

**To:** COUNCIL

**Meeting Date:** 10/22/2024

**Subject:** 24-115-CD, 40 Wentworth Avenue, Alteration to the Exterior of the Garage Structure

**Submitted By:** Bob Bjerke, Chief Planner

**Prepared By:** Laura Waldie, CAHP, Senior Planner

**Report No.:** 24-115-CD

**File No.:** R01.01.118

**Wards Affected:** Ward 5

### **RECOMMENDATION(S):**

THAT Report 24-115-CD, 40 Wentworth Ave, Alteration to the Exterior of the Garage Structure, be received;

AND FURTHER THAT Council approve a Heritage Permit for the alterations to the exterior of the structure at 40 Wentworth Ave as outlined in Report 24-115-CD

### **EXECUTIVE SUMMARY:**

#### **Purpose**

This report has been prepared to provide a recommendation to Council in support of the alteration, under Section 33 of the Ontario Heritage Act, to the garage on the property municipally known as 40 Wentworth which is designated under Part IV of the Ontario Heritage Act.

#### **Key Findings**

- The proposal is to convert the garage into an Accessory Residential Unit (ARU)
- Sympathetic upgrades to the exterior are proposed to bring the building up to standard living requirements under the Ontario Building Code.
- The proposal is an example of the adaptive reuse of a structure as well as provides an independent living space for a renter.

#### **Financial Implications**

The costs associated with the project are the responsibility of the property owner.

## STRATEGIC ALIGNMENT:

☐ Strategic Action

**Objective(s):** Not Applicable

**Strategic Action:** Not Applicable

OR

☒ Core Service

**Program:** Community Development

**Core Service:** Heritage Conservation

## BACKGROUND:

The property at 40 Wentworth Avenue was designated under Part IV of the Ontario Heritage Act in 2011 by the present owners. The designation consists of two structures: the main house, constructed in 1916 as a late Victorian four-square design, and a coach house/garage believed to have been constructed at the same time as the house. The house is located within the Dickson Hill Heritage Conservation District (HCD). Only City-owned sites are designated in the HCD.



**Figure 1:** Front façade of garage



PHOTOS OF EXISTING BUILDING

**Figure 2:** Rear façade of garage

The subject of this report is the conversion of the garage from a utilitarian garage into an Accessory Residential Unit (ARU) and the need to upgrade the structure to meet with Ontario Building Code requirements for livable spaces. The upgrades will be made to both the interior and exterior of the garage structure (**Figures 1 and 2**). The purpose of this report is to address the exterior upgrades as only the exterior is designated under Part IV of the Ontario Heritage Act.

## **ANALYSIS:**

The property owners submitted a Committee of Adjustment application to add a permitted use (an ARU) to a legal non-conforming structure. The structure is too close to the property lines under the current rules; however, given the structure was in place prior to the rule, the structure is deemed to be legal non-conforming. The ARU would be in the upper level of the garage.

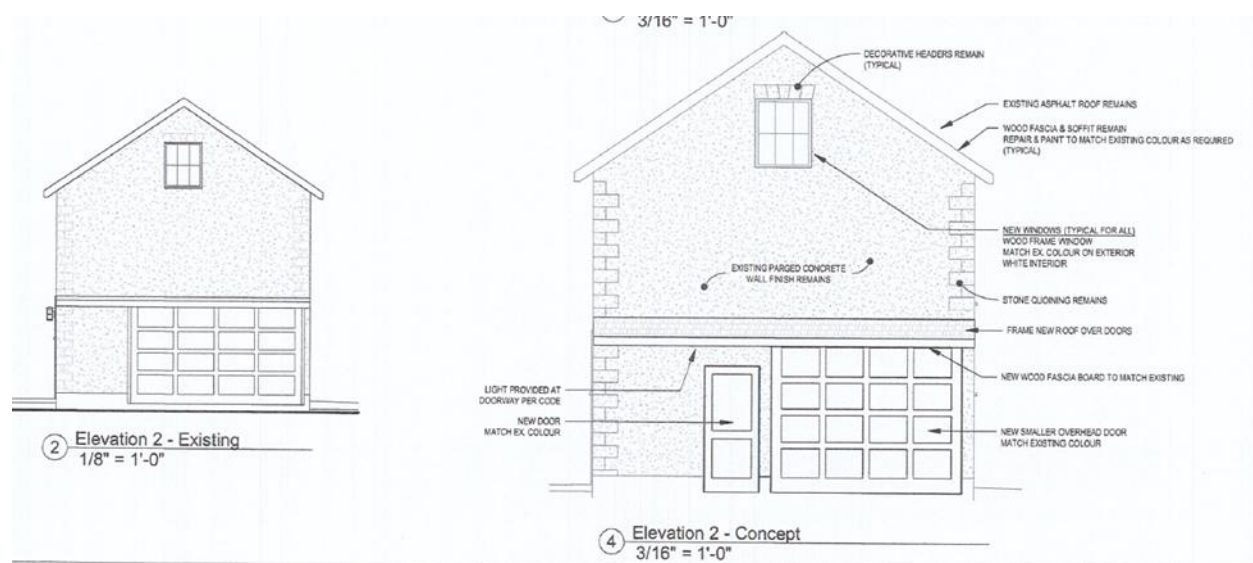
On August 15, 2024 the Committee of Adjustment approved the application on 2 conditions:

1. That the applicant submit a complete application to the Municipal Heritage Advisory Committee and receive all required heritage permits, or a written confirmation that none is required, prior to approval of a building permit; and
2. That the interior and exterior alterations to the existing coach house/garage accessory structure be substantially in keeping with the drawings submitted to the Committee of Adjustment.

ARUs have been mandated by the Province of Ontario through the Planning Act to assist with the shortage of housing in Ontario. ARUs are not mentioned or regulated under the Ontario Heritage Act. Through heritage conservation best practices in Canada as set out by the Parks Canada Standards and Guidelines, adaptive reuse of a structure is highly encouraged.

The application also includes some alterations to the exterior of the structure to bring it up to code for a residential structure under the Ontario Building Code. Any alterations of a heritage structure requires the approval of Council.

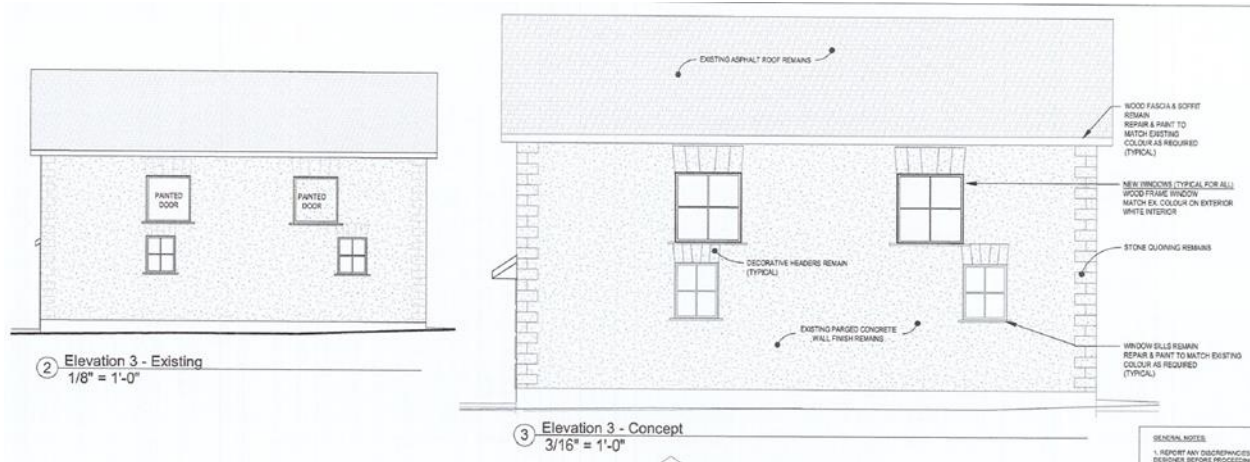
## Alterations to the Garage Exterior



**Figure 3: Alterations to Elevation 2**

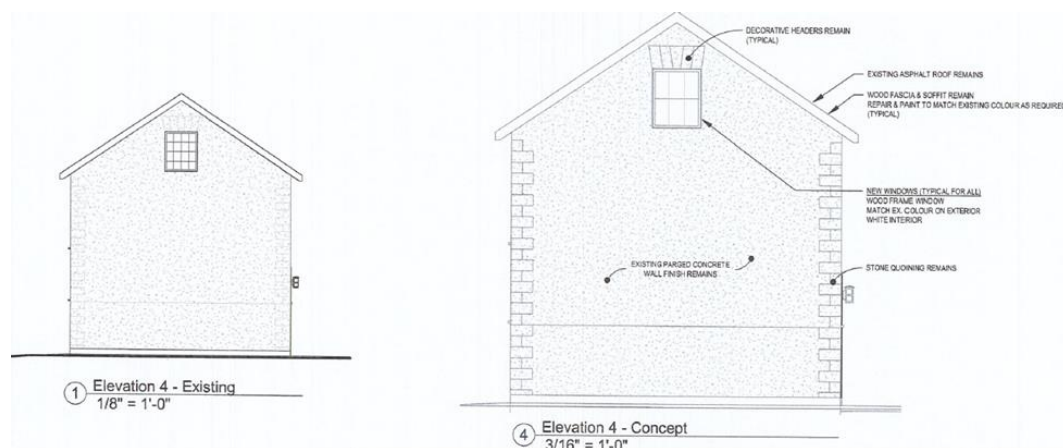
There are several minor alterations proposed for the exterior of the structure. They are:

1. **Elevation 2:** The existing metal garage lifting door will be removed to install a smaller metal garage lifting door. The space to the left of the lifting door on Elevation 2 will be filled in with an operational entry/exit door into the structure. This exterior alteration is required to create that access for the resident to enter the ARU. Heritage Planning staff have no concerns with this alteration. Another alteration to Elevation 2 is the extension of an existing overhang over the garage door. The overhang will be replaced using the same wood and asphalt materials as existing and will extend further by about 18 inches. This will create the protection to wick water away from the doors to protect against wood rot in the frames and to prevent water from getting inside the interior. Extending the current overhang will not be intrusive or have a negative impact on the heritage attributes of the structure. Heritage Planning staff are in support of this proposed alteration.



**Figure 4:** Alterations to Elevation 3 (rear)

2. **Elevation 3:** There are currently four apertures on the rear façade of the garage structure. There are two windows on the ground level parking area and two upper swing-out doors on the upper floor proposed living space. It is believed the upper floor did have windows at one point that were converted to swing-out doors to make it easier to store hay and other livestock related items. It is believed the original owners had a couple of horses and sleigh cutter used for snow rides in winter well into the 1930s. The doors were kept as they were and never restored back to their original use. The proposal is to remove the doors and replace them with custom made wood framed windows to fit the current aperture, thus returning them back to their original use. Openable windows are also required with residential units so the new windows will provide the light and air circulation required under the Building Code for a residential space. Heritage Planning staff support this alteration to replace a lost heritage feature of the structure.



**Figure 5:** Alteration to Elevation 4 (side)



3. **Elevation 4:** The only alteration to this elevation is in reference to the window muntin bars. The existing wood window has rotted and will be replaced with a new wood double hung window to fit the existing aperture. The muntin bars in an 8 over 8 configuration have also rotted and will be replaced with new wood muntins in a six over six configuration to provide more functionality and easier views out the window. A 6 over 6 configuration is an appropriate style for the age of a residential structure and Heritage planning staff have no concerns with this alteration.

These alterations noted above require a recommendation from MHAC to Council on whether to permit the described work through the issuance of a heritage permit.

### **Process for Approval of Alteration Request**

#### **Step 1- MHAC Advises on the Proposal**

Based on criteria as outlined in the Ontario Heritage Act, staff make a recommendation to the MHAC outlining the reasons staff would recommend approval or refusal on the proposed alterations. The MHAC decision is forwarded to Council as advice on the matter for Council consideration.

#### **Step 2 – Council Decision on Proposal for Alterations**

Through a staff report to Council which will include the Municipal Heritage Advisory Committee's advice on the application, Council can make one of three decisions:

1. Approve the request to alter
2. Refuse the request to alter
3. Approve the request with conditions

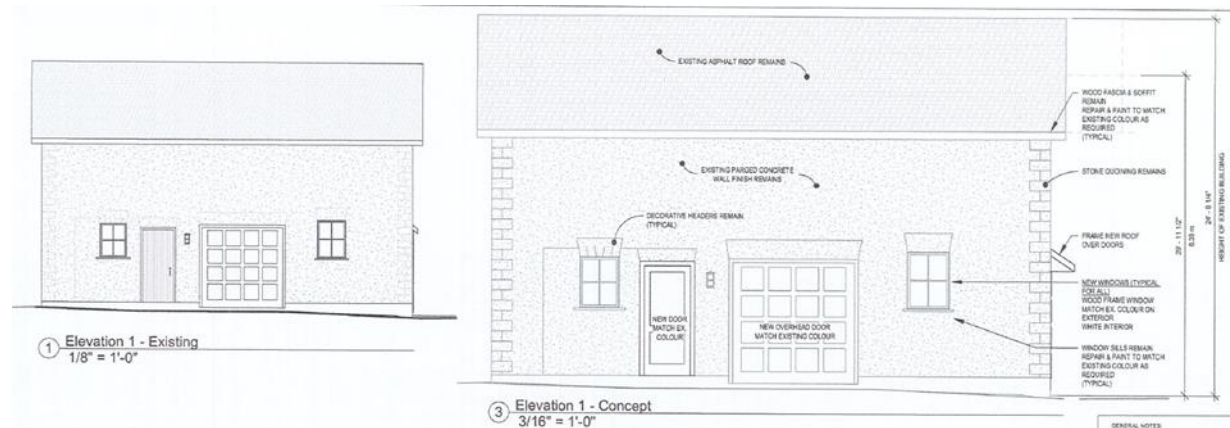
A refusal or the conditions of approval can be appealed by the property owner to the Ontario Lands Tribunal (OLT) for a decision, which is final.

### **Like-for-Like Changes to the Garage Structure**

Repairs are permitted under the Ontario Heritage Act and are not considered alterations providing the look and other heritage elements of the structure are not significantly changed. In this case, the like for like changes include replacing all windows on the structure with new wood windows. The current wood windows have sustained wet and dry rot over the years due to water damage and leaking. The new windows will be wood and will be custom made to fit the current aperture in the same configuration as the originals. They will also be painted the same sage green colour as what exists now and will be painted white on the interior.

All other existing exterior steel doors will be replaced with newer, thermal steel doors to further meet Building Code requirements for exterior and garage doors on residential structures.

The items that will remain the same will include the asphalt roof, the pebble and dash stucco exterior will be maintained as is, the quoins will remain as they are currently, and all wood fascia and downspouts will remain as well. There currently are exterior lights on the garage and they will be upgraded in the same location with new motion sensing LED lights for added brightness and security.



**Figure 6:** Elevation 1, All Like for Like Changes

## EXISTING POLICY / BY-LAW(S):

### Ontario Heritage Act (R.S.O. 1990, c. O.18)

#### Alteration of property

33 (1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration. 2019, c. 9, Sched. 11, s. 11.

### City of Cambridge Official Plan (2018)

#### 4.6 Designation of Heritage Properties

1. The City will regulate as fully as possible the demolition, removal or inappropriate alteration of buildings of cultural heritage value or interest included in the Register of Cultural Heritage Resources referred to in Section 4.3, and for these purposes, Council may:

a) pass by-laws pursuant to the Ontario Heritage Act to designate properties including such buildings or structures to be of cultural heritage value. Council shall not permit the demolition, removal or inappropriate alteration of such buildings or structures for a period of 90 days following application by the owner of such buildings or structures, or such further period of time as Council and the owner may agree upon, unless Council has repealed the by-law designating such property or part thereof.

#### **FINANCIAL IMPACT:**

The costs associated with the project are the responsibility of the property owner.

#### **PUBLIC VALUE:**

##### **Sustainability:**

The City of Cambridge supports sustainability by encouraging adaptive reuse of heritage properties wherever possible.

##### **Transparency:**

The Council agenda is posted on the City's website as part of the reporting process.

#### **ADVISORY COMMITTEE INPUT:**

##### **Advisory Committees Consulted:**

Staff consulted with the Municipal Heritage Advisory Committee on September 19, 2024 through report 24-021(MHAC) and the Committee provided the following recommendations to Council:

THAT Report 24-021(MHAC), 40 Wentworth Ave, Alteration to Garage Structure, be received;

AND FURTHER THAT the Municipal Heritage Advisory Committee recommends that Council approve a Heritage Permit for the alterations to the exterior of the structure at 40 Wentworth Ave as outlined in Report 24-021(MHAC);

#### **PUBLIC INPUT:**

The meetings of the Municipal Heritage Advisory Committee are open to the public. The property owner was available to answer questions the Committee had.



**INTERNAL / EXTERNAL CONSULTATION:**

Heritage Planning staff have liaised with the property owner through their designer on this project.

**CONCLUSION:**

For the reasons outlined in this report, Heritage Planning staff recommend that Council approve the Heritage Permit application requesting to alter the property.

**REPORT IMPACTS:**

Agreement: **No**

By-law: **No**

Budget Amendment: **No**

Policy: **No**

**APPROVALS:**

**This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:**

**Director**

**Deputy City Manager**

**Chief Financial Officer**

**City Solicitor**

**City Manager**

**ATTACHMENTS:**

N/A