

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Anthony Jas
Planner I, Planning Services

Date: July 22, 2020

Subject: Ontario Heritage Act – Request to Demolish Listed Property
24254 Winter Line Road, Community of Dover (Pain Court)

Recommendation

It is recommended that:

1. The property known as 24254 Winter Line Road, described as Part of Lot 1, Plan 428, in the Community of Dover (Pain Court), be removed from the Municipal Heritage Register.

Background

The subject property is located at the southwest corner of the Winter Line Road and Pain Court Line intersection in the Community of Pain Court (24254 Winter Line Road). The site contains a building formerly known as the Dover Hotel, which was built circa 1870 as an inn, and was a stop along a former railway line. At the time, the property demonstrated the growing affluence of Pain Court's Francophone community. Following numerous renovations, the building now stands as a nine (9) unit residential apartment (known as Dover Apartments).

In January 2010, Council added this property to the Municipal Heritage Register as the property was believed to be of cultural value or interest to Chatham-Kent. An excerpt from the Register containing the entry for the property is attached as Appendix A.

Section 27 of the Ontario Heritage Act (OHA) requires the Municipality to keep a current, publicly accessible Municipal Heritage Register (Register) of properties of cultural heritage value or interest. Listing identifies these properties as having heritage significance, and requires that owners who intend to remove or demolish any buildings or structures on the property give Council 60 days notice of their intention in writing. The 60 day period is meant to provide municipalities with sufficient time to evaluate whether

the property merits some form of protection such as designation under the OHA. If so, a separate decision-making process is followed.

Over the past 10 years, there have been numerous orders issued on the subject property by both Building Development Services and Fire Services. These orders were in relation to debris, mice and cockroach infestations, roof repairs, leaks, unsafe electrical, insufficient heating in winter months, holes in the walls, broken windows, and leaking roof in every unit. It has been indicated that these orders have consistently failed to be fully complied with.

On January 14, 2020, Building Development Services issued the following orders on the subject property:

- Order to remedy an unsafe building.
- Order to repair or demolish the building.

To remedy/repair the building, the owner is required to retain a professional engineer to undertake a structural assessment of the building to identify the extent of works required to bring the building to a state that is acceptable for occupancy. To date, no assessment has been undertaken and the abovementioned orders have not been complied with.

Due to continued inactivity and further deterioration of the building on the subject lands, Building Development Services had retained Len Jobin, P. Eng., Structural Engineering, to undertake a structural assessment of the building. A record of this assessment, dated July 4, 2020, is attached as Appendix B for review. To summarize, the findings concluded extensive structural damage/decay to the flat portion of the roof and the foundation and floor framing, to a degree that the building is deemed unsafe in its current condition for occupancy. The assessment also revealed that the estimated costs to repair the foundation alone would be in excess of \$100,000, and that given the overall costs to repair and bring the building up to Ontario Building Code Standards, demolition is recommended as a viable alternative.

Based on the findings of the assessment report, Building Development Services, on July 7, 2020, issued an order prohibiting occupancy of the building. This order will remove all inhabitants from the building, as it is deemed unsafe, and will allow for the building to be secured to prevent any further occupancy.

Pictures demonstrating the current condition of the exterior of the building are attached as Appendix B for review.

Comments

Based on the circumstances outlined above, Building Development Services is proposing to move forward with the demolition of the building on the subject property. However, as this property is listed on the Municipal Heritage Register, this action first

requires consultation with the Municipal Heritage Committee (MHC) and Municipal Council as per Section 27 of the OHA. Consultation with the MHC is summarized in the Consultation section below.

The Recommendation is to remove the subject property from the Municipal Heritage Register, to allow for the demolition of the building to proceed.

Council has two options regarding this request, which are as follows:

- 1) Proceed with the removal of the subject property from the Municipal Heritage Register to allow demolition of the building to proceed.
- 2) Proceed with designating the subject property under Part IV of the Ontario Heritage Act. To initiate the designation process, Council must direct that Notice of Intention to Designate the property be given.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

Municipal Heritage Committee

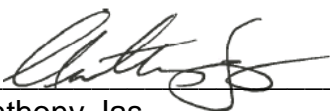
The Municipal Heritage Committee was consulted in accordance with Section 27(1.3) of the Ontario Heritage Act for the removal of the property from the Register. At its meeting on July 22, 2020, the Committee passed the following motion:

“The Committee supports the recommendation to remove the property known as 24254 Winter Line Road, Community of Pain Court, from the Municipal Heritage Register.”

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



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Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Acting General Manger,
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Director, Planning Services

Attachments: Appendix A – Municipal Heritage Register, Excerpt of 24254 Winter Line Road
Appendix B – Structural Assessment
Appendix C – Site Photos

c Municipal Heritage Committee

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Community of Dover

24254 Winterline Road



Date Added to Registry: 18-Jan-2010

Historic Period and/or Date of Erection: Circa 1870

Historical Significance: In the past this building was known as the Dover Hotel. It was built as an inn and was a stop along the CW and LE railroad. The development of such an elaborate inn demonstrates the growing affluence of Pain Court's Francophone community. The building was built by Ed Gagner's grandfather, D.D. Gagner – his family lived upstairs.

The building has since been renovated into a residential unit called Dover Apartments.

Architectural Significance/Description: This dwelling has had numerous renovations. The current style highlights a strong Tudor Revival influence. Nevertheless, when it was first built it likely had Italianate or Italian Villa features. The tower is an exceptional highlight of the aforementioned architectural style.

Contextual Significance: This property is a landmark in Dover Township.

Legal Description: PART OF LOT 1, PLAN 428
DOVER



Appendix B – Structural Assessment



Len Jobin, P. Eng.

Structural Engineering

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The Municipality of Chatham-Kent
Building Development Services

7-4-20

Attention: Travis Maxwell,

Re: 24254 Winter Line Road, Pain Court - Structural Assessment

As requested I attended the site for this apartment building to perform a visual, non-destructive inspection of the structural condition. The existing apartment building is two storeys with a crawl space. The exterior structural walls are all wood-framed, typically on two wythes brick foundation walls on rubble stone footings.

The flat portion of the roof is in very bad condition with many signs of flooding and missing sections of roof membrane. There is no discernible slope, drains or scuppers to deal with water. Some portions of the flat roof were very bouncy but no elements of the roof structure could be seen from above or below.

The foundation and floor framing has many issues: damaged bearing walls; missing post and footing supports; many broken or cut floor joists; timber beams that have been cut; timber beams bearing on foundation walls and fully crushing the wall plate with virtually no bearing; settlement of brick foundation walls/footings; large holes in foundation walls and instances of crumbling footings which fail to support the beams above.

It is my opinion that the building is unsafe in its current condition. For safety purposes temporary shoring should be installed in the very near future. To repair the foundation the building would have to be jacked and the foundation reconstructed on adequate soil. An estimate for the work just to repair the foundation would likely be in excess of \$100,000.

Demolition is an alternative given the cost of the foundation repairs and the almost certain further costs required to repair unseen problems and bring the building up to Ontario Building Code standards.

Yours truly,

Len Jobin, P.Eng.



Appendix C – Site Photos



View of existing building from the Winter Line Road and Pain Court Line intersection.



View of existing building from Winter Line Road.



View of existing building from Pain Court Line.



View of existing building from Winter Line Road.