

## **COMMITTEE OF THE WHOLE – SEPTEMBER 15, 2008**

### **REQUEST TO RESCIND BY-LAW 168-95 - A BY-LAW PROVIDING FOR THE MAKING OF A LOAN FROM THE CITY OF VAUGHAN COMMUNITY HERITAGE FUND PROGRAM, 46 CENTRE STREET, THORNHILL**

#### **Recommendation**

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

1. That a by-law be passed to rescind By-law 168-95, a by-law providing for the making of a loan from the City of Vaughan Community Heritage Fund Program and to authorize the execution of the agreement on behalf of the City of Vaughan between the Corporation of the City of Vaughan and Linda Hartman, in Trust.
2. That Instrument No. R663425, being the said By-law registered on title, be deleted from title.

#### **Economic Impact**

There is no direct economic impact related to the approval of this report. The property owners will pay the City's fee to register/rescind the by-law on title.

#### **Communications Plan**

The property owner and their legal counsel will be communicated any outcome resolution made by Council as a result of the review of this matter.

#### **Purpose**

The subject property is within the Thornhill Heritage Conservation District as designated under Part V of the Ontario Heritage Act. The purpose of this report is to rescind By-law 168-95 that provided for the execution of an agreement between the City and the property owners for a restoration loan under the Vaughan Community Heritage Fund Program. The loan has been paid in full and the current owners of the property have requested that the City rescind the aforementioned by-law to remove it against the property title.

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

The property at 46 Centre Street is located within the Thornhill Heritage Conservation District as designated under Part V of the Ontario Heritage Act by By-law 307-88. The structure on the property is known as the John Martin House, a 1 1/2 storey frame structure built in the Neoclassical style in 1844.

In 1995, the owners of 46 Centre Street received a loan to restore the building under the City's Community Heritage Fund Program. The program was funded by the Ministry of Culture and administered by the City. The program has been discontinued by the Province. A by-law was passed that authorized the execution of the loan agreement and the registration of the by-law against the title of the property at the Land Registry Office. The loan was paid in full by the owners.

The current owners are requesting that the City rescind the subject by-law and authorize the removal of Instrument No. No. R663425 from the property title that refers to the loan agreement.

### **Relationship to Vaughan Vision 2020**

In consideration of the strategic priorities related to Vaughan Vision 2020, the report will provide:

- STRATEGIC GOAL:  
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:  
Preserve our heritage and support diversity, arts and culture.

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

### **Regional Implications**

Not applicable.

### **Conclusion**

It is necessary to pass a by-law to rescind By-law 168-95, a by-law providing for the making of a loan from the City of Vaughan Community Heritage Fund Program to the owners of 46 Centre Street and to authorize the removal of Instrument No. R663425 against the property title, in order to comply with the owner's request to the City.

### **Attachments**

None

### **Report Prepared By**

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Respectfully submitted,

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Commissioner of Community Services