

Report to Council

Report Title: Alterations to Former Walkerton Baptist Church

Prepared By: Fiona Hamilton, Clerk

Department: Clerk's

Date: June 23, 2020

Report Number: CLK2020-22 **File Number:** C11CL, R01

Attachments: Excerpts from Ontario Heritage Toolkit – Places of Worship
Application to Alter Former Walkerton Baptist Church
By-law 81-16 Designating Walkerton Baptist Church
Report from Doug Evans, Consultant
Chart of Recommendations
Email Correspondence from Mr. Fischer with additional submissions

Recommendation:

That the Council of the Municipality of Brockton hereby approves Report Number CLK2020-22 - Alterations to Former Walkerton Baptist Church, prepared by Fiona Hamilton, Clerk and further approves moving forward with option _____ relating to the proposed alteration to the building and option _____ relating to the proposed parking plan and directs staff as follows in relation to the grant application: _____.

Report:

Background:

As Council is aware, Robert Fischer purchased the former Walkerton Baptist Church (the "Church") and Council approved a rezoning to allow for rental residential units and commercial space. By-law 81-16 of the former Town of Walkerton designates the Church as a heritage property such that Council must approve in writing any alterations to the Church that may impact the heritage attributes.

Section 33(1) of the *Ontario Heritage Act*, R.S.O 1990, c O.18, as amended, sets out that an owner must obtain the prior written consent of the municipal council prior to altering any of the heritage attributes on a designated heritage property. The following is a chronological list of the steps that must be followed prior to altering a heritage property:

- The owner provides an Application to the municipality with details about the proposed alterations to the heritage attributes (completed May 28, 2020);

- The municipality must provide notice to the owner that the Application has been received (completed May 29, 2020);
- Council must consult with the municipal heritage committee if one exists (June 1st and again on June 22);
- Council must decide whether to consent to the alteration, consent to the alteration on terms and conditions, or refuse the alteration. This decision must be made within ninety (90) days of the notice of complete application;
- If Council refuses the alteration, or approves it with terms and conditions, the **owner** may request a public hearing by the Review Board, which can then make recommendations about the alteration to the municipal council, at which point the municipal council can confirm or revise the original decision. The Act does not specify that anyone other than an owner can request a public hearing.

Analysis:

In this case, By-law 81-16 establishes “the **lands and premises**” as having architectural and historical value, noting that:

The Walkerton Baptist Church is significant because two distinctive styles are prominently displayed. The original marl brick church (1883) is a simple adaptation of the Gothic Revival style; while the large red brick and fieldstone addition (1889) is Walkerton’s finest example of Local Vernacular Architecture.

Given the description above, the heritage attributes that would need to be preserved are the parts of the land and building that are features of the gothic revival style, the marl brick and the red brick and fieldstone. Council is only able to approve, refuse, or impose conditions on the alterations that would impact the heritage attributes.

The Ministry of Heritage, Culture, Tourism and Sport has published an Ontario Heritage Toolkit, which includes a special publication for Places of Worship. Relevant excerpts from the Places of Worship publication have been attached for Council’s reference and provide overall guidance of the principles that should be applied when considering alterations to heritage attributes of a former place of worship. These guiding principles include: 1) respect for documentary evidence 2) respect for the original location 3) respect for historical material 4) respect for original fabric 5) respect for the building’s history 6) reversibility 7) legibility 8) maintenance.

These guiding principles should be kept in mind when considering a number of factors related to the alteration, such as:

- Reasons for the alteration (to comply with legislation, improve accessibility, safety, structural repairs, etc.);
- The physical and visual impact of the proposed changes;
- Whether the alteration will improve the long-term viability of the structure;
- Resources required for long-term maintenance;
- Appropriateness of proposed design, character and material;
- Rationale for preferred option;
- Whether the alteration improves the property’s continued use;

- Alignment with guiding principles;
- History of alteration to the property; and
- Form, scale, positioning of elements, impact on appearance and functionality.

In this case, many of the alterations proposed by Mr. Fischer are to improve safety (allowing emergency egress from the building, safe lighting for entering/exiting in the evening) and to improve energy efficiency. Many of the changes are also due to worn or degrading siding or exterior doors. Overall, the style of replacements chosen maintain the overall style and aesthetic and also improves accessibility. The proposed alterations reflect the fact that the structure will no longer be used as a place of worship, and will improve the long-term viability of the structure and it would still be used and not “mothballed”.

The Brockton Heritage Committee considered the Application at their meeting on June 1, 2020. At that time, the Brockton Heritage Committee decided to hire a heritage consultant to provide a report and make recommendations to the Committee and for Council. The Brockton Heritage Committee arranged for a special meeting to consider the report and the Application for June 22, 2020, given that the Heritage Committee does not meet in the summer and Mr. Fischer would like the project to proceed as soon as possible.

The consultant hired by the Brockton Heritage Committee, Doug Evans, has provided a report that has been attached for Council’s reference. Members of the Brockton Heritage Committee and the Clerk and CBO also met with Mr. Fischer at the property on Saturday, June 20, 2020 to consider the consultant’s recommendations. The consultant has recommended that a number of the proposed alterations be conditionally approved, with Mr. Fischer to submit elevations, drawings and floor plans, or manufacturer’s specifications for a more detailed assessment of any items that would materially impact the overall appearance of the exterior of the land and building. There were three items that the consultant has recommended be refused: 1) The windows on the west of the church as these are the original windows 2) replacing a modern steel door with another modern “period” style door rather than a custom wood door sized to fit the original opening and 3) exterior pot lighting.

The Brockton Heritage Committee met on June 22, 2020 to review the consultant’s report and the proposed alterations. Both the consultant and Mr. Fischer were invited to speak at length about each of the proposed alterations. While the consultant emphasized the importance of obtaining additional details to make an informed decision about preserving the “living record” of the structure, Mr. Fischer noted the increased costs associated with obtaining additional drawings and delaying the project (noting that many of the alterations were required for insurance purposes, accessibility purposes and to comply with the building code, and that may require significant lead time for delivery). A chart summarizing the proposed alterations along with the recommendations of Mr. Fischer, the consultant, Mr. Evans, and the Brockton Heritage Committee has been attached for Council’s reference.

Subsequent to the meeting, Mr. Fischer provided an additional submission and email correspondence to Fiona Hamilton, Clerk that has been attached for Council’s review. Mr. Fischer has expressed his frustration with the delay. If Mr. Fischer decided not to proceed with the project and sell the building, it may be purchased by someone less willing to invest money into the structure or who may be more inclined to complete the renovations without prior approval, or who would not be interested in developing accessible rental units.

Building Options

At this time there are a number of options available to Council with respect to the building:

Option 1) Adopt Recommendations of the Brockton Heritage Committee

The Brockton Heritage Committee has recommended that a number of items be conditionally approved provided additional drawings/material samples be provided, with a special meeting scheduled for July 6, 2020 to reconsider these additional documents and the items that the consultant recommended be refused (along with the parking plan that was not submitted to the consultant). This option would involve deferring consideration of the proposed alterations until July 14, 2020, after the Brockton Heritage Committee has satisfied itself with respect to the drawings and has considered the remaining disputed alterations. In his email correspondence, Mr. Fischer has noted that he is unwilling to provide additional drawings.

Option 2A) Partial Approval with No Drawings

The consultant's report indicated that many of the proposed alterations could be supported, but requested additional drawings. Council could choose to approve all the items that were recommended for conditional approval without requiring the additional reports, if comfortable with the information provided in Mr. Fischer's submission. This option would allow Mr. Fischer to move forward with some elements of his proposal, with the decision on the original windows, modern door replacement and pot lighting to be deferred to a later date to await a further recommendation from the Brockton Heritage Committee.

2b) Complete Approval with No Drawings

Council could decide to approve all the proposed alterations with no conditions, including those that the Brockton Heritage Committee deferred and the consultant recommended be refused. The Brockton Heritage Committee has recommended that these items be deferred to allow an opportunity to consider other options (refurbishing existing windows, replacing with other wood windows, obtaining quotes related to a custom wood door etc.) and also to weigh the benefits or drawbacks for these items of significant historical value, however Council may be satisfied with the additional submission made by Mr. Fischer.

3a) Partial Refusal

Council could also choose to refuse those items identified by the consultant such that Mr. Fischer would be required to submit a completely new, alternate proposal for those item. Mr. Fischer could also ask for the Review Board to hold a public hearing about such refusal.

3b) Complete Refusal

Council could choose to refuse all the proposed alterations, but this option is not recommended by staff as many of the proposed alterations are to improve safety (exterior lighting required by insurance), accessibility (the rental units are planned to be fully accessible units) and to meet the building code (second means of escape in the case of fire).

Parking Area Proposal

As the Designating By-law mentions both the land and the building, the Brockton Heritage Committee has asked Mr. Fischer to supply his proposed parking plan, which has been attached for Council’s consideration. Mr. Fischer developed the plan based on conversations with the Roads Supervisor about the location of the underground services, tying in and repairing the existing sidewalks, preserving the mature maple trees and reaching an agreement with the next door neighbour to preserve her view of greenspace. Unfortunately, the grading of the proposed plan would cover a significant amount of the stone foundation, such that the Brockton Heritage Committee recommended deferral of this item until the July 6, 2020 meeting. The options for Council with respect to the Parking Proposal are 1) Defer to obtain the Brockton Heritage Committee opinion, 2) Approval the proposal in whole; 3) Approve the proposal with conditions to be specified, 4) Refuse the proposal.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? Yes
- Do the recommendations contribute to achieving Cultural Vibrancy? Yes
- Do the recommendations contribute to achieving Economic Prosperity? Yes
- Do the recommendations contribute to Environmental Integrity? Yes
- Do the recommendations contribute to the Social Equity? Yes

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

Mr. Fischer’s application to alter the Church was accompanied by an application for a grant of \$5,000.00 to assist in maintaining the heritage attributes of the Church. The costs of altering the Church to allow for the structure to continue to be used and preserved may be greater than completing normal renovation or repairs on other buildings. All of Brockton benefits from preserving a valuable historical and architectural asset and continuing its legacy.

The Brockton Heritage Committee did not consider the grant application at the June 22, 2020 meeting. The Loan Application Package specifies that the grant is to be provided in conjunction with a loan, although Council could dispense with that requirement. There was \$187,950.36 in the Community Heritage Reserve Fund as of December 31, 2019 and the last loan from that fund was in 2012. It is recommended that Council consider the grant request depending on the option chosen above.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:

A handwritten signature in dark ink, appearing to be 'Fiona Hamilton', written in a cursive style.

Fiona Hamilton, Clerk

Reviewed By:

A handwritten signature in dark ink, appearing to be 'Sonya Watson', written in a cursive style.

Sonya Watson, Chief Administrative Officer