

## **COUNCIL - JUNE 11, 2007**

### **GUIDELINES GOVERNING THE USE OF CITY- OWNED HERITAGE BUILDINGS**

#### **Recommendation**

The Commissioner of Community Services, in consultation with the Director of Recreation & Culture and the Director of Legal Services recommends:

- 1) That Council approve the *Guidelines Governing the Use of City-Owned Heritage Buildings* as outlined in Attachment 1;
- 2) That, with respect to the associated fee schedule, fee categories and any required amendments to the Fees and Charges By-law No. 396-2002, as amended, and the established *Recreation and Culture User Fee and Pricing Policy* approved by Council in 2005, a public meeting be scheduled to consider the proposed fees for use of City-owned heritage buildings and staff be directed to provide notice of the public meeting in accordance with the City's Notice By-law No. 394-2002; and,
- 3) That Council receive the information contained in this report as it relates to the disposition of City-owned heritage buildings;
- 4) That a by-law be enacted to authorize the Mayor and Clerk to execute any Lease Agreement with a User Group, upon approval by Council, which lease is reviewed by the City Solicitor in accordance with the terms, once approved, of the *Guidelines Governing the Use of City-Owned Heritage Buildings*.

#### **Economic Impact**

There is no economic impact associated with this report.

#### **Communications Plan**

The availability of heritage buildings for rental and use will be promoted in the Recreation Guide, Vaughan community centres, libraries and City of Vaughan Website.

#### **Purpose**

The purpose of this report is to seek Council approval of the *Guidelines Governing the Use of City-Owned Heritage Buildings* aimed at providing guidelines to facilitate community access to permit and rental use of City-owned heritage buildings by the public.

#### **Background - Analysis and Options**

At the Council meeting of April 23, 2007, a resolution from the Budget Committee was approved that requested staff to bring forward a policy relating to the development of the MacDonald House and the Armstrong House for Council's review. As a result of this request, staff developed the proposed *Guidelines Governing the Use of City-Owned Heritage Buildings* to establish guidelines for the use of these buildings. At this same meeting, it was also requested that staff consider alternative uses for these and other heritage buildings including their disposition. Information on the disposition of City-owned lands is provided in this report for Council's information.

### Goals of Guidelines

The City of Vaughan has ownership of fourteen (14) heritage buildings that have been restored and are managed and maintained by the City as part of its inventory of City-owned public facilities. (See Attachment 2 for list of heritage buildings.) The preservation of these buildings and the protection of their heritage character is the primary objective of the City in its stewardship of these properties. These heritage buildings are significant to the history of the community and are themselves considered important cultural landmarks. The usage of these buildings by the community is integral in creating vibrant and purposeful focal points within Vaughan.

The proposed *Guidelines Governing the Use of City-Owned Heritage Buildings* has the following goals:

1. To establish guidelines and procedures for the community-use of City-owned heritage buildings for their short-term and long-term utilization;
2. To increase the use of City-owned heritage buildings by establishing programs, services and fees that provide affordable access to heritage buildings;
3. To ensure the heritage character of the buildings is maintained and that changes or additions to these buildings to accommodate users are sympathetic or appropriate for the building;
4. To ensure equitable practices in the overall use of City-owned heritage buildings by providing standard procedures relating to the permit or lease of the buildings;
5. To ensure City By-laws and health and safety requirements are followed in the public use of City-owned heritage buildings.

### Rental Fees

The proposed guidelines outline procedures and new fee categories for use of heritage buildings. Through the established *Recreation and Culture User Fee and Pricing Policy* approved by Council in 2005, fee categories have been established for hourly, daily and monthly (office use) of buildings. Some of these fees have been identified by a number of users as too costly and therefore, new fees are proposed in the guidelines for the rental of heritage buildings by youth, Community Service Organizations (as defined by the Recreation and Culture CSO criteria) and schools. The reduction of fees for these groups and the introduction of new fee categories i.e. weekly rental rates for CSO, Youth, Schools, are intended to increase the use of these buildings by the community.

The following table outlines existing and proposed new fees and fee categories for use of heritage buildings:

<b>PROPOSED FEES &amp; FEE CATEGORIES FOR THE USE OF HERITAGE BUILDINGS</b>					
<b>TYPE OF GROUP</b>	<b><u>EXISTING RATE</u></b>  2007 RENTAL RATES* Hourly Rates + GST*	<b><u>EXISTING RATE</u></b>  2007 RENTAL RATES* Min 5 hours and Max 7 hours Rentals + GST*	<b><u>PROPOSED FEE</u></b>  2007 RENTAL RATES Hourly Rates + GST	<b><u>PROPOSED FEE</u></b>  2007 RENTAL RATES Min 5 hours and Max 7 hours Rentals + GST	<b><u>PROPOSED FEE</u></b>  2007 RENTAL RATE  Weekly (7 day ) Use +GST
Youth, CSO, Schools	\$41.62	\$210.16	<b>NEW**</b> \$20.81	<b>NEW**</b> \$105.08	<b>NEW**</b> \$150.00
Vaughan Resident	\$44.13	\$220.67	No Change	No Change	N/A
Vaughan Corporate	\$47.29	\$236.43	No Change	No Change	N/A
Non-Resident	\$61.55	\$307.75	No Change	No Change	N/A
<b>MONTHLY USE OF OFFICE SPACE For CSO Groups Only</b>	\$152.37 PER MONTH + GST*** No change in fee.				
<b>LEASES For CSO, Groups</b>	Leases (2-5 years) use shall be considered based on availability and impact to existing users.				

**\*Effective to August 2007, Recreation and Culture User Fee and Pricing Policy**

**\*\*New Rate/Category**

**\*\*\*NEW** definition of office space is use of one room only in a building.

*Requirements for Permits and Leases for City-Owned Heritage Properties*

The proposed *Guidelines* require all users to obtain a permit or enter into a formal rental agreement for the use of a City-owned heritage building. Uses and users of buildings are required to adhere to maximum capacity requirements regulated under the Ontario Building Code and no uses in buildings shall be permitted that do not comply with the designated zoning of the property and facility permit requirements.

Additionally, the *Guidelines* require staff to ensure that all uses in buildings that necessitate changes to the interior or exterior of the building and are considered irreversible in nature or are determined by staff to compromise the architectural integrity of the building, will not be permitted in the buildings.

Lastly, the *Guidelines* require that any building leasehold improvements and retrofitting approved by the City of Vaughan shall be at the expense of the permit holder.

### *Lease Arrangements*

For the use of an entire or part of a City-owned heritage building by Vaughan Community Service Organizations for a requested term of 2 to 5-years (renewable), the proposed *Guidelines* require requests for this type of use shall be made in writing to the attention of the Director of Recreation and Culture.

Staff shall evaluate requests for the lease of heritage buildings and prepare a report for Council's approval for leases over 2 years. In preparing a report to Council staff shall determine monthly rental charges by calculating on a per square foot basis, maintenance and utility charges, cost of additions or changes to a building requested by the group and any other services to be provided by the City.

Priority uses for leases will be Vaughan Community Services Organizations in the areas of recreation, sports, youth, arts and culture. Groups are required to provide the necessary documentation as to the group's status and financial background as per the City of Vaughan CSO policy.

Upon Council approval of requests for leased space a lease shall be prepared by the Legal Department for execution by the City.

Terms and conditions may be added to a lease arrangement that identify requirements and responsibilities of both the lessee, and the City, the lessor, for the term of the lease.

### *Disposition of City-Owned Heritage Buildings*

By-law Number 121-95, the City's Disposal of Property By-law, contains procedures for disposal of City real property, including the declaration that the property is surplus to the City's needs, obtaining at least one appraisal and notice to the public of the proposed disposition.

The By-law provides for various methods of sale, including public auction, public tender, direct sale, land exchange, call for proposal, or listing with a broker.

Council has the authority to dispose of property at less than market value provided that such sale would fulfill the City's corporate goals and objectives and be beneficial to the general community.

### **Relationship to Vaughan Vision 2007**

The Vaughan Vision encourages the preservation and enhancement of the natural and built heritage environment and encourages the preservation of significant historical structures and communities.

A strategic priority outlined in the Vaughan Vision is to provide effective and efficient delivery of services.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated.

### **Regional Implications**

There are no regional implications associated with the approval of this report.

### **Conclusion**

The proposed *Guidelines Governing the Use of City-owned Heritage Buildings* outline procedures governing the Department of Recreation and Culture regarding the rental use of heritage buildings

as they relate to hourly, daily, monthly permits and lease agreements. The *Guidelines* allow for lease arrangements for the subsidized use of buildings when a service or program is offered by a Community Service Organization in a heritage building. The *Guidelines* will be beneficial in providing an approved framework, including guidelines and procedures, for the use of heritage buildings that encourages community access and ensures the preservation of the heritage character of buildings.

**Attachments**

1. *Guidelines* Governing the Use of City-Owned Heritage Buildings
2. Permit/Lease Activity at Heritage Buildings

**Report Prepared By**

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Respectfully submitted,

Marlon Kallideen  
Commissioner of Community Services

## GUIDELINES GOVERNING THE USE OF CITY-OWNED HERITAGE BUILDINGS

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The City of Vaughan has ownership of an inventory of heritage buildings. These buildings have been restored and are managed and maintained by the City as part of its extensive inventory of public facilities. The preservation of these buildings and the protection of their heritage character is the primary objective of the City in its stewardship of these properties. These properties are significant to the history of the community and are themselves considered significant cultural landmarks. The usage of these buildings by the community is integral in creating vibrant and purposeful focal points within the community.

### GOALS

1. To establish guidelines for the community-use of City-owned buildings for their short-term and long-term utilization;
2. To increase the use of City-owned heritage buildings by establishing programs, services and fees that provide affordable access to heritage buildings;
3. To ensure the heritage character of buildings is maintained and that changes or additions to these buildings to accommodate users are sympathetic or appropriate for the building;
4. To ensure equitable practices in the overall use of City-owned heritage buildings;
5. To ensure City By-laws and health and safety requirements are followed in the public use of City-owned heritage buildings.

### INVENTORY OF BUILDINGS

The City-owned inventory of heritage buildings consists of fourteen (14) buildings that are currently permitted by Vaughan's Community Service Organizations and/ or used for City-operated recreation programs. The chart below identifies the heritage buildings owned and maintained by the City of Vaughan:

#### Listing of City-Owned Heritage Buildings

Armstrong House 42 Old Yonge Street, Thornhill Built ca. 1870	Built ca. 1870
Arnold House 21 Spring Gate Blvd, Thornhill Built 1872	Frank Robson Log Cabin 9470 Keele Street Built ca. 1820
Jonathan Baker House 91 Thornhill Woods Drive, Thornhill Built 1853	Kline House 8 Nashville Road, Kleinburg Built 1858
Beaverbrook House 9995 Keele Street Maple Built 1878	Kleinburg Railway House 10415 Islington Avenue Built 1907
Charlton House 220 Charlton Avenue, Thornhill	Michael Cranny House 439 Glenkindie Avenue Maple Built 1870

Thoreau MacDonald House  
121 Centre Street  
Thornhill  
Built ca. 1900

9541 Weston Road  
Built 1845

Vellore School  
9541 Weston Road  
Built 1860

Wallace House  
137 Woodbridge Avenue, Woodbridge  
Built 1873

Vellore Hall

11151 Keele Street, Maple  
Built ca. 1860

## TYPES OF PERMITS AND LEASES FOR CITY-OWNED HERITAGE BUILDINGS

Fees established within these guidelines are aimed at facilitating the use of City-owned heritage buildings by the public. City staff shall ensure that the administration of permits and leases is conducted in a fair and equitable manner and on a first come, first serve basis.

The fees for the use of heritage buildings are found in the table below. These fee categories shall be added to the *Recreation and Culture User Fee and Pricing Policy 2006-2008* and replace the related existing fees in the Pricing Policy. All rates shall be increased as required according to the general City User fee increases approved by Council:

<b>PROPOSED FEES &amp; FEE CATEGORIES FOR THE USE OF HERITAGE BUILDINGS</b>					
<b>TYPE OF GROUP</b>	<b>EXISTING RATE</b>  2007 RENTAL RATES* Hourly Rates + GST*	<b>EXISTING RATE</b>  2007 RENTAL RATES* Min 5 hours and Max 7 hours Rentals + GST*	<b>PROPOSED FEE</b>  2007 RENTAL RATES Hourly Rates + GST	<b>PROPOSED FEE</b>  2007 RENTAL RATES Min 5 hours and Max 7 hours Rentals + GST	<b>PROPOSED FEE</b>  2007 RENTAL RATE  Weekly (7 day ) Use +GST
Youth, CSO, Schools	\$41.62	\$210.16	<b>NEW**</b> \$20.81	<b>NEW**</b> \$105.08	<b>NEW**</b> \$150.00
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<b>MONTHLY USE OF OFFICE SPACE For CSO, Groups</b>	\$152.37 PER MONTH + GST*** No change in fee.				
<b>LEASES For CSO Groups</b>	Leases (2-5 years) use of heritage buildings shall be considered based on availability and impact to existing users.				

\*Effective to August 2007, *Recreation and Culture User Fee and Pricing Policy*

\*\*New Rate/Category

\*\*\*NEW definition of office space is use of one room only in a building.

## To Obtain a Permit

### *Hourly, Per Day or Weekly Use Permits*

1. Individuals or groups requesting hourly, daily or weekly usage of buildings shall obtain a permit for their use through the Recreation and Culture Permitting and Client Services division.

### *Lease Agreements*

2. For the use of an entire or part of a City-owned heritage building by Vaughan Community Service Organizations for a requested term of 2 to 5-years (renewable), the proposed guidelines requires requests for this type of use shall be made in writing to the attention of the Director of Recreation and Culture.
3. Staff shall evaluate requests for the lease of heritage buildings and prepare a report for Council's approval for leases over 2 years. In preparing a report to Council staff shall determine monthly rental charges by calculating on a per square foot basis, maintenance and utility charges, cost of additions or changes to a building requested by the group and any other services to be provided by the City.
4. Priority uses for leases will be Vaughan Community Services Organizations in the areas of recreation, sports, youth, arts and culture. Groups are required to provide the necessary documentation as to the group's status and financial background as per the City of Vaughan CSO policy.
5. Upon Council approval of requests for leased space a lease shall be prepared by the Legal Department for execution by the City.
6. Terms and conditions may be added to a lease arrangement that identify requirements and responsibilities of both the lessee and the City, the lessor, for the term of the lease.
7. The cost of retrofitting all leased space approved the City of Vaughan will be at the expense of the lessee.
8. All terms and conditions of a proposed lease agreement shall be prepared by the Legal Department.

## **REGULATORY REQUIREMENTS FOR ALL TYPES OF PERMITS OR LEASE CATEGORIES**

1. All users shall be required to obtain a permit or enter into a formal rental agreement for the use of a City-owned heritage building.
2. Permits shall be issued on a first come, first serve basis.
3. It will be mandatory that all uses and users at sites adhere to maximum capacity requirements regulated under the Ontario Building Code. All facilities shall have posted in a visible area capacity information and other relevant health and safety information.
4. No uses in buildings shall be permitted that do not comply with the designated zoning of the property or Ontario Building Code requirements.
5. Users shall be required to ensure that all activities in buildings are in accordance with and adhere to all conditions and regulations outlined in their permits or rental contracts/ agreements.
6. Proposed uses of buildings that require changes to the interior or exterior of the building that are considered irreversible in nature or are determined by staff to compromise the architectural integrity of the building, will not be permitted.



7. Heritage buildings must be used by the permit holder or lease holder for their intended use or the permit/lease may be revoked by the City.
8. Requests to permit space for hourly, per day or monthly use shall be made through the Recreation and Culture Permitting and Client Services Division. Requests for short and long-term leases shall be made in writing to the attention of the Director of Recreation and Culture or their designate.
9. The City may increase fees, develop new fee categories for the use of heritage buildings or develop new programs and initiatives specifically for heritage building.

#### **MARKETING AND ADVERTISING HERITAGE PROPERTIES FOR PUBLIC USE**

Vaughan Heritage Properties provide a valuable cultural asset to the Community. Public awareness and promotional opportunities will increase the utilization of these Buildings. Staff will develop a comprehensive marketing communication plan that promotes the opportunities for public utilization of heritage buildings.

The marketing communication plan will include but not be limited to direct mail campaign to community service organizations and local schools, advertising in the City's Recreation Guide and local newspapers and promoted through the City's website. Facility Permit staff will be encouraged to ensure familiarity with the amenities and features of each property when selling and promoting the properties to potential users.

## PERMIT/LEASE ACTIVITY AT HERITAGE BUILDINGS as of June 2007

BUILDING NAME AND ADDRESS	CURRENT USE
<b>Armstrong House</b> 42 Old Yonge Street, Thornhill	Seasonal Permit for Summer Camp
<b>Arnold House</b> 21 Spring Gate Boulevard, Thornhill	Ongoing Permit for Recreation Programs and summer camp. Monthly Permit to Thornhill Village Artists for use of activity room on top floor.
<b>Baker House</b> 91 Thornhill Woods Drive Thornhill	Monthly Permit to Philippine Heritage Band. Ongoing Permit for Recreation Programs.
<b>Beaverbrook House</b> 9995 Keele Street, Maple	Monthly Permit to Vaughan Business Centre.
<b>Charlton House</b> 220 Charlton Avenue, Thornhill	Seasonal Permit for Recreation Summer Camp.
<b>Frank Robson Log House,</b> 9470 Keele Street, Maple	No Permits or leases.
<b>Kline House</b> 8 Nashville Road, Kleinburg	Scheduled use by the Kleinburg Old Boys, Bindertwine Committee, and Kleinburg Seniors.
<b>Kleinburg Railway Station</b> 10415 Islington Avenue, Kleinburg	Lease to the Kleinburg-Nobleton Soccer Club
<b>Thoreau MacDonald House</b> 121 Centre Street, Thornhill	No Permits or Leases.
<b>Michael Cranny House</b> 439 Glenkindie Avenue, Maple	Monthly office use permits to Youth Assisting Youth, Santafest and the Great Maple Cart Derby group/committees.
<b>Vellore Hall</b> 9541 Weston Road Woodbridge	Permit for use by Recreation and Culture Department. Vaughan Cultural Interpretive Centre.
<b>Vellore School</b> 9541 Weston Road Woodbridge	Monthly permit to Vaughan African Caribbean Association.  Seasonal Permit by YRSB and hourly/daily use by private groups, organizations and individuals.
<b>Wallace House</b> 137 Woodbridge Avenue Woodbridge	Monthly permit to the Wallace House Committee.
<b>11151 Keele Street</b> Maple	Lease to Vaughan Soccer Club.