

Staff Report 2024-0058

Meeting Date: March 4, 2024

Subject: Notice of Intention to Designate – 13940 Airport Road, Ward 3

Submitted By: Cassandra Jasinski, Heritage Planner; Sally Drummond, Senior Heritage Planner, Strategic Policy Planning

RECOMMENDATION

That a Notice of Intention to Designate the property at 13940 Airport Road under Part IV, Section 29 of the Ontario Heritage Act be issued;

That should no objections be received during the mandatory 30-day public objection period following publication of the Notice of Intention to Designate, a by-law be enacted for the purpose of designating 13940 Airport Road pursuant to the Ontario Heritage Act;

That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the matter return to Council for further consideration; and,

That Staff be authorized and directed to do all things necessary to give effect to this recommendation.

REPORT HIGHLIGHTS

- The property at 13940 Airport Road (“the Property”) is listed as a non-designated property on the Town of Caledon’s Heritage Register.
- The Property is identified in Phase 2 of the Town’s Bill 23 Heritage Prioritization Strategy.
- The Property contains a Neoclassical brick dwelling known as the Thompson-Scott House.
- In 2014, the Ontario Land Tribunal approved the Town-initiated Official Plan and Zoning By-law Amendment applications (POPA 2012-0007 and RZ 2012-0019) for lands including the Property to convert the land uses to Highway Commercial and Dry Industrial.
- In 2019, a fire at the Thompson-Scott House resulted in the loss of the heavily altered rear addition. The main front section the building remains standing and can be conserved.
- In the Fall of 2019, the Town commissioned an historical research report for the Property, for the purposes of pursuing designation under Part IV of the Ontario Heritage Act.
- In 2022, the Town received a Site Plan Application (SPA 2022-0011) for a complex of industrial buildings, including the conservation and adaptive re-use of the Thompson-Scott House.

- Heritage staff have evaluated the Property and determined it merits designation under the *Ontario Heritage Act* (the “Act”) (Schedule B).
- Heritage staff recommend that Council issue a Notice of Intention to Designate for the Property at 13940 Airport Road under Section 29 of the Act.
- The applicant is aware, and supportive of the proposed heritage designation.
- This report serves as consultation with Heritage Caledon as required by Section 29 (2) of the Act.

DISCUSSION

Current Heritage Status – 13940 Airport Road

The Property, known municipally as address 13940 Airport Road, comprises a 47.02-acre parcel in the northeast part of Lot 27, Concession 6, EHS, geographic Township of Chinguacousy, at the southern limit of the historic hamlet of Sandhill (Schedule A). It contains a one-and-a-half storey, Neoclassical brick dwelling facing east toward Airport Road, known as the Thompson-Scott House.

Under Section 27(3) of the Act, Council may list non-designated properties that it believes to be of cultural heritage value or interest on the municipal Heritage Register. Council listed the Property by means of Council Resolution 2020-007. More specifically, the Property was described as a brick dwelling with returned eaves and a panelled embrasure around the front entrance and identified as Highly Significant.

The evaluation process for ‘listing’ purposes was preliminary in nature. The cultural heritage value of a property may be evaluated in greater depth in response to a proposed development or demolition/removal application.

Bill 23 Implications for the Conservation of Properties “listed” on Municipal Heritage Registers

Introduced by the Province on October 25, 2022, Bill 23, the *More Homes Built Faster Act*, included a wide range of changes to the *Ontario Heritage Act*, most of which came into force and effect on January 1, 2023. Changes to the Act included a two-year time limit for listed, non-designated properties to remain on the Heritage Register and automatic removal of all currently listed properties on January 1, 2025, unless the designation process for a property has been started.

Properties removed from the Heritage Register cannot be “re-listed” for five years. Further, municipalities will not be permitted to designate a property through certain types of development processes (Official Plan amendment, Zoning By-Law amendment and/or Draft Plan of Subdivision) unless it is already listed on the municipal Heritage Register. As such, the Town will have no ability to deny a demolition request for a property removed from the Heritage Register on January 1, 2025, or to designate a property that is not listed

at the time a Notice of Complete application is issued for the types of *Planning Act* applications noted above.

The Property is identified in Phase 2 of the Bill 23 Heritage Strategy, based upon the development pressure experienced by the property and the heritage significance of the property. The Property is located in the Future Strategic Employment Area that includes the village of Sandhill.

Planning Applications - Background

In 2012, the Town of Caledon initiated Official Plan and Zoning By-law Amendment applications (POPA 2012-0007 and RZ 2012-0019) for lands including the Property to convert the land uses to Highway Commercial and Dry Industrial. Council approved the applications and passed the related by-laws on July 9, 2013. The by-laws were then appealed to the Ontario Land Tribunal and subsequently approved in a revised form on December 9, 2014.

In 2019, the heavily altered rear addition of the Thompson-Scott House was lost to fire. The main front section the building remains standing and is to be conserved as part of the Property's future development, as discussed with the owner and Heritage staff at that time. In the Fall of 2019, the Town commissioned an historical research report for the Property for the purposes of pursuing designation under Part IV of the Ontario Heritage Act.

In 2022, the Town received a Site Plan Application (file SPA 2022-0011) for the Property for the construction of a complex of industrial buildings combined with areas of public art. The Thompson-Scott House is proposed to be conserved *in situ* and adaptively re-used. The applicant is aware, and supportive of the proposed heritage designation.

Designation Process

The Act enables municipalities to pass by-laws to designate properties of cultural heritage value or interest. Designation of individual properties under Section 29 of the Act is a way of publicly acknowledging a property's value to a community and ensures the conservation of important places for the benefit and enjoyment of present and future generations. It also allows municipalities to conserve and manage properties through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

In determining whether a property is of cultural heritage value or interest, the municipality is required to evaluate the property against *Ontario Regulation 9/06 "Criteria for Determining Cultural Heritage Value or Interest" (O. Reg. 9/06)*, prescribed under Section 29(1)(a) of the Act. A property may be designated if it meets two or more of the following criteria:

1. The property has *design value* or *physical value* because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has *design value* or *physical value* because displays a high degree of craftsmanship or artistic merit.
3. The property has *design value* or *physical value* because demonstrates a high degree of technical or scientific achievement.
4. The property has *historical value* or *associative value* because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has *historical value* or *associative value* because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has *historical value* or *associative value* because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has *contextual value* because it is important in defining, maintaining or supporting the character of an area.
8. The property has *contextual value* because it is physically, functionally, visually or historically linked to its surroundings, or
9. The property has *contextual value* because it is a landmark.

Assessment of a property against the above criteria commonly takes the form of a heritage designation report.

Designating a property under Part IV, Section 29 of the Act requires Council to issue a Notice of Intention to Designate (the “Notice”), which is served on the owner and the Ontario Heritage Trust and published in a local newspaper. As prescribed by the Act, the Notice served on the owner and the Ontario Heritage Trust include a brief description of the property and a Statement of Cultural Heritage Value or Interest; an abbreviated version of the Notice is published in the local newspapers.

The Statements of Cultural Heritage Value or Interest must include an explanation of the cultural heritage value or interest of the property and a description of the heritage attributes that embody this significance. This provides clarity to both the Town and the property owner as to which elements of the property should be conserved. Note that designation does not prevent future alterations to a property, but rather provides a guide to determine if alterations would adversely impact the heritage significance of the property.

Heritage Evaluation of 13940 Airport Road

Staff have prepared a Heritage Designation Report for the Property (Schedule B). Evaluation against O. Reg. 9/06 determined that 13940 Airport Road meets six (6) criteria (criteria 1, 2, 4, 7, 8, 9), thereby meriting designation.

Statement of Cultural Heritage Value or Interest – 13940 Airport Road

The design value or physical value of the property at 13940 Airport Road relates to the Thompson-Scott House, a representative example of a vernacular dwelling with Neoclassical and Gothic Revival influences. Constructed c.1861, the rectangular, one-and-a-half storey brick dwelling is capped by a medium pitched, side gable roof with returned eaves. While its builder is unknown, the Thompson-Scott House demonstrates a high degree of craftsmanship in its substantial, three wythe red brick construction and extensive decorative buff brick detailing, including a patterned band beneath the front fascia, buff brick quoins on the corners and around the front entrance and windows, and projecting brick courses. A one-and-a-half storey rear brick addition was recently lost to fire, but its placement and connection to the main house remain evident.

The property has historical value and associative value for its early and long-standing association with John Thompson and Thomas Scott, blacksmiths and wagon and carriage makers in the crossroads village of Sandhill. Thomas Scott, especially, was known to have lived in the house from 1894-1933, and his family retained ownership of the property into the 1970s. Thompson and Scott's blacksmith shop/carriageworks was located on the adjacent property to the north. It is associated with the theme of Sandhill's prosperity in the mid-19th century. It is also directly associated with the Scott family, who played an important role in the Sandhill community through the 19th and 20th centuries.

The property has contextual value as it is one of the last extant 19th century dwellings in the village of Sandhill and an important link to this once dynamic rural service centre. The Thompson-Scott House stands proud on the landscape and is an identifiable landmark at the south entrance to the village of Sandhill.

Heritage attributes that convey the property's design value and physical value as a representative example of a vernacular dwelling with Neoclassical and Gothic Revival influences:

Thompson-Scott House

- Rectangular floor plan
- One-and-a-half storey massing
- Medium-pitched side gable roof with returned wood eaves and wood molding in the gable ends
- Three-wythe thick red brick construction
- All original door and window openings

- Dentil-molded fascia board
- Projecting stretcher brick courses on front and side façades and beneath
- Buff brick detailing including:
 - projecting stretcher brick course below the fascia (front façade)
 - checkerboard and hourglass banding under the projecting buff brick coursing (front façade)
 - quoins on corners and around windows and doors (front façade)
 - jack arch voussoirs above the door and windows (front and side façades)

Heritage attributes that convey the property's design value and physical value as being of high degree of craftsmanship or artistic merit:

Thompson-Scott House

- Three wythe brick construction
- Projecting stretcher brick course running underneath the upper storey windows on the sides of the building and along the front façade
- Buff brick detailing including:
 - projecting stretcher brick course below the fascia (front façade)
 - checkerboard and hourglass banding under the projecting buff brick coursing (front façade)
 - buff brick quoins on corners and around windows and doors (front façade)
 - buff brick jack arch voussoirs above the windows (front and side façades)

Heritage attributes that convey the property's contextual value in defining, maintaining, and supporting the character of the area:

Thompson-Scott House

- Scale and massing as a one-and-a half storey vernacular dwelling with Neoclassical and Gothic Revival influences.
- Setback from Airport Road
- Laneway location from Airport Road along the northern property boundary
- Visibility of the Thompson-Scott House from Airport Road

Recommendation to Issue Notice of Intention to Designate

Given the significance of the Property as outlined in the above Statement of Cultural Heritage Value or Interest and described further in Schedule B to this report, Heritage staff recommend that Council issue a Notice of Intention to Designate for 13940 Airport Road under Part IV, Section 29 of the Act. The owner is aware of the proposed designation and the applicant has been working with Heritage staff to ensure the conservation of the Thompson-Scott House.

The area to be designated by by-law will be further defined through the creation of a reference plan for the area directly surrounding the Thompson-Scott House, including the existing laneway.

This report serves as consultation with Heritage Caledon as required by the Act before Council issues notice of its intention to designate a property.

Provisions for Public Objection During the Designation Process

The Act includes a mandatory 30-day public objection period following publication of the Notice of Intention to Designate. Should no objections be received during this period, Council may pass a by-law designating the Property. If objections are received, the matter is referred back to Council for a decision to either withdraw the Notice of Intention to Designate or proceed with the designation bylaw.

Amendments to the Act proclaimed July 1, 2021, require that the designating by-law be passed within 120 days of the publication of the Notice of Intention to Designate, and further that a mandatory 30-day public appeal period follow public notice of the passing of the designating by-law. If an appeal to the designating by-law is received, the matter is referred to the Ontario Land Tribunal. Should no appeals of the by-law be received, the by-law will be registered on title to the Property.

FINANCIAL IMPLICATIONS

If Council proceeds with designating the Property, the Notice of Intention to Designate and the subsequent Notice of Passing of By-law will be advertised in local newspapers and on the Town website.

The advertising costs will be funded under the Corporate Services' advertising operating budget. Costs associated with the registration of the designation by-law will be funded by Corporate Services' legal operating budget.

If a designation by-law is registered on title of the Property, the property owner will be eligible to apply for either the annual Designated Heritage Property Grant (DHPG) program, which offers matching grants of up to \$6,000 for General Conservation projects and up to \$15,000 for Priority Stream projects subject to available funding, or, because of the commercial zoning of the property, the Heritage Tax Rebate Program, which offers 40% of the Town and school board portion of the property taxes.

COUNCIL WORK PLAN

Strategic Plan 2023-2035

This report is directly related to the following priority in Caledon's 2023-2035 Strategic Plan:

Community Vitality and Livability

Details about Caledon's 2023-2035 Strategic Plan can be found at caledon.ca/strategicplan.

ATTACHMENTS

Schedule A: Location Map for 13940 Airport Road, Ward 3

Schedule B: Heritage Designation Report – 13940 Airport Road, Ward 3