



Staff Report

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Report To:	Planning and Development Committee		
Date of Meeting:	March 15, 2021	Report Number:	PDS-019-21
Submitted By:	Ryan Windle, Director of Planning and Development Services		
Reviewed By:	Andrew C. Allison, CAO	Resolution#:	
File Number:	PLN 34.5.1	By-law Number:	
Report Subject:	Addition of Properties to the Municipal Heritage Register		

Recommendations:

1. That Report PDS-019-21 be received;
2. That 172 Liberty Street North, Bowmanville be added to the Municipal Register;
3. That 192 Liberty Street North, Bowmanville be added to the Municipal Register;
4. That 77 Scugog Street, Bowmanville be added to the Municipal Register;
5. That 75 Wellington Street, Bowmanville be added to the Municipal Register; and
6. That all interested parties listed in Report PDS-019-21 and any delegations be advised of Council's decision.

Report Overview

The Clarington Heritage Committee and staff are recommending the addition of four Bowmanville properties to the Municipal Register:

- 172 Liberty Street North
- 192 Liberty Street North
- 77 Scugog Street
- 75 Wellington Street

The Municipal Register is a listing of the cultural heritage resources in Clarington that warrant historical protection. The addition of these properties to the Municipal Register (i) supports the promotion of Clarington's local heritage, and (ii) protects the buildings from being demolished without proper evaluation of their cultural heritage significance by affording the Municipality additional time (up to 60 days) to review a demolition permit, should such an application be received.

1. Background

Ontario Heritage Act

- 1.1 Section 27 of the *Ontario Heritage Act* requires every municipality to maintain a Municipal Register that lists all heritage properties formally designated by by-law. In 2009, Council expanded Clarington's Municipal Register to include "non-designated" properties. Including a non-designated property on the Municipal Register is a formal indication that a property has cultural heritage value or interest and warrants further evaluation to determine appropriate conservation measures. The decision to include a non-designated property on a Municipal Register rests with Council upon consultation with the municipal heritage committee.
- 1.2 Listing a property on the Municipal Register does not provide any legal protection to the property. Only formal designation under Section 29 of the *Ontario Heritage Act* can do so. The primary benefit of including a non-designated property on the Municipal Register is to provide the Municipality with additional time (up to 60 days) to review a request for a demolition permit, rather than the shorter timelines outlined in the *Building Code Act*.
- 1.3 The protection afforded to non-designated properties on the Municipal Register allows time for a more thorough evaluation of the property and time to provide Council with a recommendation on demolition or moving forward with designation of the property. More specifically, the 60 days allows sufficient time to evaluate the building condition, protection options, mitigation measures, alternate development proposals, etc. and to make a recommendation to Council on the cultural value of a property.

- 1.4 Adding a property to the Municipal Register also allows the Municipality to request a demolition permit applicant undertake a study or research to demonstrate that the property does not have significant heritage value, or to determine appropriate mitigation measures or alternative recognition options that can be implemented.
- 1.5 In June 2019 the *More Homes, More Choice Act, 2019* (Bill 108) received Royal Assent. Bill 108 amends the *Ontario Heritage Act*, among numerous other pieces of legislation. Such changes are due to come into force on a day to be named by proclamation of the Lieutenant Governor, which is anticipated to be sometime in 2021. The upcoming amendments will introduce a more formal process to add non-designated properties to the Municipal Register, including prescribed notice requirements and an opportunity for Council to consider input/objections. As outlined in Section 4 below, these changes align with the Municipality's current practices. Staff will continue to monitor the status of the *Ontario Heritage Act* amendments and implement the changes as necessary.

Properties on Clarington's Municipal Register

- 1.6 There are currently 112 properties on Clarington's Municipal Register comprised of 78 designated properties and 34 non-designated properties, as well as 1 Heritage Conservation District (Beech Avenue).
- 1.7 To date, many of non-designated properties added to the Municipal Register have been under threat of demolition. Examples include the buildings at Camp 30 (now designated), properties affected by the 407 extension (now demolished), and properties that are within areas identified for intensification and/or redevelopment.

Clarington's Cultural Heritage Resources List

- 1.8 In accordance with the Clarington Official Plan, the Planning and Development Services Department maintains a Cultural Heritage Resources List (CHRL) with advice and assistance from the Clarington Heritage Committee (CHC). The CHRL is an inventory of properties that the Municipality has identified as having cultural heritage value or interest. Properties on the list are categorized as Primary, Secondary and Heritage Merit. The properties identified on the CHRL are subject to the policies of Section 8 (Celebrating our Cultural Heritage) of the Official Plan. However, the properties are not formally recognized under the *Ontario Heritage Act* unless they are added to the Municipal Register either as a non-designated property or as a property designated by by-law.
- 1.9 The Clarington Heritage Committee (CHC) has established building evaluation criteria with the intention of reviewing properties on the CHRL to determine properties that should be formally recognized under the *Ontario Heritage Act*. A sub-committee of the CHC reviews properties from the public right-of-way using the evaluation criteria and presents their recommendations for each property to the CHC.

- 1.10 In October and November 2020, the CHC reviewed the following four properties, 2 of which are currently identified on the CHRL as noted below, and has recommended adding each property to the Municipal Register:
- 172 Liberty Street North (Secondary);
 - 192 Liberty Street North;
 - 77 Scugog Street; and
 - 75 Wellington Street (Secondary).
- 1.11 The location of each of the properties is identified in Figure 1. A description of each property based upon the CHC's evaluation can be found in Attachments 1 through 4 of this report.

2. Provincial and Regional Policy

Provincial Policy Statement, 2020

- 2.1 The PPS 2020 provides that economic prosperity should be supported by encouraging a sense of place fostered by well-designed built form, cultural planning and conserving features that help define character. More specifically, the PPS 2020 directs that significant built heritage resources shall be conserved.

Provincial Growth Plan, 2019

- 2.2 The Growth Plan, 2019 directs that cultural heritage resources will be conserved and promoted in order to foster a sense of place for the social, cultural, and economic benefit of communities.

Durham Regional Official Plan

- 2.3 The Regional Official Plan encourages the conservation, protection and/or enhancement of Durham's built and cultural heritage resources.

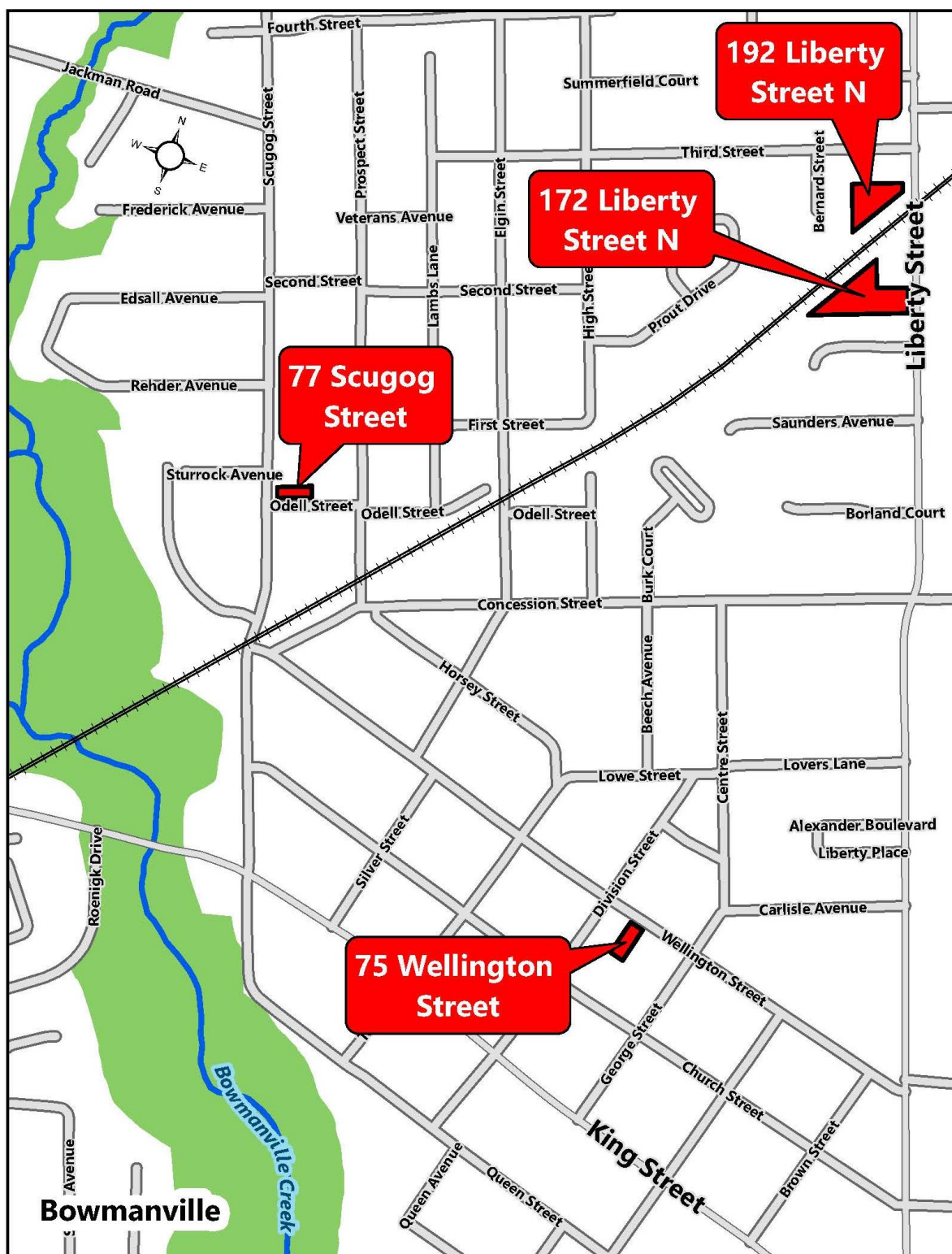


Figure 1: Properties Recommended to be Added to the Municipal Register

3. Clarington Policy and Regulations

- 3.1 The Clarington Official Plan provides that when a cultural heritage resource is designated under the *Ontario Heritage Act* or is recognized on the CHRL, the Municipality shall discourage the demolition or the inappropriate alteration of a cultural heritage resource. Whenever possible, built heritage resources should be retained for the original use and in their original location. Where the original uses cannot be maintained, the adaptive reuse of built heritage resources will be supported. If no other alternative exists for maintaining structures in their original location, consideration may be given to the relocation of the structure. Should a heritage resource be demolished, the dismantling, salvage and reuse of materials is encouraged.
- 3.2 All four properties are designated Urban Residential by the Clarington Official Plan, 2018 (consolidation). The primary use of land in the Urban Residential designation shall be for housing purposes, however the designation also provides for other small-scale uses that are supportive of and compatible with residential uses.
- 3.3 172 Liberty Street N. and 192 Liberty Street N. are located along a Local Corridor. The Official Plan intends that corridors shall provide for intensification, mixed-use, and pedestrian and transit supportive development. Density and built form shall incorporate and be sensitive to existing local character and scale to create an attractive and compatible built form with a distinctive community image. The inclusion of these properties on the Municipal Register will ensure these cultural resources are properly evaluated and considered as part of any future redevelopment along the Liberty Street Local Corridor.
- 3.4 75 Wellington Street and 77 Scugog Street are located within the area that was subject to Interim Control By-law (ICBL) 2018-083. The by-law enabled the Municipality to complete the Bowmanville Neighbourhood Character Study to address concerns regarding redevelopment in established residential areas. The Study resulted in recommendations for amendments to the Clarington Official Plan and Zoning By-law 84-63 to provide for policies and regulations in the subject areas that better reflect neighbourhood character. The proposed Official Plan and Zoning By-law amendments were approved by Council on July 6, 2020 and are in full force.
- 3.5 75 Wellington Street was included in the Heritage Conservation District Background Study in 2005. This Study resulted in the Old Bowmanville (North Ward) Heritage Guidelines, which provide guidance to owners of properties in the study area when considering plans for construction and/or alteration of buildings, structures, and landscaping.

4. Public Notice

- 4.1 Currently, under the *Ontario Heritage Act* there is no notification requirement before Council adds a property to the Municipal Register as a non-designated property. However, it has been the Municipality's practice to notify property owners. As noted above, this practice aligns with the upcoming amendments to the *Ontario Heritage Act*.
- 4.2 On February 26, 2021, Planning staff sent a letter to the owners of the four properties proposed to be added to the Municipal Register. The letter notified property owners that the CHC identified their home as notable for its architectural and historical attributes. A Resident Information Sheet explaining the Municipal Register, and what having a home on the Registry means was provided (Attachment 5). The letter also advised that a staff report would be presented to the Planning & Development Committee recommending the addition of the subject properties to the Municipal Register. Owners were invited to contact Planning and Development Services staff to discuss the CHC's evaluation and recommendation.
- 4.3 As of the time of writing this report, no correspondence relating to the proposed addition of the subject properties to the Municipal Register has been received.

5. Concurrence

Not Applicable.

6. Conclusion

- 6.1 Cultural heritage resources contribute significantly to Clarington's community fabric. Proactively adding properties to the Municipal Register (i) allows the Municipality 60 days to evaluate the property in more detail and explore conservation options prior to the issuance of a demolition permit (ii) recognizes the property's cultural value or interest, and (iii) illustrates the community's appreciation for its local culture and heritage.
- 6.2 Staff and the Clarington Heritage Committee respectfully recommend that the following four properties in Bowmanville be added to the Municipal Register: 172 Liberty Street North, 192 Liberty Street North, 77 Scugog Street and 75 Wellington Street.

Staff Contact: Sarah Allin, Planner II, 905-623-3379 or sallin@clarington.net.

Attachments:

Attachment 1 – Cultural Heritage Description: 172 Liberty Street North
Attachment 2 – Cultural Heritage Description: 192 Liberty Street North
Attachment 3 – Cultural Heritage Description: 77 Scugog Street
Attachment 4 – Cultural Heritage Description: 75 Wellington Street
Attachment 5 – Municipal Register Information Sheet

Interested Parties:

List of Interested Parties available from Department.