



The Corporation of the Township of King Report to Council

From: Growth Management Services Department – Planning Division
Report Number: GMS-HER-2025-002
Date: Monday, March 17, 2025
Title: **Request for Demolition of 12958 Highway 27**

Recommendation

1. That Council receive Report GMS-HER-2025-002;
2. That the request to demolish 12958 Highway 27 **BE APPROVED** under section 27 of the *Ontario Heritage Act*, subject to the following conditions:
 - a. That a replacement structure of similar style, aesthetic, form, and massing be incorporated as an element of a Site Plan Control Application with respect to the proposed development of the subject lands, including the re-use of salvaged material from the original structure, where appropriate, to the extent that is reasonably possible, and that such replacement structure shall be incorporated into the proposed development of the lands which are subject to Zoning By-law Amendment Application Z-2022-07 (Zoning By-law No. 2024-069), submitted by Crisdan Holdings Inc. and Kingvit Estates Inc., pertaining to lands municipally known as 12958, 12966, 12972, 12978 Highway 27 & 15 Wellington Street, all to the satisfaction of the Director of Growth Management Services; and
 - b. That commemoration of the original structure take place in the form of a plaque which has visibility and access to a public road, and/or a display on the subject site; and
 - c. That a Memo of Understanding and/or Agreement be executed between the Owner and the Township of King prior to the issuance of the demolition permit which stipulates that, as part of the demolition process and prior to the commencement of the proposed development, the site be restored and maintained in a neat and orderly condition to the satisfaction of the Township's Director of Growth Management Services.

1. Report Highlights

- The building was built circa 1867, and the property was “Listed” on the Township's Heritage Register on February 27, 2012.
- The development proposal for the subject lands intended to relocate and integrate the heritage structure into the development.

- An Application for a Demolition Permit was received by the Township on February 12, 2025, to remove and demolish the existing dwelling on the subject property located at 12958 Highway 27 with new information indicating that the structure is not structurally sound for the purpose of the originally proposed relocation.

2. Purpose

The purpose of this report is to inform and update Council with respect to an updated structural engineering report, which has recently been received by the Township as part of a demolition permit application for the subject building.

3. Background

The building located at 12958 Highway 27 is “listed” under Part IV of the Ontario Heritage Act. The subject property was added to the municipal register on February 27, 2012, due to its design and physical value as a representative example of a Regency Cottage house constructed in 1867 with classical and regency details. The subject property is part of a collection of properties that are the focus of a Zoning By-law Amendment Application (File No. Z-2022-07).

The applicant retained the services of Steven Burgess Architects Ltd., (SBA) to prepare a Heritage Impact Assessment (HIA) of the subject building. A former one storey addition constructed at the rear has since been removed. The HIA indicates that from 1878 to 1911 the subject property was owned and occupied by John Phillips, a local shoemaker. The property was then purchased by Henry W. Ellis in 1911 and leased to tenants until 1948 when Henry’s son, Lorne began to subdivide the property into smaller lots. SBA evaluated the structure using O. Reg. 9/06 under the Heritage Act and found the property to only meet 1 of the 9 criteria applicable for heritage designation purposes, stating the structure is a representative example of a regency cottage house. With only 1 criterion met, SBA found that the structure does not merit a designation under Part IV of the Ontario Heritage Act.

Following this, the applicant then met with the Heritage Advisory Committee on July 4, 2024, to provide an update and discuss the application for a Zoning By-law Amendment as it relates to the subject property. At this time, the applicant expressed an interest in relocating, restoring, and retaining the subject structure on-site and incorporating it into the proposed development.

On September 23, 2024, Report (GMS-PL-2024-026) was presented to Council, contemplating site-specific Zoning By-law amendments on the lands municipally known as 12958, 12966, 12972, 12978 Highway 27 and 15 Wellington Street, which include the subject lands and building. The proposed development contemplates a six (6) storey mixed-use building with 160 residential units and ground floor commercial land uses with a gross floor area of 200.50 m². A total of 217 parking spaces are proposed on-site within a two-level underground parking structure and surface parking adjacent to the building. Access to the site is via Highway 27 and Wellington Street. The Zoning By-law Amendment Application and Implementing Zoning By-law were approved on September 23, 2024.

The approved Zoning By-law Amendment includes a holding symbol pertaining to the completion of ‘additional required studies’ in accordance with the recommendations of the

Heritage Impact Assessment, as prepared by Steven Burgess Architects Ltd., dated June 13, 2024, as well as the recommendations from the July 4, 2024, Heritage Advisory Committee meeting. These studies consist of a Stabilization Plan, Moving Plan, and Conservation Plan. At that time, it was the intention of the Applicant to relocate and retain the heritage structure and incorporate it into the proposed development.

Subsequently, the Applicant undertook the completion of an updated structural assessment to be provided to the Township as part of a complete application for a demolition permit. Township Staff provided an update to the Heritage Advisory Committee (HAC) at their January 9, 2025 meeting. Township Staff recommended to HAC that upon receipt of a demolition permit application, the Committee advise Council to approve the demolition with specific conditions. The Heritage Advisory Committee carried a motion contrary to the Staff recommendation and passed a resolution that Council reject the request, and that staff consider conducting their own Heritage Impact Assessment (HIA) to re-assess the potential Cultural Heritage Value of the structure.

Following this, Township Heritage Planning Staff conducted further review of the HIA, and the property's history. It is the opinion of Township Heritage Planning staff that the structure does not merit designation through the O. Reg. 9/06 criteria set under the Ontario Heritage Act. In order to merit designation under Part IV of the Ontario Heritage Act, a property must meet at least 2 or more of the 9 criteria under O. Reg. 9/06. The structure has been evaluated by the Applicant's consultant and determined to only meet 1 of the 9 criteria, with little to no historical or associative value, and no contextual value.

Upon the receipt of the demolition permit application on February 12, 2025, which included an updated structural assessment, the Heritage Advisory Committee was informed of the new information through a memorandum dated February 24, 2025.

Appendix 3 includes a copy of the Heritage Planning Staff Recommendation Report and draft Heritage Advisory Committee Minutes.

Provincial Policy

The Provincial Planning Statement (PPS) (2024) provides policy on matters of provincial interest relating to land use planning and development. The PPS states that *protected heritage property* shall be conserved. The PPS defines *protected heritage property* as:

“property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.”

The subject property is not currently designated under Part IV of the Ontario Heritage Act and has not been identified as having significant cultural heritage interest and value.

Official Plan

The Township's Official Plan identifies the need to recognize and protect the Township's heritage resources for the important role they play in the enrichment and understanding of the community's historical traditions and understanding of the past. The policies associated with cultural heritage encourage the adaptive re-use of properties which are on the Heritage Register for existing and new uses permitted by the Official Plan.

Ontario Heritage Act

Under the Ontario Heritage Act (OHA), municipalities are responsible for identifying, evaluating, and conserving heritage properties. Section 27.3 of the OHA provides the municipality with the ability to include properties on the register that are not designated under Part IV of the Act, which are referred to as 'non-designated' or 'listed' properties. Section 27.9 of the OHA requires that owners of 'listed' properties give the Municipality at least 60-days notice of their intention to demolish or remove a building or structure on the property. The Municipality can utilize that period to determine whether or not to undertake the process to designate the property under the OHA.

As the demolition permit application was received by the Township on February 12, 2025, Council must make its decision to approve the request or pursue designation of the subject property by April 13, 2025.

4. Analysis

The applicant has submitted a demolition permit application for 12958 Highway 27 to the Township. The applicant is seeking to demolish the 'listed' structure on the subject property due to concerns regarding the feasibility of relocation, restoration, and repair based upon the updated structural engineering report.

The structural assessment report suggests that the structure shows significant signs of degradation, raising concerns about its structural integrity and the feasibility of its relocation. Staff notes that the Heritage Advisory Committee recommended that the assessment be completed by an engineering consultant which is a member of the Canadian Association of Heritage Professionals (CAHP). The Owner's engineering consultant is not a member of CAHP. Township Heritage Planning staff has considered this matter and given the fundamental structural concerns; Staff is satisfied that the information provided is sufficient for the purposes of this evaluation.

The engineer's report concludes that the structure is not habitable as it was found to not meet the minimum acceptable standards for public health and public safety. Due to the observed structural deterioration, lack of structural support, termite infestation, lack of proper envelope, and lack of attic requirements, the engineering consultant recommends the demolition of the subject structure. The report further states that to make the building habitable, a complete reconstruction would be necessary, which may not eliminate all risk associated with the relocation of the structure.

Based on the observed structural condition the engineering consultant believes that there is significant risk and public health and safety concerns with respect to the relocation of this structure.

Staff have reviewed and considered the HIA and the Structural Engineering Report as discussed above and is of the opinion that the property is not worthy of designation under Part IV of the OHA. The review of the property under O. Reg 9/06 can be found in the HIA, attached as Appendix 2.

Planning Staff has also considered this matter in the context of the broader development proposal for the subject lands and surrounding properties. Given the original intent to relocate and incorporate the subject building into the new development, it is the opinion of Planning Staff that there continues to be merit in achieving those intended design objectives. To that end, Staff recommends including a condition on the approval of the proposed demolition which requires that a replacement structure of similar style, aesthetic, form, and massing be incorporated as an element of a Site Plan Control Application with respect to the proposed development of the subject lands, including the re-use of salvaged material from the original structure to the extent that is reasonably possible, and that such replacement structure shall be incorporated into the proposed development of the lands which are subject to Zoning By-law Amendment Application Z-2022-07 (Zoning By-law No. 2024-069), submitted by Crisdan Holdings Inc. and Kingvit Estates Inc., pertaining to lands municipally known as 12958, 12966, 12972, 12978 Highway 27 & 15 Wellington Street, all to the satisfaction of the Director of Growth Management Services. In addition, Planning Staff recommends including a condition which ensures that the site be restored and maintained in a neat and orderly condition in the period leading up to development, to the satisfaction of the Director of Growth Management Services.

Should Council decide to pursue designation of the subject property, a notice of intent to designate the subject property shall be issued. The Owner will then have 30-days from the date of the publication of the Notice to make an objection.

5. Financial Considerations

There are no financial implications associated with this report. Should the property be designated under Part IV, Section 29 of the OHA, it may be eligible under the Township's Heritage Property Grant Program to receive a matching contribution of up to \$6,000.00 from the Township towards the preservation or restoration of any heritage attributes as defined by By-law 2014-100.

6. Alignment to Strategic Plan

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of utmost importance to the community and defines the obligations and commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Townships long-term vision defined in the "Our King" Official Plan. The CSP also aims to ensure that staff initiatives focus on and work towards supporting King's Vision, Mission and Values.

This report is in alignment with the CSP's Priority Area(s), and/or associated Objective(s) and/or Key Results(s):

Priority Area: Complete Communities

Objective: Enrich community well-being and make King the ideal place to live, work and play.

Key Result: Not Applicable.

7. Conclusion

It is Staff's recommendation that Council approve the request to demolish 12958 Highway 27, subject to specific conditions.

Staff have reviewed and considered the Heritage Impact Assessment and the Structural Engineering Report as discussed in this Report and in Report GMS-PL-2024-026 and are of the opinion that the property is not worthy of designation on the Heritage Register under Part IV of the OHA.

8. Attachments

Appendix 1 – Structural Engineering Report by Consultant

Appendix 2 – Heritage Impact Assessment

Appendix 3 – Heritage Advisory Committee Recommendation Report and Minutes

Prepared by:

Michael Maugeri

Planner – Heritage & Development

Recommended by:

Gaspare Ritacca

Manager of Planning & Development

Recommended by:

Stephen Naylor

Director of Growth Management Services

Approved for submission by:

Daniel Kostopoulos

Chief Administrative Officer