



**TO: Development and Infrastructure Committee**  
**FROM: Planning and Building Department**  
**SUBJECT: Request for Demolition of the “Maple Lodge” or “William Ghent House” or the “Bray-Ghent Farmhouse” on 795 Brant Street**

Report Number: PB-64-15

Wards Affected: 2

File Numbers: 501-06-6

Date to Committee: July 6, 2015

Date to Council: July 15, 2015

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### **Recommendation:**

Refuse the request to demolish the “Maple Lodge” or “William Ghent House” or the “Bray-Ghent Farmhouse” on 795 Brant Street; and

State an intention to designate the house and property at 795 Brant Street, Burlington, pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, Section 29; and

Authorize the City Clerk to present the Designation By-law to Council to designate the property at 795 Brant Street, Burlington, pursuant to Part IV of the *Ontario Heritage Act* if there are no objections to the statement of intention to designate in accordance with Section 29(6) of the Act, R.S.O. 1990, Chapter 0.18; and

Authorize the City Clerk to take necessary action in the event that there are any objections in accordance with Section 29(7) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 or to the statement of intention to designate 795 Brant Street.

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### **Purpose:**

The purpose of this report is to advise Council that the City has received a letter that indicates the intention of the prospective future owner to demolish the house on 795 Brant Street, locally known as the “Maple Lodge” or “William Ghent House” or the “Bray-Ghent Farmhouse”. This request is being made to facilitate redevelopment of the subject property in conjunction with 789 Brant Street.

This report outlines the cultural heritage value of the house and property, and recommends that based on the value, Council states an intention to designate the property pursuant to Part IV of the *Ontario Heritage Act*.

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### **Background:**

On April 15<sup>th</sup>, 2015, a letter requesting demolition of the house at 795 Brant Street was received by the Planning and Building Department. This matter was to be addressed at the Development and Infrastructure Committee meeting on May 11<sup>th</sup>, 2015. Staff visited the site on April 20<sup>th</sup>, 2015; and pictures of the heritage property were taken from the public right-of-way. Staff recommended refusal of the applicant's request in the previous report and is still taking the same position. The request to demolish was subsequently withdrawn by the applicant.

On June 2<sup>nd</sup>, 2015, staff received a letter again stated the owners' intention to demolish the house on the subject property. In accordance with the *Ontario Heritage Act*, a 60-day review period applies once notice of intention to demolish any property on the Municipal Register has been received. The request was received on June 2<sup>nd</sup>, which is considered "Day 1" of the 60-day review period. Therefore, Council must render a decision on or prior to August 1<sup>st</sup>, 2015.

If no Council decision is received within the 60-day period, a demolition permit must be granted as per the requirements of the *Building Code Act*. A property cannot languish on the Municipal Register once an intention to demolish has been received. Council must make a decision as to whether to designate the property pursuant to the *Ontario Heritage Act* in order to protect it from demolition or to remove the property from the Municipal Register to allow its demolition.

The subject property was given an "A" grade when it was evaluated by Heritage Burlington in 1995, and later re-evaluated with the same "A" grade in 2003. Additionally, in 2014, Heritage Burlington retained a consultant to conduct a review of all formerly graded "A" properties on the Municipal Register to determine if they still belong on the Municipal Register. The recent review of the subject property by the consultant has provided a grade of 82/100, based on Heritage Burlington's newly created "Evaluation Criteria"; and it was recommended to remain the property on the Municipal Register.

According to 1995 LACAC Evaluation Report, the house has been awarded a Burlington Historical Society plaque, and was also included in the Inventory of Halton Heritage Features, compiled in 1981. Further, in 1989, the property owners were honoured with a Heritage Award for maintenance of this historic structure (The Hamilton Spectator, 28 February, 1989).

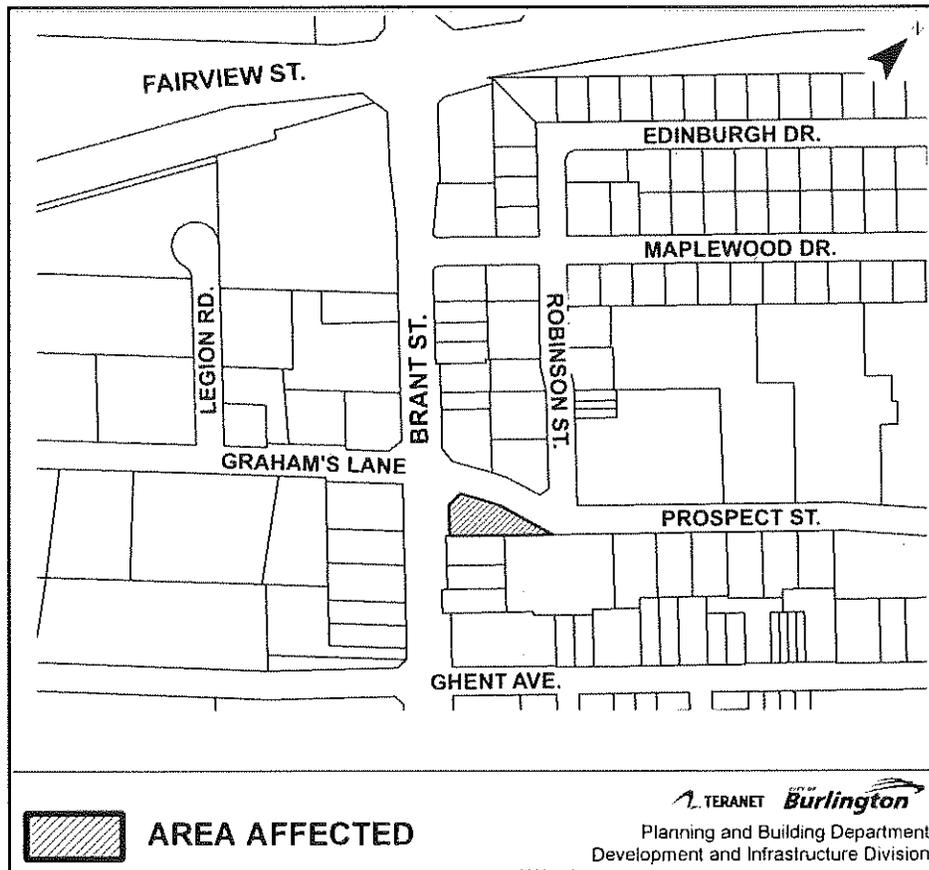
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## Discussion:

795 Brant Street, known as the “Maple Lodge” or “William Ghent House” or the “Bray-Ghent Farmhouse” is a good example of an early vernacular style farmhouse. The house was built in 1854 by mason and bricklayer Jabez Bent. It is located on an irregular shaped lot at the south-east intersection of Brant Street and Prospect Street, and directly across from Graham’s Lane.

Currently, the property is within the boundary of "Downtown Growth Area" in the Official Plan; and zoned as "MXG" – "Mixed-Use Corridor Zone".

## Location Map



## Statement of Significance:

### Cultural Heritage Value

The “Maple Lodge” or “William Ghent House” or “Bray-Ghent Farmhouse” is a good example of an early vernacular style farmhouse; and is associated with the early farming in Burlington. The house is significant as it provides the evidence of Burlington’s past. In addition, it has other important historical/associative, contextual, and physical/design values.

### **Historical or Associative Value**

One of the first families to settle in Brant's Block was the Ghent Family. They had originally come to North America from Wales, settling in Maryland, then moving to North Carolina. As sympathizers with the British during the American Revolution, they were severely persecuted.

Thomas Ghent came to Canada with his wife's family, the Davises, and was one of the early settlers in Saltfree Township. In true pioneering spirit, he purchased land from Joseph Brant in 1804, and became one of the founding families at Wellington Square. For 150 years, members of the Ghent family farmed continuously in Burlington.

The two-storey brick farmhouse, now addressed as 795 Brant Street, was built in 1854 by Jabez Bent, a mason with an excellent reputation as a craftsman, and who is also believed to have constructed the wall around the Union Burying Grounds (1001 Plains Road East, designated in 1995) and the Calvary Baptist Church (1446 Ontario Street, now known as L'Eglise St Philippe). Bent sold the house and its farm to Frederick Bray in 1859, and in 1896, the property was bought by William Ghent, who was the fifth generation descendant of Thomas Ghent. In 1909, Ghent divided the farm, including Ghent Avenue, into parcel lots. This house and its lot were bought by Edward Harmon and his sons in 1909. The house was a residence for the Alphonse Brooks family from 1935 to 1975. It was then converted into office/commercial use.

### **Contextual Value**

The "William Ghent House" is the last farmhouse in the area and is a well-known landmark along Brant Street. Along with 'Blairholm', it is a valuable reminder that Burlington's rich farming heritage used to extend south from the Freeman railway station towards what is now Downtown Brant Street. The house is on its original location; and is a familiar structure in the context of the neighbourhood and downtown. Currently, the property is surrounded by mix of land uses, such as, residential, commercial and mixed-use developments.

### **Design or Physical Value**

The "William Ghent Farmhouse" is a two-storey Flemish-bond brick structure with low-pitched end-gabled roof and features symmetrical three-bay façade with central entrance. Other architectural elements of the original house include brick chimneys at two ends of the gable roof; projected eaves supported by paired Italianate brackets; central door at the front façade has a detailed wood surround; and windows on the ground floor front façade, both floors of the north-east façade and south-east façade highlighted by voussoirs.

There have been numerous changes to the building, but the original fabric of the main house is retained. Visible changes to the building include rear additions, painted brick façade, asphalt roof shingles, commercial signs, additional chimneys and skylights, and windows had been replaced by aluminium framed single-hung one over one window, and decorative metal shutters had been added. The multiple rear additions are well matched and were likely added over the years. The rear yard of the property has been

entirely paved to accommodate parking spaces and a driveway for commercial use, with the exception of shrub and coniferous trees to the side yards and lawn immediately in front of the house.

The “Maple Lodge” or “William Ghent Farmhouse” is significant due to the following heritage attributes:

### **Heritage Attributes**

- Contextual relationship of the house and property to the neighbourhood and Brant Street;
- Two storey 3-bay front façade with central entrance;
- Flemish-bond brick structure;
- Low-pitched end-gabled roof with brick chimneys at each ends;
- Central door (front façade) with detailed wood surround;
- Wooden-framed windows on the front façade (ground floor), north-east side façade, and south-east side façade highlighted by voussoirs;
- Wide overhanging/projected eaves; and
- Paired Italianate brackets under the projected eaves.

### **Strategy/Process**

#### **Ontario Heritage Act and Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest**

In assessing a property’s relative cultural heritage value, staff refers to Ontario Regulation 9/06. The Regulation outlines three main criteria of cultural heritage value, further divided into nine sub-criteria:

#### **1. Design or Physical Value**

- i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method,
- ii. Displays a high degree of craftsmanship or artistic merit, or
- iii. Demonstrates a high degree of technical or scientific achievement.

#### **2. Historical or Associative Value**

- i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
- ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
- iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### **3. Contextual Value**

- i. Is important in defining, maintaining or supporting the character of an area,
- ii. Is physically, functionally, visually or historically linked to its surroundings, or
- iii. Is a landmark.

Under Ontario Regulation 9/06, should the property satisfy at least one of the above criteria, it can be considered eligible for designation under Part IV of the *Ontario Heritage Act*. Staff is of the opinion that the property satisfies Ontario Regulation 9/06 with regard to all three criteria – Design or Physical Value, Historical or Associative Value, and Contextual Value.

From a design or physical perspective the “Maple Lodge” or “William Ghent House” or the “Bray-Ghent Farmhouse” satisfies the following criteria:

- i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method

Staff is of the opinion that the original house is a good example of an early vernacular style farmhouse; except for the rear additions. Although there are cosmetic changes to the heritage attributes of the core structure, the original fabric is preserved.

From a historical or associative perspective, the property satisfies the following criteria:

- i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community, and
- ii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

Staff is of the opinion that the property is associated with the Ghent family, a prominent farming family in Burlington; and additionally, this farmhouse is significant as it was built by one of the reputed builder/craftsmen in that early community.

From a contextual perspective, the property satisfies the following criteria:

- i. Is physically, functionally, visually or historically linked to its surroundings, and
- ii. Is a landmark.

Staff is of the opinion that the house is physically, visually, and historically tied to its surroundings as the development around it (including Ghent Street) was part of the original farm. Based on staff’s assessment it is a landmark at the intersection of Brant Street and Prospect Street as being the last vestige of former use and last farmhouse in the area.

Staff does acknowledge that the house has been converted from its original purpose as a residence to commercial use. Nevertheless, staff is of the opinion that despite the alterations to the building and site, the main farmhouse has retained much of its original character and fabric.

The demolition of this unique style farmhouse would mean a significant loss of the property's historic and cultural heritage values. Each heritage property that is lost incrementally undermines the city's ability to understand and celebrate its past through tangible physical resources.

### **Official Plan Policies**

Burlington's Official Plan also contains a number of policies related to the conservation of cultural heritage resources. Part II, Section 8 of the Plan requires that,

The city shall protect, improve and manage its cultural heritage resources in a manner that furthers the heritage objectives of this Plan and sets an example of leadership for the community in the conservation of cultural heritage resources. Cultural heritage conservation planning shall be an integral part of the land use planning process in the City of Burlington (8.1.1 a).

Further, the Official Plan requires that

The designation of individual cultural heritage properties and cultural heritage landscapes under the provisions of the *Ontario Heritage Act* shall be pursued to implement the cultural heritage conservation objectives and policies of this Plan (Section 8.3.4 a).

These policies are consistent with provincial policy directions related to heritage.

### **Options Considered**

The subject property is included on the Municipal Register as a non-designated property. Council has two options in dealing with the demolition request:

- i. State an intention to designate the property pursuant to Part IV of the *Ontario Heritage Act*; or
- ii. Remove the property from the Municipal Register such that it can be demolished.

Staff respectfully submits that a third option would be to enter into discussion with the property owner, and recommend that the request for demolition be withdrawn until such time as a comprehensive review of options including the demolition, conservation, and incorporation or partial conservation of the house be explored.

Staff is of the opinion that the subject property merits designation under the *Ontario Heritage Act*, based on the criteria outlined in Ontario Regulation 9/06, for the reasons outlined above. Therefore, staff recommends that the property not be removed from the Municipal Register to facilitate demolition and that Council state its intention to designate the farmhouse and property.

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### **Financial Matters:**

There are no financial matters arising from staff's recommendation to state an intention to designate 795 Brant Street. If, however, an objection to Council's statement of intention to designate is received, costs associated with a Conservation Review Board hearing may ensue.

### **Other Resource Impacts**

Additionally, if the property were to be designated, the property owners would be eligible to apply to the Community Heritage Fund for eligible restoration project. This would cover up to 25% of eligible project costs to a maximum of \$15,000.

Burlington's Heritage Property Tax Rebate program could also be available to the owners of the property. Currently, the program is only for residential uses in accordance with the recommendation of Heritage Burlington in its 2012 report – "A New Approach to Conserving Burlington's Heritage". A commercial component will be explored for the 2016 tax year.

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### **Environmental Matters:**

There are no environmental matters associated with this request or staff's recommendation.

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### **Public Engagement Matters:**

There was no public consultation concerning this report, however, both Heritage Burlington and staff visited the property. This report was listed in the regular Development and Infrastructure Committee agenda. The owner was notified of staff's recommendation to Council at least ten days prior to the meeting, where the staff report will be considered in accordance with Council's direction.

Should Council accept staff's recommendation to state its intention to designate 795 Brant Street, the *Ontario Heritage Act* (Section 29, 1.1) requires that notice of the intention be given to the City Clerk, and that notice be served on the owner of the property; the Ontario Heritage Trust; and published in a newspaper having general circulation in the City. The notice must contain:

- a) An adequate description of the property so that it may be readily ascertained;
- b) A statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property; and

c) A statement that notice of objection to the designation may be served on the City Clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality.

### **Heritage Burlington**

In accordance with *Ontario Heritage Act*, Heritage Burlington has been notified about the application requesting the demolition of the farmhouse on 795 Brant Street. Heritage Burlington provides the following recommendations:

1. That Council remove 795 from the Municipal Register in order to allow a demolition permit to be issued;
2. That the developer of any future edifice on the property be encouraged to erect a plaque with a photograph of the house as it was in 1902 with suitable text explaining its past importance. The agent for the owners has indicated in writing that anything possible to "memorialize" 795 Brant will be done. and
3. That Heritage Burlington would be pleased to photograph or video the various architectural features of the house before it is demolished.

Heritage Burlington's comments are attached in Appendix #d, of this report.

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### **Conclusion:**

Based on the cultural heritage value of 795 Brant Street, the property's inclusion on the Municipal Register is justified. Based on assessment of the property's cultural heritage value relative to Ontario Regulation 9/06, the property is worthy of designation pursuant to Part IV of the *Ontario Heritage Act*. The property satisfies more than one of the required criteria as established in Ontario Regulation 9/06, and is consistent with provincial policy direction and the city's Official Plan policies.

Staff is of the opinion that the loss of this property will have a significant impact in the neighbourhood and its demolition would further deplete the rich heritage character of the City of Burlington.

Therefore, staff recommends that the owner's request to demolish the house be denied and that Council state its intention to designate the farmhouse and property.

Should Council wish to approve the demolition of the farmhouse, there are two options to consider; either demolish the building or staff be directed to work with the property owner to review options including photographic record and measured drawings of the farmhouse, conservation or relocation of the core structure, and incorporation or partial conservation of the house.

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Respectfully submitted,



Banani Afsana, Planner II

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**Appendices:**

- a. Aerial Photo of the “Maple Lodge” or “William Ghent House”
- b. Images of the “Maple Lodge” or “William Ghent House”
- c. Images of the “Maple Lodge” or “William Ghent House” in different Era
- d. Heritage Burlington’s Memorandum
- e. Letter Report by Applicant’s Consultant

**Notifications:** (after Council decision)

Name:	Mailing or E-mail Address:
Tony Millington Agent/Applicant	millingt@allstream.net
Heritage Burlington	Jim Clemens, C/O Amber LaPointe, Clerks Dept.
Ontario Heritage Trust	Chairman, 10 Adelaide Street East, Toronto, ON M5C 1J3

**Approved by:**

Scott Stewart, Acting Director of Planning & Building

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