6. Communication and Public Engagement:

Not applicable

7. Input from Departments/Sources:

Not applicable

8. Strategic Priorities:

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

The Heritage Permit review process has provided the opportunity for input on the proposed application, which aligns with the objectives of the Corporate Strategic Plan to provide a consistent, optimized, and positive customer service experience.

9. Attachments:

Attachment #1 – Location Sketch – 404 Ontario St. W

Attachment #2 – Cultural Heritage Impact Assessment, prepared by
Archeological Services Inc. (ASI)

Attachment #3 – Plans and Drawings, prepared by VASCAN

Attachment #4 – Werden's Plan Property Information Sheet for 404 Ontario St. W

Attachment #5 – Minutes of February 14th, 2023, HWAC meeting

Attachment #6 – Minutes of the March 14th, 2023, HWAC meeting