
HALDIMAND COUNTY

Report CDP-13-2021 Heritage Property Alteration Request – Cook Peart House



For Consideration by Council in Committee on October 26, 2021

OBJECTIVE:

To obtain support for an alteration request for the Cook Peart House, 3355 River Road, Caledonia.

RECOMMENDATIONS:

1. THAT Report CDP-13-2021 Heritage Property Alteration Request – Cook Peart House be received;
2. AND THAT the application for the proposed alterations to the heritage property known as the Cook Peart House, 3355 River Road, Caledonia, be supported;
3. AND THAT notice of Haldimand County Council's decision be served on the property owners and the Ontario Heritage Trust.

Prepared by: Anne Unyi, Supervisor, Heritage and Culture

Reviewed by: Katrina Schmitz, Manager, Community Development and Partnerships

Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

Heritage Haldimand was established to advise and assist Council on all heritage designation matters relating to Parts IV and V of the *Ontario Heritage Act*. These Parts relate to the formal designation of the property to identify it as having historical, architectural or contextual value under this legislation. The Estate and purchasers of the Cook Peart House have requested permission to extensively renovate the interior and exterior of this home through the granting of a blanket approval.

Staff and Heritage Haldimand have reviewed the Heritage Property Alteration Request and supporting documentation and recommend that all alterations to the property be supported under Section 33 of the *Ontario Heritage Act*.

BACKGROUND:

The Cook Peart House, 3355 River Road, Caledonia, was built along the Grand River in the 1830s on land granted by Joseph Brant to Nicholas Cook, one of the early settlers of Haldimand County. It is a Georgian-style, two-storey red brick house with gabled-roof. The property was designated under Part IV of the *Ontario Heritage Act* for its historical and architectural value in By-law 769/89.

The Estate and purchasers of the property intend to restore and preserve the historic elements of the home's north, east and west elevations including the window detail (12 over 12 panes on the first floor and 8 over 12 panes on the second floor) and the front door with curved fanlight and side lights.

ANALYSIS:

On June 24, 2019, representatives of the Alfred Peart Estate (Cook Peart House) attended a Heritage Haldimand meeting in order to update the committee on the condition of the structure. It was noted the home had been vacant by that time for over two years—with little or no heat—the only inhabitants being several feral cats which had, over a prolonged period of time, severely damaged the interior including the flooring, the original pine stairs with black walnut handrails and pine fireplace mantels. On the exterior, the foundation, windows and brickwork were all described as being in poor condition and it was further noted the building had visibly shifted over time.

Members of Heritage Haldimand visited the property July 12, 2019 and documented their findings, including such items as: the slumping or apparent shifting of the house; a noticeable separation between the extension and the main house; and, the condition/deterioration of the stone foundation, brickwork and windows.

An Alteration Request Form was submitted to the Clerk, Haldimand County, September 26, 2021 requesting permission to restore the Cook Peart House to a habitable residence while restoring its heritage value (Attachment 1).

Owners of properties designated under Part IV of the *Ontario Heritage Act* typically seek Haldimand County Council's approval to proceed with only one restorative project impacting a designated feature of their home; for example, replacing a roof or door or demolishing and rebuilding a porch. In the case of the Cook Peart House, where much of the interior must be gutted, and repairs to the exterior brickwork and foundation are extensive, the Estate and proposed owners have requested inclusive permission to proceed with restorative work that effects the designated items. Granting inclusive permission or blanket authorization would allow the work to proceed in a timely fashion and relieve the owners from completing multiple Requests for Alteration each time an unexpected issue arises which impacts the heritage attributes.

The Alteration Request also includes an assessment of the current condition of the Cook Peart House property provided by a contractor familiar with the preservation of heritage properties (Attachment 2). In the two years since the Heritage Haldimand site visit the structure has continued to degrade.

In their Alteration Request the owners have asked:

1. Permission as follows:

"The owner shall be entitled to repair, remove and/or replace all designated elements, subject only to their undertaking to do so with an eye to maintaining the spirit and character of the designated elements."

Response to Point 1:

The Chair and Supervisor, Heritage & Culture (as the liaison to Heritage Haldimand) met with the purchasers September 22, 2021 to discuss the proposed schedule of work and possible timelines to complete the project; this information was then presented to the Heritage Haldimand Committee on September 27, 2021.

Following discussion and measured consideration of the documentation provided by the purchasers, including evidence of past projects undertaken by the purchasers to restore a heritage home, Heritage Haldimand believes that the same commitment, care and attention to detail given in the past will be carried forward to the Cook Peart property.

The Committee is supportive of the purchasers' request to be authorised to repair, remove and/or replace all designated elements, subject only to their undertaking to do so with an eye to maintaining the spirit and character of the designated elements.

And,

2. Clarification (Schedule "A" to By-Law 769/89 Instrument HC 186008):

Designation includes:

- The north, east and west elevations including the front door with curved fanlight and glass side lights;
- Window detail: 12-over-12 glazing on the first floor and 8-over-12 glazing on the second floor.

"In the designation "north elevation" means the elevation facing River Road. The designation does not include the brick or wood additions on the south side of the main house. References to "elevation" do not include the roof, fascia and soffits."

Response to Point 2:

Heritage Haldimand will agree that (a) the "north elevation" implies the elevation facing River Road and the designation does not include the brick or wood addition on the south side of the main house; (b) references to "elevation" include roof pitch but not soffit and/or fascia.

FINANCIAL/LEGAL IMPLICATIONS:

Section 33 of the *Ontario Heritage Act* states that Council must provide consent in writing before any alterations can proceed that are likely to affect heritage attributes on properties designated under Part IV of the Act. Section 33 (1) reads:

"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."

Additionally, according to Section 33 (6), Council, after consultation with its municipal heritage committee,

(a) shall,

- (i) consent to the application,
- (ii) consent to the application, subject to such terms, or
- (iii) refuse the application.

And, under section (6) (b), notice of Council's decision will be served on the owners of the property and the Ontario Heritage Trust.

STAKEHOLDER IMPACTS:

The property owners will be required to comply with all Haldimand County building codes and obtain all necessary permits for the work to be undertaken.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Application for Alteration – Cook Peart House.
2. Letter, Cook Peart House.