



**CITY OF VAUGHAN
SPECIAL COUNCIL MINUTES
JULY 14, 2008**

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CITY OF VAUGHAN
SPECIAL COUNCIL MEETING

MONDAY, JULY 14, 2008

MINUTES

10:00 A.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 10:06 a.m.

The following members were present:

Mayor Linda D. Jackson, Chair
Regional Councillor Mario F. Ferri
Regional Councillor Gino Rosati
Councillor Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

181. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Rosati

THAT the agenda be confirmed.

CARRIED

182. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

**183. HERITAGE PERMIT APPLICATION HP2008.015
THORNHILL VILLAGE PLAZA AND M4 DEVELOPMENTS INC.
7584-7592, 7594-7604, 7610, 7616 YONGE STREET, 14 ARNOLD AVENUE**

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

- 1) That Heritage Permit Application HP 2008.015 be refused;
- 2) That the Applicant be advised that Council requires the information as set out in this report;
- 3) That the following report of the Commissioner of Community Services and the Director of Recreation and Culture, dated July 14, 2008, be received; and
- 4) That the confidential memorandum of the Solicitor/Litigation, dated July 10, 2008, be received.

CARRIED

Recommendation

The Commissioner of Community Services and the Director of Recreation and Culture recommend:

1. That Heritage Permit Application HP 2008.015 be refused and that the Applicant be advised that Council requires the information as set out in this report.

Economic Impact

There is no direct economic impact related to the approval of this report.

Communications Plan

The property owner has been notified of this meeting and will be advised of Council's decision.

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 allow Council to review Heritage Permit application HP 2008-015 as required under section 42 of the *Ontario Heritage Act*.

Background - Analysis and Options

The subject property is located within the Thornhill Heritage Conservation District as designated under Part V of the *Ontario Heritage Act* by By-law 306-88. All properties within the boundary of the heritage conservation district are designated under Part V of the *Ontario Heritage Act*. This not only includes heritage buildings, but also contemporary buildings found within the district boundaries.

Any change to buildings or property within a heritage conservation district must be reviewed by Cultural Services staff and be forwarded to Heritage Vaughan for review. Heritage Permit approval must be obtained by property owners for changes to their designated property prior to or in conjunction with obtaining a Building Permit or a Site Plan application approval.

Pursuant to section 42(4) of the *Ontario Heritage Act*, Council must make a decision on an application within 90 days of official receipt of the permit application. Council, upon review of a Heritage Permit application, may give the applicant:

- (a) the permit applied for;
- (b) notice that the council is refusing the application for the permit; or
- (c) the permit applied for with terms and conditions attached.

On April 18, 2008, Cultural Services received a Heritage Permit application (HP 2008.015) from the property owner requesting the following:

1. To permit the demolition of the existing retail plaza (7584-7592, 7594-7604 Yonge Street), the existing office building (7610 Yonge Street), the rear extension of the Robert Cox House constructed in 2002 (7616 Yonge Street) and the single detached dwelling unit (14 Arnold Avenue) on the Property;
2. To permit the integration of the Robert Cox Heritage House into the proposed development as recommended by Heritage Vaughan on August 24, 2005; and
3. To permit the construction of 175 senior residential dwelling units and 1,099 square metres of commercial space at grade in a 12-storey mixed-use commercial residential building and the construction of 5 townhouse units, 4 semi-detached units and 18 apartment dwelling units on the property.

Heritage Permit application HP 2008.015 was included in the agenda for consideration at the May 21, 2008 meeting of Heritage Vaughan but was deferred in a motion passed by the Committee stating:

1. That this matter be deferred until the matter goes to the Ontario Municipal Board.

There is currently a pending OMB hearing related to appeals of OPA No. 669 and By-law 323-2007

(the revised Thornhill Heritage Conservation District Plan) as well as the applicant's site specific appeals of its OPA, Zoning By-law and Site Plan applications for the above-noted site.

Upon review of the current Heritage Permit application, Cultural Services staff identified a number of deficiencies and inconsistencies, which make the April 18, 2008 application incomplete. Notwithstanding this, Council must deal with the application within 90 days of receipt of the application or it will be deemed to be approved pursuant to section 42(5) of the *Ontario Heritage Act*.

The Heritage Permit application requests approval for the integration of the Robert Cox Heritage House into the proposed development as recommended by Heritage Vaughan on August 24, 2005. However, the drawings reviewed by Heritage Vaughan in August 2005 are different than those submitted as part of the Heritage Permit application in April 2008. The location and integration of the heritage building on the site is very different in both proposals.

Staff reviewed the current application containing the site plan and elevation drawings for the proposed "Thornhill Seniors Retirement Condominium" prepared April 15, 2008 by Hariri Pontarini Architects (HPA). Cultural Services points out the following deficiencies in the April 18, 2008 Heritage Permit application:

1. Proposed development does not give the impression of being sympathetic to the heritage streetscape of the Thornhill Heritage Conservation District in Vaughan or specifically to the scale of the Robert Cox House.
2. The proposal must be consistent with the Design Guidelines of the Thornhill Heritage Conservation District Plan (By-law 306-88) especially in regard to the recommended building height limit of 2-3 storeys in By-law 306-88 and 5-storeys in the revised Thornhill HCD Plan approved by Council in 2007 and pending OMB approval.
3. HPA elevations do not show the 2 and 3-storey building that is proposed behind the Robert Cox House at 7616 Yonge Street and therefore it is unknown whether the heritage building will be well integrated to the new development proposed.
4. HPA drawings do not show general elevations or detail elevations of the Cox House as it relates to changes or restoration to the building.
5. HPA elevation drawings do not show the existing buildings to the south or north of the development showing the new building's relation to them.
6. HPA drawings show the Cox House rotated 90 degrees and moved east, closer to Yonge Street.
7. HPA site plan shows the Cox House with a smaller front setback than that of the heritage buildings to the north creating an uneven break in the existing rhythm of the historical streetscape.
8. HPA should provide a front setback that is consistent with the existing streetscape, the Cox House, and the new construction.
9. Rotation of the Cox House may not be necessary in the present scheme as the proposal has created a laneway to the south of the Cox House.
10. Thornhill HCD Design Guidelines identify a maximum 5-storey height with the front podium three storeys and top 2-storeys stepped back with 45 degree angular plane and therefore the proposed development does not conform to this requirement.
11. HPA front elevation at ground floor shows a continuous architectural language over most of the front ground floor – this should be changed to have a cumulative effect with more variation to suggest multiple building fronts as seen in many early 20th Century streetscapes.

Furthermore, Cultural Services has advised the applicant that the following information is required:

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- Detailed Cultural Heritage Resource Impact Assessment (CHRIA) prepared by a qualified cultural heritage consultant to determine how the proposed development is in compliance with the Thornhill Heritage Conservation District Plan and Design Guidelines:
 - How the Robert Cox House can be preserved and incorporated into such a proposed development for the property through the development of a conservation plan.
 - Details on how the proposed development (its overall design approach site plan, mass, scaling and materials are sympathetic and appropriate to the heritage streetscape and heritage building (Robert Cox House).
- A Letter of Credit to ensure the preservation of the Robert Cox House within the Site Plan Application using the total floor space of the building to be preserved as a guide for the calculation of the amount as per Cultural Services' requirements and procedures on this matter.
- Revised site plan and elevations and add perspective views to accurately show the impact and appearance of the proposal and its effect on the Robert Cox House and the historical streetscape within the Thornhill Heritage Conservation District.
- Continue to work with Cultural Services and other City staff to ensure that the new development becomes more sympathetic to the existing streetscape context in terms of scale, massing, materials and the general character of the Thornhill Heritage Conservation District.

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

Due to the number of deficiencies and lack of completeness identified by staff in this report as it relates to the subject Heritage Permit application, it is recommended that Heritage Permit Application HP 2008.015 be refused.

Attachments

1. Elevation drawings submitted with the April 18, 2008 Heritage Permit application.
2. Elevation drawings reviewed by Heritage Vaughan in August 2005
3. Information on the Robert Cox House

Report prepared by:

Angela Palermo, Manager of Culture, ext 8139

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

184. CONFIRMING BY-LAW

MOVED by MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT By-law Number 206-2008, being a by-law to confirm the proceedings of Council at its meeting on July 14, 2008, be read a First, Second and Third time and enacted.

CARRIED

185. ADJOURNMENT

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Ferri

THAT the meeting adjourn at 10:11 a.m.

CARRIED

Linda D. Jackson, Mayor

Jeffrey A. Abrams, City Clerk