 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Cobourg Heritage Advisory Committee	
FROM: TITLE:	Dave Johnson Planner - Heritage	
DATE OF MEETING:	November 12, 2020	
TITLE / SUBJECT:	Roof Replacement and Masonry Restoration Keith Colterman (Historic Carpentry Inc.)/FV Pharma 520 William St. ('Certo' Building)	
REPORT DATE:	November 9, 2020	File #:HP-2020-031

1.0 **STRATEGIC PLAN**

Places: The Town protects, preserves and promotes its natural assets, heritage, arts, culture and tourism.

2.0 **PUBLIC ENGAGEMENT**

The Cobourg Heritage Advisory Committee (CHC) operates in accordance with the Advisory Committee and Local Board Policy and Procedures for municipal boards and committees in the Town of Cobourg.

In general, the CHC is comprised of seven (7) members: one (1) member of Council and six (6) citizen members which reflect the diverse interests of the community.

The agenda for a CHC meeting is prepared and distributed to all committee members and is posted on the Municipal Website at least forty-eight (48) hours in advance of the scheduled meeting date, in an electronic format where possible.

Existing heritage legislation does not prescribe public notification or meetings for approval of alterations to designated properties, however the Cobourg Heritage Master Plan and implementing Heritage Conservation District Plans and associated regulations/guidelines underwent extensive public consultation and engagement prior to their approval. Review and approval of Heritage The CHC also receives public delegations and communications/ correspondence from

citizens in accordance with the Advisory Committee and Local Board Policy and Procedures for municipal boards and committees in the Town of Cobourg. Permits by the Town are undertaken within the context of these documents.

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30 **RECOMMENDATION**

WHEREAS, Heritage and Planning staff has reviewed the proposed building improvements consisting of roof replacement, building stabilization and masonry restoration/rehabilitation work, including all pillars and bond system, for Building “C” (Certo Building) at 520 William Street, and has concluded that the proposed work would generally conform to established Heritage Guidelines and best practices, is consistent with the heritage designation for the subject property and is conducive to retaining an important industrial heritage asset in the community; and,

THEREFORE, it is recommended that Heritage Permit Application HP-2020-031, submitted by Keith Colterman of Historic Carpentry Inc. on behalf of FV Pharma, for the proposed roof replacement, building stabilization and masonry restoration of Building “C” (Certo building) as specified in the engineered design drawings in **Appendix “A”** be approved and implemented subject to the finalization of details by Building and Heritage staff.

4.0 **ORIGIN**

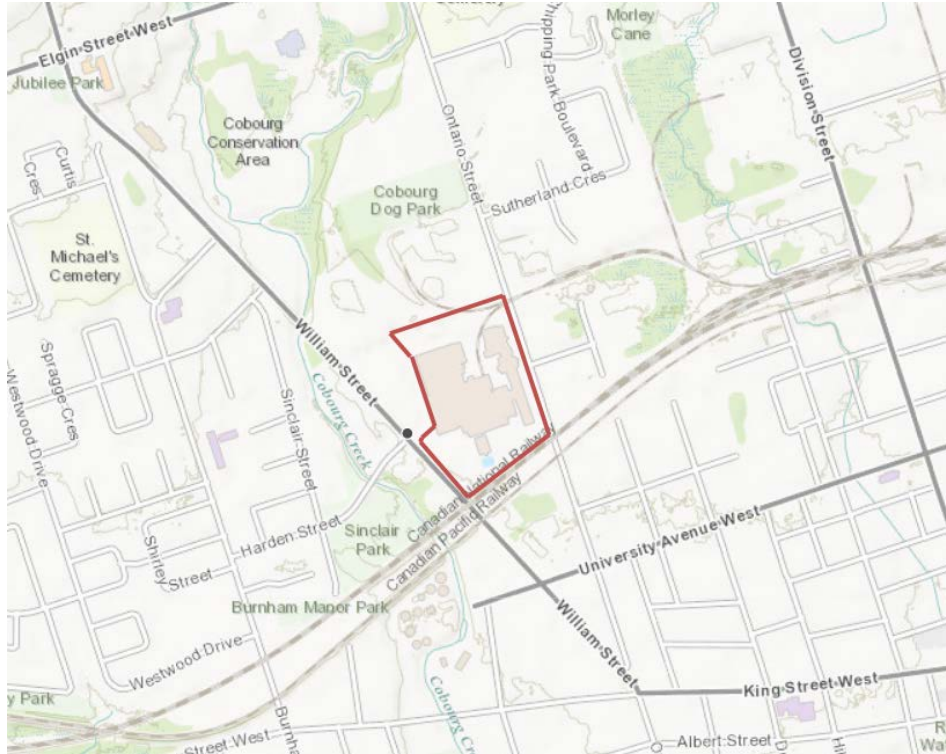
An application for a Heritage Permit was submitted on Thursday, November 5th, 2020 by Keith Colterman, Historic Carpentry Inc., on behalf of FV Pharma to replace the collapsed roof and façade masonry restoration including all pillars and bond system to the historic structure known as the Certo Building (Building “C”) at 520 William Street.

The subject property is designated under Part IV of the Ontario Heritage Act by By-law 092-2017. In accordance with the requirements of the Ontario Heritage Act, the deadline for Council to respond to the Heritage Permit Application is Wednesday February 3rd, 2021.

5.0 **BACKGROUND**

Geographic and Historic Context

The subject property at 520 William Street is located north of the CN/CP railway tracks, east of William Street, west of Ontario Street, and south of the future extension of Kerr Street. The site includes a 55, 740 sq. m. (approx. 599,980 sq. ft.) industrial building visible from William Street, and a number of historic buildings along Ontario Street (known as Buildings “A”, “B” and “C”).



Above: The subject property at 520 William Street is outlined in red.



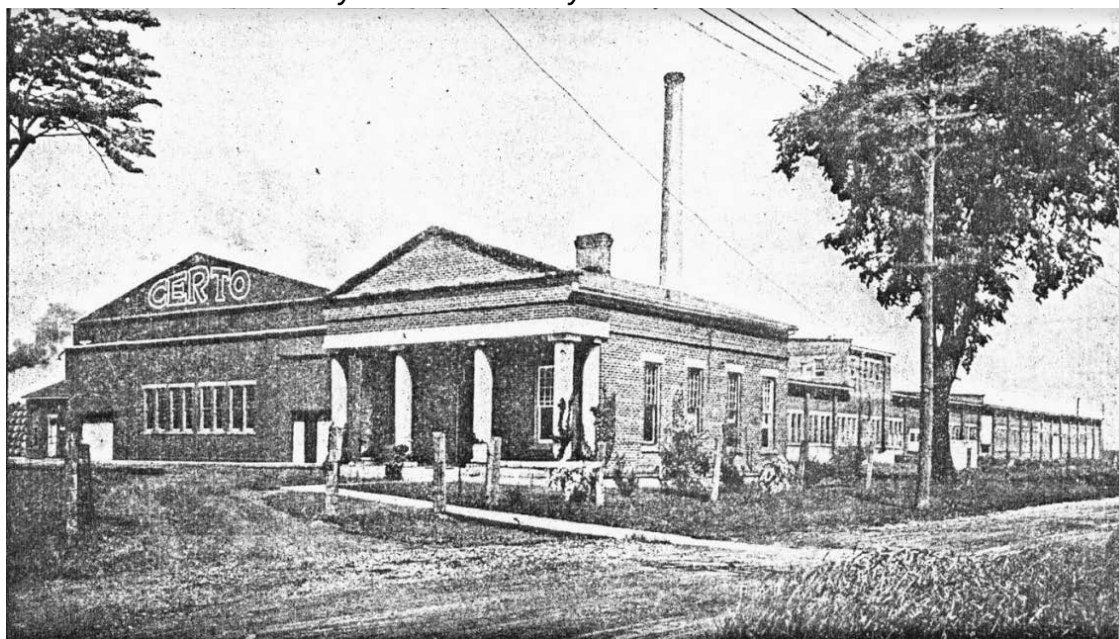
Above: For reference, Buildings "A", "B", and "C" are identified in the above diagram. These labels are assigned to facilitate discussion of the property and are consistently used when describing the three historic buildings on the subject property that front on Ontario Street. The building referenced in this Report is identified as Building "C" (also commonly referred to as the "Certo" building).

The buildings and structures at 520 William Street are associated with the Douglas Pectin Company where Certo was manufactured, and General Foods and Kraft Canada, which was a major food employer and was integrated within civic and economic life in the Town of Cobourg for almost a century. According to the heritage

designation description, Building "C" is of neoclassical design, with a four column portico and pediment on the south façade, and red brick cladding.



Above: Building "C" was constructed in 1909 as an administrative office. It is pictured here sometime in the early twentieth century.



Above: The subject property, as seen from Ontario Street with Building "C" in the foreground, in the 1920s.



Above: The historic buildings that front on Ontario Street are landmarks in the area and define the character of the Ontario Street frontage of the property. In the foreground of the picture is Building “C” (Certo).



Above: Building “C” (ca. 1909) is a Greek Revival style building.

Timeline of Relevant Events

➤ Spring 2010: Concurrent Planning Act applications considered

The conservation of heritage resources on the subject property first arose during the consideration of two separate but concurrent applications for the subject property in the Spring of 2010.

An application to amend the Zoning By-law (File Number Z-05-10) was submitted by a previous owner for the purpose of changing the General Industrial (GM) Zone category applicable to the southern portion of the property to permit a broader range of land uses at the existing Cobourg Innovation Centre facility.

An application for consent to sever (File Number B-02/10) the property at 520 William Street was also submitted for the purpose of severing a 1.4 ha. parcel of land with 49 m of frontage on Elgin Street West, and merging it with the adjacent YMCA property on Elgin Street West.

On reviewing these applications, Heritage Planning staff identified, in particular, the older, historic industrial buildings along Ontario Street as being of potential heritage value or interest, and it was suggested that the two outbuildings (Building “B” and Building “C”, ca. 1909) and the primary “Certo” industrial plant (Building “A”, ca. 1909) be added as Listed properties on the municipal Heritage Register. The proposal for the property was well-received by the CHC and the following two motions were carried at this meeting:

a) Severance Application

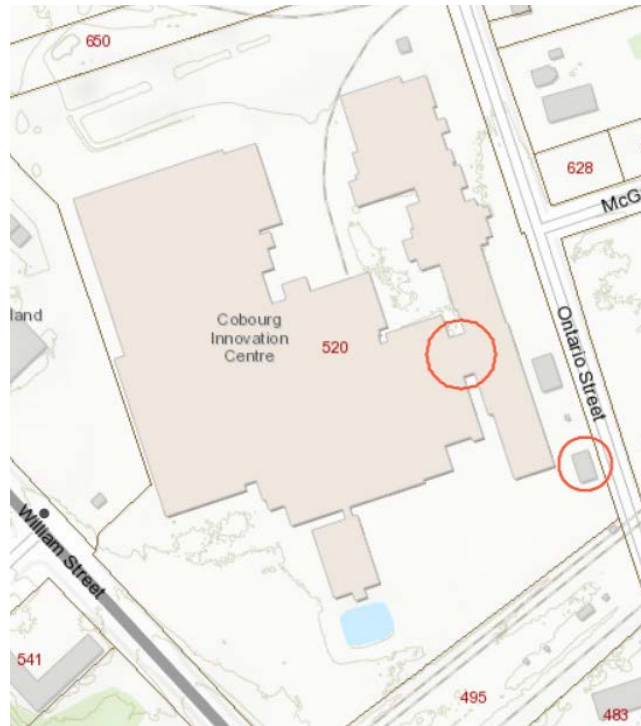
“That Committee supports staff’s recommendation that the Committee of Adjustment consider as a condition of approval for severance that the owner of 520 William Street provide a letter indicating support for inclusion of 520 William Street on the Town’s Heritage Register of Properties of Cultural or Heritage Value (but Not Designated).”

b) Rezoning Application

“Cobourg Heritage Committee is in favour of the rezoning application as proposed by Cobourg Innovation Centre and look forward to working with the applicant in addressing the Heritage Component of the development.”

➤ June 13, 2011: Demolition Permit

A Demolition Permit application by a previous owner was received by the Building Department on June 13, 2011, which included the demolition of the southern outbuilding known as Building “C”, and the removal of a portion of a building connecting Building “A” (the larger historic industrial Certo building) to the newer industrial building complex to the west.



Above: The areas circled in red indicate the outbuilding (Building “C”) and the connection between Building “A” and the modern building complex to the west, that were subject to the application for a Demolition Permit.

Furthermore, conversations and correspondence occurred between the Chief Building Official and the agent for the previous owner of the property regarding the demolition process, applicable fees, and the permit status.

While the application for a Demolition Permit was for one outbuilding (Building “C”) and one building connection/structure only, Heritage Planning staff recognized that there were no protections in place and that the entire complex was vulnerable to significant alterations and/or demolition. Based on Heritage Planning staff’s review, the subject property met the prescribed criteria for designation outlined in O. Reg 9/06, and staff were sufficiently concerned at this turn of events to propose that a Notice of Intention to Designate the historic Certo industrial complex be brought to the Cobourg Heritage Advisory Committee (CHC) and municipal Council for consideration.

The following motion was carried at the June 15, 2011 meeting of the CHC:

“That CHC support the Notice of Intention to Designate – 520 William Street.”

➤ June 20, 2011: Notice of Intention to Designate

The CHC's support for the designation of the subject property was considered by the Committee of the Whole, and subsequently the following motion was carried at the regular Council meeting on June 20, 2011:

"WHEREAS the Committee of the Whole has considered a memo from the Secretary, Cobourg Heritage Committee regarding a Notice to Designate property located at 520 William Street, Cobourg (Old Certo Industrial Building);

NOW THEREFORE BE IT RESOLVED that Council authorize that the notice of intention to designate be issued under Section 29, Part IV of the Ontario Heritage Act, for the Certo Industrial Building and associated accessory buildings including the Certo Office located at 520 William Street, Cobourg."

In accordance with the procedure outlined in the Ontario Heritage Act, the Notice of Intention to designate was subsequently published in the local paper, and served upon the property owner and the Ontario Heritage Trust.

➤ July 2011: Objection to Notice of Intention to Designate

As provided for in the Ontario Heritage Act, the previous owner filed an objection to the designation of the subject property. The agent for the owner presented a delegation to the Committee of the Whole on July 11, 2011 in which he outlined several points in response to the Notice of Intention to Designate.

The presentation included mention of the owner's commitment to retain a heritage professional to prepare appropriate plans for the Ontario Street frontage of the property. Further, it was communicated that the owner had no current plans for Building "C" and would commit to make no alterations without consultation with the Town. He requested that Council consider the owner's objective of creating an industrial space that is viable for tenants and will provide business and employment opportunities.

The formal objection to the Notice of Intention to Designate the subject property was dated July 22, 2011.

➤ 2011 – 2013: Conservation Review Board

The matter was duly referred to the Conservation Review Board (CRB) for a hearing, and Town staff forwarded the required materials to the CRB on October 14, 2011.

The CRB is an adjudicative tribunal that hears disputes on matters relating to the protection of properties of cultural heritage value or interest. As an independent and quasi-judicial body, the CRB mediates and conducts formal hearings around issues such as objections to heritage designations, alterations to heritage properties, and alterations or repeals of designating by-laws.

Through the pre-hearing process and mediation efforts, the CRB attempts to facilitate a settlement of the dispute. Should a settlement not be achieved, the matter proceeds to a hearing. After the hearing, the CRB provides a recommendation on the matter to municipal Council. The final decision on the matter lies with Council, as the recommendation of the CRB is not binding.

Ensuing discussion between the Town of Cobourg and the previous owner resulted in a settlement of the matter that included the development of a comprehensive Rehabilitation Plan for Building "A".

➤ October 15, 2013: Rehabilitation Plan for Building "A" and Listing of the Property on the Municipal Heritage Register

At the time, there was no mechanism in place to protect the building, nor was there a plan to address future improvements or long term maintenance. The preparation of the Rehabilitation Plan was identified as a means to resolve the issue and avoid a potentially costly hearing at the CRB. The Rehabilitation Plan for the Cobourg Innovation Centre -- Building "A" was developed by Terry Foord, Architect, on behalf of Mr. Mark King, agent for the previous owner of the Cobourg Innovation Centre at 520 William Street, in cooperation with Town of Cobourg Planning staff.

The purpose of the Rehabilitation Plan is to describe the restoration work that was completed to date and to provide a comprehensive set of standards for ongoing maintenance, restoration, and adaptive reuse of Building "A".

The Plan allows for specific modifications to the building to accommodate new tenants and provides standards for the maintenance and restoration of the character-defining heritage elements of the building. Any future modifications and additions to the building not specifically outlined in the Rehabilitation Plan are subject to the existing development agreement and municipal approval.

The Rehabilitation Plan was reviewed and commented on by the CHC at their February 20, 2013 meeting. The Rehabilitation Plan was also reviewed in detail by planning staff and, following numerous discussions with Mr. King and the architect, the Plan was finalized.

The Rehabilitation Plan was considered at the Committee of the Whole meeting on October 7, 2013. It was accompanied by a report from Planning staff which recommended that the Rehabilitation Plan be registered on title, within a contractual Development Agreement pursuant to the Planning Act, combined with the Listing of the property on the municipal Heritage Register pursuant to the Ontario Heritage Act. It was suggested that these tools would collectively form an appropriate level of regulatory control over the future adaptive re-use, maintenance and restoration of this important historic industrial complex. Listing the property on the Heritage

Register would protect the building from demolition for 60 days until a formal decision on designation could occur.

The following motion was carried at the Council meeting on October 15, 2013:

WHEREAS the Committee of the Whole has considered a report from the Secretary, Cobourg Heritage Committee regarding the Cobourg Innovation Centre Rehabilitation Plan;

NOW THEREFORE BE IT RESOLVED that Council endorse the comments of the Cobourg Heritage Committee and approve the Cobourg Innovation Centre Building 'A' Rehabilitation Plan subject to the following conditions:

- 1. That the property located at 520 William Street, Cobourg be listed on the Municipal Register of properties with 'Cultural Heritage Value or Interest';*
- 2. That the 'Rehabilitation Plan' form part of a registered development plan agreement;*
- 3. A Rehabilitation Plan approved by the Municipality, or designation under the Ontario Heritage Act, shall be required before any alterations are made to Building 'C';*
- 4. Subject to the implementation of the above, that the Notice of Intent to Designate the property known municipally as 520 William Street, Cobourg be withdrawn by the Municipality.*

➤ November 12, 2013: Amending Development Agreement

The owner had previously entered into a Development Agreement with the Municipality that was registered on December 7, 2010 to address a number of re-development and renovation conditions associated with the entire industrial complex. Further to the settlement that was reached between the owner and the Municipality with regards to the Notice of Intention to Designate (2011), both parties agreed to amend the existing Agreement. As such, an Amending Agreement was signed, sealed and delivered on November 12, 2013 and registered on title on November 27, 2013. The Development Agreement, as amended, is binding on all successive owners and assigns.

The Amending Agreement includes an acknowledgement by the owner that the Municipality is not precluded from exercising any and all rights under the Ontario Heritage Act with respect to the owner's lands.

The Amending Agreement added the following applicable clauses to the existing Agreement:

(q) The Owner covenants and agrees that no construction, demolition, maintenance, renovation, rehabilitation, alteration, modification,

addition, improvement or change whatsoever shall occur to Building 'C' as shown on Schedule "B" to this Agreement until a Rehabilitation Plan is prepared by a qualified architect and approved in writing by the Council of the Municipality. Notwithstanding the foregoing, the Director of Planning & Development may, upon the submission of detailed information by the Owner and at his/her sole discretion, approve such works to Building 'C' that are deemed to be of a minor nature (ie: general maintenance, repair) and would not substantially alter or affect the heritage attributes of the building.

(r) The Owner acknowledges and agrees that any attempt to demolish or seek to demolish Buildings 'A', 'B' and/or 'C' on the Subject Lands may result in the Municipality issuing a Notice of Intent to Designate.

Similar clauses also exist within the Agreement with respect to Buildings "A" and "B".

➤ November 14, 2013: Owner withdraws objection

Based on the settlement reached between the parties, and the Town's commitment to withdrawing the Notice of Intention to Designate (per the motion carried at October 15, 2013 Council meeting), the owner indicated in writing that the objection to the intention to designate the property is being withdrawn.

➤ December 2, 2013: Withdrawal of Intention to Designate

As per Council's direction, the Town of Cobourg formally withdrew the Notice of Intention to Designate the property known as 520 William Street. In a letter dated December 3, 2013, the Conservation Review Board acknowledged that the owner had withdrawn their objection, and that the Town had withdrawn the Notice of Intention to Designate the property. As there were no outstanding objections to the matter, the file was closed by the CRB.

➤ 2012 – 2014: ACO partnership proposal

The Architectural Conservancy of Ontario (ACO) Cobourg Branch brought forward a proposal for a partnership between their organization and a local heritage mason who would become the main tenant of Building "C" under the ownership of the ACO and would contribute to its restoration in lieu of rent.

The proposal sought to address maintenance and repair requirements identified at Building "C", including roof replacement, asbestos removal, and masonry restoration. The opportunity for landscaping and interpretive panels was also discussed, as was the long-term full restoration of the building and the possible creation of community meeting/workshop space.

Ongoing discussions between the property owner, the mason, ACO Cobourg branch, Town staff and the Mayor explored the various aspects of the proposal's

feasibility. The proposal was never realized, and the idea was abandoned in January 2014.

➤ November 24, 2016: Property Standards Complaint; followed by March 21, 2017: Order to Remedy

A written complaint was submitted to the municipality on November 24, 2016, raising concern about the condition of the roof and masonry of Building “C”. An investigation was conducted by the Chief Building Official and an Order to Remedy was issued for the property on March 21st, 2017 to address non-compliance with the Town of Cobourg’s Property Standards By-law 18-99, as amended.

The Order to Remedy described the deficiencies identified in relation to the Property Standards By-law 18-99 as amended, and required the following scope of work be undertaken:

DESCRIPTION	REPAIR REQUIRED
Roof is sagging and shows signs of leaking into building.	Restore, repair or replace roof structure and make water tight.
Brick work on exterior walls and south gable end parapet wall has cracks, broken masonry units and loose mortar.	Restore, repair or replace brick work.
Columns and concrete above columns have several large cracks.	Restore, repair or replace columns and concrete above.

➤ August 15, 2017: Engineer’s Report; followed by September 11, 2017: Request to Demolish Building ‘C’

Subsequently, the previous owner of the property commissioned Pichler Engineering to prepare a structural review and assessment of the subject building. The report accompanied a written request to demolish Building ‘C’ that was received by Building and Planning staff on September 11, 2017. The matter was included on the Agenda for the Council meeting on September 18, 2017, at which point the matter was referred to the CHC for a recommendation.

➤ December 11, 2017: Designation By-law Passed by Cobourg Council Building ‘C’

Subsequently, various parties spoke to both CHC and Council about the matter both from the heritage community and the property owners. CHC passed a Motion at their

October 11th, 2017 to designate the historic buildings on the subject property, and Council subsequently passed By-law No. 92-2017 designating the subject property (specifically, Buildings “A”, “B” and “C”) under Part IV of the Heritage Act on December 11th, 2017.

➤ December 12, 2019: Heritage Permit (staff approval) – HP-2019-073 Building ‘C’

In December of 2019, a Heritage Permit was issued to FV Pharma for the following work on Building “C” as per a Rehabilitation Plan prepared by Pichler Engineering on behalf of FV Pharma:

- 1) removal of north and south HVAC unit and the failing roof structure to avoid collapse;
- 2) Cover roof with a weighted tarp to protect through the winter season;
- 3) bracing of south parapet wall, if necessary, to maintain structural integrity and prevent collapse; and,
- 4) all of the above under the supervision of the consulting engineer.

➤ March, 2020: Structure failure, front (south) parapet wall collapse

Despite the supervision of the project by the consulting engineer and numerous reminders by Building and Planning staff to ensure that the south gable/parapet wall was braced and protected, the structure collapsed (see image below).



Above: Photo of Building “C” taken March 20, 2020

Shortly after the collapse, Building and Planning staff met a number of times with the owner and its representatives to develop a methodical plan to stabilize the building and address restoration/rehabilitation of the roof and gable wall.

In the Spring of 2020, FV Pharma attempted to obtain quotes for the restoration of the south gable wall and roof of Building “C”, however this was complicated by the COVID-19 pandemic. In the Summer of 2020, the owner retained Historic Carpentry Inc. to prepare the requisite plans to submit for approval and undertake the necessary work.

The current Heritage Permit application addresses the structure failure and proposes to replace the roof structure, stabilize the building and restore/rehabilitate the masonry façade of Building “C”, including the pillars, bond beam system, eaves trough, fascia and soffit (refer to **Appendix “A”** attached).

6.0 **ANALYSIS**

This Heritage Permit application purposes to re-construct a new roof system, stabilize the walls and restore all masonry including all pillars and the bond system. The Heritage Permit application was received on Thursday November 5, 2020. A copy of the engineered design drawings prepared by Residential Drafting Services (and stamped by a professional engineer) is affixed to this Report as **Appendix “A”**.

Roof

A new roof system will be installed, which will also include the soffit, fascia, and eaves trough systems, which all will be aluminum. The new roof will be an engineered truss system that will replace the former existing rafter framed roof. The new roof will be sheathed with black asphalt shingles and will have a continuous ridge vent at the peak. The eaves trough is being designed to appropriately direct water away from the building. Temporary interior shoring will be erected in order to protect the walls while the roof is being replaced.

Masonry

All façade masonry (red brick) will be restored including the pillars and bond beam system. The bond beam system will be engineered precast. The front gable wall will also be restored as part of this restoration. Engineered scaffolding will be erected around the columns for shoring of the columns and the interior of the building will feature wall stabilizing cross-beams.

Building and Planning Staff is pleased that after many years of advocacy (more than a decade) by the Municipality and others that this important industrial heritage resource in the Town of Cobourg will be appropriately conserved.

7.0 **FINANCIAL IMPLICATIONS/STAFFING/BUDGET IMPACT**

There are no anticipated financial implications on the Municipality as a result of the approval of this Heritage Permit application.

8.0 **CONCLUSION**

Overall, the applicant is proposing to restore the exterior form of Building “C” close to (or better than) pre-existing conditions, including maintaining proportions, colour and massing as well as stabilizing and weather-proofing the structure. It is my opinion that the proposed rehabilitation works consisting of roof replacement, structural stabilization and masonry restoration are in general conformity with established Heritage Guidelines and best practices, are consistent with the heritage attributes identified under the site specific designation Part IV under the Ontario Heritage Act, and conserve an important industrial heritage building in the community.

9.0 **ATTACHMENTS**

Appendix A - Drawings prepared by Residential Drafting Services.

10.0 **AUTHORIZATION/SIGNATURES**

Report Prepared By:



Dave Johnson
Planner I - Heritage

Approved By:

Rob Franklin, MCIP, RPP
Manager, Planning Services



Dave Hancock, C.P.S.O
Chief Building Official



Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



APPENDIX "A"