

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 24, 2017

Item 21, Report No. 2, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 24, 2017.

**21 DEMOLITION OF THREE SINGLE DETACHED RESIDENTIAL BUILDINGS
AND NEW DEVELOPMENT
357, 365, 375 STEGMAN'S MILL ROAD - KLEINBURG-NASHVILLE HERITAGE
CONSERVATION DISTRICT
DESIGNATED UNDER PART V, ONTARIO HERITAGE ACT
WARD 1 – VICINITY OF ISLINGTON AVENUE AND STEGMAN'S MILL ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated January 17, 2017:

Recommendation

The City Clerk, on behalf of the Heritage Vaughan Committee, forwards the following recommendation from its meeting of December 14, 2016 (Item 1, Report No.9) for Council's consideration:

The Heritage Vaughan Committee recommends:

- 1) That Council approve the recommendation contained in the following report of the Interim Director of Development Planning and Manager of Urban Design and Cultural Heritage Division, dated December 14, 2016; and
- 2) That the following deputations be received:
 1. Gerard Borean, representing the applicant;
 2. Mark Yarranton, representing the applicant;
 3. Mr. Mark Tatone, Nashville Road, Kleinburg;
 4. Mr. Robert Klein, Daleview Court, Kleinburg;
 5. Mr. Ken Schwenger, KARA, Coldspring Road, Kleinburg; and
 6. Mr. Frank Fallico.

Report of the Interim Director of Development Planning and Manager of Urban Design and Cultural Heritage, dated December 14, 2016

Recommendation

The Interim Director of Development Planning and Manager of Urban Design and Cultural Heritage Division recommend:

1. That Heritage Vaughan Committee recommend the approval of the proposed demolitions under Section 42 of the *Ontario Heritage Act* for the three single detached dwellings municipally known as 357, 365, and 375 Stegman's Mill Road, subject to the following conditions:
 - a) that the proposed demolitions are subject to the outcome of the review and approval of the related Site Development File DA.16.071 by Vaughan Council and the relevant Approval Authority; and
2. That Heritage Vaughan Committee recommend the approval of the proposed development in principal, subject to the following conditions:

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- a) that City staff be directed to retain an independent professional Heritage Consultant at the expense of the applicant, to conduct a focused third party peer review of the development proposal submission by Skyhomes Corporation dated November 30, 2016, in the context of the goals and objectives of the Kleinburg-Nashville Heritage Conservation District, including possible improvements to the proposed built forms, design, landscape, and layout. Further details of the independent heritage review will be established through a Terms of Reference document in consultation with the applicant;
- b) that the proposed new constructions are subject to the related Site Development File DA.16.071 being approved by Vaughan Council and/or the relevant Approval Authority;
- c) further minor refinements to the building design including material specifications shall be approved to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division, in consultation with Development Engineering and Infrastructure Planning Department;
- d) any significant changes to the proposal as a result of the independent heritage peer review may require reconsideration by Heritage Vaughan Committee, which shall be determined at the discretion of the Interim Director of Development Planning and the Manager of the Urban Design and Cultural Heritage Division; and
- e) that the Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits or requirements currently under review or to be submitted in the future by the applicant as it relates to the subject application.

Contribution to Sustainability

This report is consistent with the goals and objectives within Green Directions Vaughan, the City's Community Sustainability and Environmental Master Plan, specifically:

Goal 4: To create a vibrant community where citizens, business and visitors thrive

Objective 4.1: "To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage"

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

All materials related to the Heritage Vaughan Committee are posted on the City's website.

Purpose

The purpose of this report is for the Heritage Vaughan Committee to consider the demolition of three single detached dwellings located at 357, 365, and 375 Stegman's Mill Road and the proposed redevelopment of the lands with a new low rise residential development shown in the submission dated November 30, 2016 by Skyhomes Corporation within the Kleinburg-Nashville Heritage Conservation District.

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Background - Analysis

This heritage permit application was considered at the November 16, 2016 Heritage Vaughan Committee meeting and was deferred to the December 14, 2016, meeting for the applicant to consider the comments made by the Heritage Vaughan Committee, staff and the deputations from representatives of KARA and Kleinburg residents regarding the proposal.

These comments included the following concerns:

- The possible associative cultural heritage values of the properties and the timeline of the properties were incomplete.
- Design concerns regarding the flat roof architecture used for some of the interior units.
- Setbacks and lot coverage of the proposed development.
- Maintaining and enhancing the rural character in the village, as defined in the Kleinburg-Nashville Heritage Conservation District.

The applicant proposes the demolition of the three existing dwellings on properties within the Kleinburg-Nashville Heritage Conservation District (KNHCD) and replacing them with 28 single 2½ storey and 3 storey residential units over top an underground parking lot and foundational structures. A revised submission related to the Site Development Application DA.16.071 dated November 30th was submitted to the City on November 30, 2016 and is attached to this report.

The three subject properties (Attachment #1) are located in the KNHCD and are designated under Part V of the *Ontario Heritage Act*. Therefore, all planning applications, demolitions and new constructions must be consistent with the Kleinburg-Nashville Heritage Conservation District Plan and Guidelines.

The KNHCD is divided into distinct areas and the subject properties are located within a “Residential Village” area. As such, those policies and guidelines apply to the application.

Proposed Demolition

Although the three dwellings on the properties are not specifically identified as contributing heritage properties, they are noted in the KNHCD Inventory as having sympathetic attributes that exhibit a specific stage of Kleinburg’s development (Attachments #2 and #3). Furthermore, the three property lots are included in the original 1848 Plan of the Village of Kleinburg as shown on Attachment #4. The proposed development would eliminate the lot configuration for this portion of the original Plan of the Village of Kleinburg. When the proposal was last reviewed, staff had a concern that the research into the properties’ timelines had not yet been completed to determine the associative cultural heritage of the properties. However, the heritage consultant has since supplied this information, which is discussed further in this report.

Site Character/Cultural Heritage Landscape

Regarding the subject properties, the KNHCD Plan identifies in Sections 2.4.1, 2.4.3, 2.4.4 and 9.7 that the characteristics of this area include the tree canopy, generous front yard setbacks and deep lots, which contribute to the heritage character of the road and are part of the commercial/residential buffer. The properties, especially 357 Stegman’s Mill Road, borders the KNHCD’s “Valley Lands” area and provide a transitional tree buffer from the village area into the Humber Valley. Currently, the properties’ existing natural and planted landscapes support and contribute to the contextual heritage character of the street and the residential village area.

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Cultural Heritage Impact Assessment

The applicant has submitted a Cultural Heritage Impact Assessment (CHIA) in support of the application and to respond to the concerns of the Heritage Vaughan Committee, staff and residents (Attachment #5). In considering the properties' histories the applicant's CHIA notes that the physical value of the structures themselves do not contain cultural heritage value in the context of the KNHCD or otherwise. The applicant's heritage consultant's opinion in the CHIA is that the existing proposed demolitions will not detract from the cultural heritage of the village streetscape.

The report also notes that the proposed alterations to the lot configuration is mitigated by the siting of three heritage style dwellings along the Stegman's Mill Road streetscape that are oriented to reference the three original lots. The dwellings would be located opposite the existing heritage property located at 376 Stegman's Mill Road, and are intended to be complementary to and respect the scale, architectural style and setbacks of existing structures and the residential neighborhood to the north. The resubmitted proposal also conserves and proposes a more publically accessible vista to the valley located to the east of the subject site.

Regarding the historic timeline of the subject properties, the consultant has completed the histories of owners since the crown patent and found that the properties were treated as one property through their creation in 1848 until after World War II. The earliest owners of the properties include at least one member of the Mitchell family, who were a founding family of the village and area. However, there does not appear to have been any construction of a permanent building until after 1945, nor does it appear the properties were the site of any village activities. Therefore, the CHIA has identified there are no strong associated cultural heritage values that have emerged from this research.

As the CHIA has provided a complete property history and has assessed the associative cultural history of the property, Cultural Heritage Division staff are satisfied that the CHIA meets the City of Vaughan's Guidelines.

Staff concur that the individual house forms themselves do not possess physical cultural heritage value and that the associated cultural heritage is not applicable. As such, staff has no further concerns regarding the demolition of the existing structures.

The CHIA also provides a discussion of the setbacks and side yards of the proposed development, as discussed later in this report.

Proposed New Development

The applicant has submitted a site plan for the proposed construction of 28 new dwellings within the combined three properties over top an underground parking lot and foundational structures. The proposed development is divided into two different built form zones. Along the Stegman's Mill Road streetscape, the applicant has proposed three units at street level in an appropriate District heritage style to provide a more typical heritage streetscape, and demonstrates dwellings that are consistent with Kleinburg's approved heritage styles (Attachment #7 h), i)). The applicant is proposing that the interior of the development utilize a more contemporary architectural style. These two forms are discussed below:

i) Architecture Along the Stegman's Mill Road Streetscape

Unit 1, as shown on Attachment #7 f), is an example of the Victorian Vernacular style, more specifically in the Upright and Wing style, which was a popular house style in York Region beginning in the 1870's and continuing into the early 20th century. The design includes a 2½

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storey structure that is 9.5m high at the mid-roof level and utilizes appropriate materials including, a stone clad foundation, red buff brick and wood shingles and woodwork. Staff note that the submitted renderings do not show the brick patterning over the windows and doors as indicated in the black and white elevation drawings, nor do the renderings indicate if the contrasting brick pattern will be the same colour as the main brick. While either red or yellow is appropriate to the style, clarification of the colour scheme must be confirmed by the applicant.

Unit 2, as shown on Attachment #7 f), is an example of Neo-Georgian style, showing a 2½ storey, 5 bay house in a red buff brick, with wooden shutters, and white painted wooden trim including the window wells, fascia and a porch. This style was popular in the local area through the initial settlement era through to the 1880's and remained a popular style through the 20th century, undergoing several revivals. The roof mid-point is at 9.5 m high and is in keeping with the heights of the houses of the surrounding area. Staff recognizes that the proposed design reflects other existing contributing Georgian homes in the area with its traditional materials and scale.

Unit 28, as shown on Attachment #7 f), is in the Ontario Gothic style featuring three front dormers, which was an available house plan style throughout southern Ontario from the 1870's to the 1890's. This submission includes a stone clad foundation, which extends through to the rear of the structure, and board and batten siding. The design also incorporates a second floor balcony in front of the central dormer, which is in keeping with this style. This house and the other proposed houses along the street are 9.5 m in height. Of the three houses proposed along the street, Unit 28 will feature the largest setback from the street and extensive front yard landscaping.

ii) Architecture of Interior Units

Within the new development, the applicant proposes the construction of 25 new units (Attachment #7.j, k). The contemporary architecture borrows built forms and materials from the evolving building vernacular within Kleinburg to provide a variety of forms within the development. All structures are 9.5 m high at the mid-point of the roofline. The individual footprints of the units are small in order to create a close village feel.

The design proposal of these units presented at the November 16, 2016, Heritage Vaughan Committee meeting incorporated some flat roofed units to provide a variety in form. However, a concern was raised that there were no flat roofed styles in Kleinburg identified as an appropriate historic residential form. Subsequently, the designs of these units have been altered to restore a pitched roof form (See Elevations #7 and #13 in Attachment # 7.k).

In reviewing these revised drawings, Cultural Heritage Division staff note that the diamond shaped decorative louvres are not in keeping with the heritage examples of Kleinburg and staff suggest that a more appropriate shape for these forms could be either a semi-circle or arch form.

iii) Streetscape and Landscape

Regarding the proposed landscape along the street, all three units feature setbacks from the street. Furthermore, landscaping is proposed in the front of the three heritage style houses to mitigate the removal of current landscaping along the street. The applicant has submitted the landscape drawings, plans, and information to demonstrate that an appropriate growing environment for the proposed trees and plantings can be achieved. The proposed landscape features trees and plants that are suggested in Section 9.7 of the Guidelines in the KNHCD. (Attachments 8. a-h).

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A key part of the landscape plan is the change from raised planters alongside the street to a planting matrix that is level with the street. It is the intent that once the trees are fully grown, there will be a re-establishment of trees alongside Stegman's Mill Road. Further clarification is required from the applicant for the proposed tree planting on the underground parking slab with respect to soil depth and volume. This may be refined through the review of the Site Plan Development Application.

Conservation District Conformity Report (CDCR)

The applicant has submitted a Conservation District Conformity Report (CDCR) in support of their application (Attachment #6). Staff has reviewed the report and is satisfied that it adequately discusses the proposed new built form in the context of the policies of the KNHCD Plan and Guidelines. As the purpose of a conformity report is to consider the proposed development within the Goals, Objectives and Policies of the Heritage Conservation Plan, it is important to consider the existing heritage value of the properties as part of the context.

In the CDCR, the consultant has provided context for the proposed built form of the development by conducting a built form typology study of the evolving architectural vernacular of Kleinburg from early settlement through the establishment of early post World War II neighbourhoods. The CDCR asserts that the proposed development is in keeping with the development of smaller lots and house styles through this time. This evolution is reflected in the site plan as the proposed dwellings along Stegman's Mill Road incorporate the noted heritage styles of the District and the dwellings in the interior of the plan reflects the existing vernacular profiles in the residential areas of town. The study largely supports the proposed interior built form, however these dwellings feature a form and scale that is narrower than previous built forms in the area.

Setbacks, Side Yards and Lot Coverage

At the November 16, 2016 Heritage Vaughan Committee meeting there was significant discussion regarding the proposed setbacks and side yards and if they were in keeping with the KNHCD Guidelines because the District Guidelines for siting new development requires the village standard of generous side yards and setbacks from the street to be maintained. In consideration of these issues, the heritage consultant completed a review of similar properties in the vicinity of the subject lands to establish what the existing conditions of the residential neighborhood. The findings were included within the updated CHIA (Attachment 5).

Regarding front yard setbacks in Section 7.3 of the updated CHIA, setbacks ranging from 4.82m to 9.68m were identified for properties on Kellam Street, Napier Street and 376 Stegman's Mill Road. With respect to side yard setbacks existing properties on Napier Street were identified as being set apart at distances of 1.33 m, 2.09 m, and 2.18 m. The smallest existing front yard setback in the area was then established as 4.82 m and the smallest side yard setback was established as 1.33 m.

The proposed front yard setbacks of the heritage style dwellings along Stegman's Mill Road range from 12.2 m to 15.9 m from the curb of the road. The proposed side yards of the heritage style dwellings are 9 m, 6.58 m and 12 m for units 1,2, and 28 respectively. The siting of the dwellings along Stegman's Mill Road are in keeping with the District Guidelines.

Within the interior of the site, the majority of the units have a proposed front yard setback of 3m and a minimum separation distance of 1.8 m. Although the proposed front yard setback is shallower than what currently exists in the district, it is noted that the separation distance between the interior units follows precedents that exist on Napier Street. This is further mitigated by staggering some of the units along the main pedestrian walkway (Units 17-27) and the location of the units to the interior of the plan.

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The overall lot coverage for the proposed development is 28.08%, excluding the portion of the property that will remain a natural area along the east edge of the property. The three heritage style units along the Stegman's Mill Road each have a coverage of 30%, which conforms to what has previously been established for lot coverage. The lot coverage for the interior units averages approximately 45%.

Village Character

As part of the review of the proposed development at the November 16, 2016, Heritage Vaughan Committee meeting, there was discussion over whether the proposed development is appropriate and does not detract from the rural village character of Kleinburg Village. An objective of the 2003 KNHCD Plan states, one of the objectives for new development is to guide change that will enhance the heritage character of the District and provide for contemporary needs, and to ensure that its design will be compatible and complementary to the District and the heritage resources within. (Section 5.2.5).

The proposal is a unique form of development that will provide modern housing in the KNHCD and meets many of the criteria for new development, such as height and built form. However, the replacement of the natural landscape with built forms proposed on an underground parking structure and the development of 25 units on the interior of the existing three residential lots has raised concerns whether the proposal represents a suitable modern development for the District. Therefore, staff recommends that an independent professional Heritage Consultant be retained at the expense of the applicant, to conduct a focused third party peer review of the development proposal in the context of the goals and objectives of the KNHCD Plan, including possible improvements to the proposed built forms, design, landscape, and layout. Further details of the independent heritage review will be established through a Terms of Reference document. The recommendations of the peer review will be included in the staff technical report for consideration at a future Committee of the Whole.

Timeline

This application is subject to the 90 day review under the *Ontario Heritage Act*. This application was declared complete on **November 11, 2016** and must be deliberated upon by Council by **February 9, 2017** to meet the 90 day timeline.

This application was deferred at the November 16, 2016 Heritage Vaughan Committee meeting to allow for the applicant to take into consideration the comments of the Heritage Vaughan Committee and resident deputations. Due to timeline considerations of the application, staff recommends that the application not be deferred further, as the next Heritage Vaughan Committee meeting will not be until January 25, 2017 and the first two 2017 Committee of the Whole meetings are scheduled for January 18, 2017 and February 13, 2017, which would result in the consideration of this application by Council beyond the 90 day deadline. If these applications are not considered by Council by the 90 day deadline, they are considered to be approved as outlined under the *Ontario Heritage Act*.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report relates to the Term of Council Service Excellence Strategy Map (2014-2018) by supporting the following initiatives:

- Support and promote arts, culture, heritage and sports in the community.

Regional Implications

N/A

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Conclusion

The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the updated application and has determined that the proposed demolition and new development at 357, 365, 375 Stegman's Mill Road is in keeping with the policies of the Kleinburg-Nashville Heritage Conservation District Plan. The Urban Design and Cultural Heritage Division of the Development Planning Department can support the approval in principal of the proposed new development as proposed in the resubmitted site development application DA.16.071, dated November 30, 2016, under Section 42 of the *Ontario Heritage Act*, subject to the conditions outlined in the recommendation of this report.

Attachments

1. Location Map
2. Street Photos - Current Condition
3. Kleinburg-Nashville Heritage Conservation District Inventory
 - a) 357 Stegman's Mill Road
 - b) 365 Stegman's Mill Road
 - c) 375 Stegman's Mill Road
4. Plan of the Village of Kleinburg, 1848

Copies of Attachments 5 to 8 are on File in the Office of the City Clerk and can be accessed on the City's website.

5. [Cultural Heritage Impact Assessment - Updated](#)
6. [Conservation District Conformity Report](#)
7. [Site Plan & Elevations](#)
 - a) Site Plan
 - b) Site Plan with Landscape
 - c) Units 1, 2, 3 & 28 Floor Plan
 - d) Typical Units A-E, 13 & 14
 - e) Typical A2, C2 & D2 Floor Plans
 - f) Units 1, 2 & 28 Elevations
 - g) Stegman's Mill Road Elevations and Perspectives
 - h) Elevations Types 3, 4, 5 & 6
 - i) Elevations Types 7, Units 3 and 14 Elevations
8. [Landscape Plans](#)
 - a) Overview
 - b) Master Planting Plan
 - c) Landscaping Planting Plan 1
 - d) Landscape Planting Plan 2
 - e) Landscape Planting 3
 - f) Landscape – Detail 1
 - g) Landscape – Detail 2
 - h) Landscape – Detail 3

Report prepared by:

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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.)