



Subject: Heritage Report for Demolition of an Accessory Building at 120 Main Street West

To: Council

From: Planning and Development Department

Report Number: 2021-57

Meeting Date: February 22, 2021

Recommendation:

That Planning and Development Department Report 2021-57 be received; and

That City Council permit the demolition of the accessory building at 120 Main Street West and keep the property listed on the Municipal Heritage Registry.

Purpose:

The purpose of the report is to provide Council with a recommendation regarding a request for a demolition permit for the lands legally known as Part of Lot 7 on Plan 3252 in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 120 Main Street West.

Background:

On February 3, 2021, the Planning Division received a formal request through the submission of a demolition permit to permit the removal of an accessory building at the above-noted property. Due to a fire that took place in the accessory building on January 23, 2021, the Building Division ordered the demolition. Planning staff flagged the demolition permit, as it was discovered the property is listed on the City's Municipal Registry.

The Municipal Registry was created under Section 27 of the *Ontario Heritage Act*. This section permits municipalities to maintain a register of properties that are of cultural heritage value or interest. This is not the same as a building or property being designated under Part IV or Part V of the *Ontario Heritage Act*. The heritage registry requires a 60-day delay after a demolition permit is applied for before any structure on a listed property

can be demolished. This gives Council, with its Municipal Heritage Committee, the opportunity to review the property to determine if the property is worthy of designation under Part IV of the *Ontario Heritage Act*. If Council chooses not to designate the property, or no decision is made within 60 days, the demolition permit will be issued.

Discussion:

The records for the property are minimal. Staff notes that the reason the property is listed on the registry is likely due to the main building on the property. The registry does not indicate any substantial heritage significance for the accessory building lost in the fire. A picture of the subject building has been attached as Appendix A. Planning staff concur with the Fire Department and Building Division that this accessory building should be demolished as soon as possible, as it is currently a safety hazard.

Financial Implications:

There are no financial implications.

Public Engagement:

It is usual practice for such requests to first be considered by the City of Port Colborne's Heritage Committee before a recommendation is made to Council regarding a demolition of a building on a listed heritage property. Due to ongoing constraints, the Heritage Committee was consulted via email. The following input has been received as of the date of writing this report:

"With the rash of vandalism I am watching on the Hamilton news, my vote is to dismantle the fire hazard. This is not a structure that is 'out front and centre' to showcase Port's architecture so let's be safe rather than sorry." – Cheryl MacMillan

"The Director/Curator does not oppose the demolition of the structure and recognizes the authority of the City Fire Department and Building Division in deeming this structure to be an immediate safety hazard." – Stephanie Powell Baswick

"Like Cheryl and Stephanie, I too am not opposed to the structure being demolished. Provided the state of the structure, it is my opinion that the structure not be designated a heritage building." – Eric Beauregard

"It is apparent that the wooden frame structure illustrated in the picture could not be deemed to have any significant or historical value. In fact it appears to be

hazardous. I agree with the fire [building] department that it should be removed.”
– John Maloney

“I agree that it should be removed.” – Bonnie Johnston

Internal Consultation:

Port Colborne Fire Department

- Fire occurred on January 23rd, 2021
- The Fire Department does not place orders on buildings for demolition, however they do pass the information along to the Building Division to investigate
- Fire Fighters did not enter the building to investigate due to the unsafe condition of the building

Port Colborne Building Division

- The Building Division ordered the demolition of the accessory building following the fire on January 23rd, 2021
 - A demolition permit was received on February 3rd, 2021
-

Conclusion:

Staff is of the opinion that the accessory building is of minimal heritage value and preserving the structure is impractical. Therefore, staff recommends that Council approve the demolition of the accessory building, while keeping the property known as 120 Main Street West listed on the Municipal Heritage Registry.

Appendices:

- a. Photo of fire-damaged accessory building
- b. Site plan of building to be demolished

Respectfully submitted,

David Schulz
Planner
(905) 835-2900 ext. 202
David.Schulz@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.