



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Laura Loney, Manager of Heritage Planning

DATE: March 22, 2024

REPORT NO.: PD-2024-028

SUBJECT: Removal of a Listed Property from the Heritage Register –
9259 Fifth Line

RECOMMENDATION:

THAT Report No. PD-2024-028 dated March 22, 2024 regarding “Removal of a Listed Property from the Heritage Register – 9259 Fifth Line” be received;

AND FURTHER THAT the property at 9259 Fifth Line be removed from the Heritage Register.

KEY POINTS:

The following are key points for consideration with respect to this report:

- A Notice of Intent to Demolish the listed property at 9259 Fifth Line was received by staff on February 24, 2024;
- The *Ontario Heritage Act* requires Council to consider this notice within 60 days of the application being deemed complete;
- The Cultural Heritage Evaluation Report (CHER) submitted as part of the complete application (Appendix A) does not recommend designation of the subject property under Part IV of the *Ontario Heritage Act*;
- Staff concur with the findings of the CHER and recommend that the subject property be removed from the Heritage Register in accordance with this request to facilitate demolition.

BACKGROUND AND DISCUSSION:

9259 Fifth Line – Heritage Register

The Town of Halton Hills' Heritage Register was developed in four Phases between 2007 and 2018. The property at 9259 Fifth Line was added to the Heritage Register in Phase 1 (2010) and was identified as Hardy Farm. The listing report for the property (Appendix A) indicates that the Hardy Family (builders and masons) were its original owners and that the farmhouse was representative of the Gothic Revival style.

Notice of Intent to Demolish & Requirements under the Ontario Heritage Act (OHA)

Staff received a Notice of Intent to Demolish the listed property at 9259 Fifth Line via email on February 29, 2024, and following review of the application materials, including the accompanying Cultural Heritage Evaluation Report (CHER) (Appendix A), prepared by heritage consultants The Biglieri Group Ltd. (TBG) and dated February 24, 2024. Staff deemed the application complete on March 8, 2024, following review of the Cultural Heritage Evaluation Report.

The Ontario Heritage Act (OHA) states that a municipality must keep a register of properties situated in the municipality that is of cultural heritage value or interest, and this list must contain properties that have been designated under Parts IV and V of the OHA. The OHA also states that the register may include properties that have not been designated under the OHA, but that the council of the municipality believes to be of cultural heritage value or interest. These properties are referred to as being listed. Section 27 (3) of the OHA requires that an owner of a property listed on a Municipal Heritage Register provide the Town with at least 60-days notice of their intent to demolish a structure, providing time for consideration of options with respect to heritage conservation (e.g. designation).

In accordance with legislated timelines in the Ontario Heritage Act, Council is required to consider the Notice of Intent to Demolish within 60 days of notice of a complete application, including such plans and information that Council requires (i.e. a Cultural Heritage Evaluation Report). To ensure compliance with this legislation, Council is required to make a decision on the application by May 7, 2024.

CHER Findings

The CHER prepared for the subject property by TBG identifies the existing farmhouse within the subject property as vernacular with Gothic Revival influences, built between 1836 and 1877. The farmhouse is not identified as having significant physical and design value and is subject to significant structural issues indicative of deterioration. Associated barns and outbuildings are also not identified as having significant physical and design value.

The property is also not identified as having significant historical or associative value; although the Hardy family were original patent holders for a portion of the subject property, they do not appear to have been significant figures in the community. Additionally, the property is not identified as having significant contextual value as it does not significantly contribute to, maintain, or support the character of the area. The

farmhouse is not identified as a landmark and is located at the end of a long drive within the subject property.

TBG concludes that the subject property only partially meets one of the nine criteria in Ontario Regulation 9/06 and that it has been subject to significant alterations and has current issues of structural integrity. TBG finds that the site should not be recommended for individual designation under Part IV of the *Ontario Heritage Act* and should be removed from the Town's Heritage Register.

Heritage Halton Hills Consultation and Staff Comments

Staff consulted with Heritage Halton Hills at its meeting of March 20, 2024, to review the supporting materials submitted as part of a complete demolition application to the Town. Heritage Halton Hills supported the removal of the property at 9259 Fifth Line and passed the following recommendation:

Recommendation No. HHH-2024-0017

THAT Heritage Halton Hills Committee recommend that Council remove the property at 9259 Fifth Line from the Heritage Register.

Staff concur with the findings of the CHER submitted on behalf of the property owner and agree that, in light of the reasons identified throughout the report, the property is not a good candidate for designation under the *Ontario Heritage Act*.

Staff recommends that Council remove the property from the Heritage Register to facilitate the demolition of the structures therein. The CHER submitted as part of this application will be retained on file as documentation of the property's history and current condition. Should Council approve staff's recommendations, the property at 9259 Fifth Line will be removed from the Town's Heritage Register.

STRATEGIC PLAN ALIGNMENT:

This report identifies natural areas and heritage as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was not needed as this report is administrative in nature.

INTERNAL CONSULTATION:

Heritage Halton Hills was consulted in the preparation of this report.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer