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Communication
cw: <u>Apr 29/14</u>
Item: <u>32</u>

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL

FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING

DATE: APRIL 29, 2014

SUBJECT: COMMUNICATION – COMMITTEE OF THE WHOLE MEETING, APRIL 29, 2014

ITEM #32
REQUEST TO DESIGNATE UNDER THE ONTARIO HERITAGE ACT
FRED HICKS HOUSE, 229 PINE GROVE ROAD
WARD 2

Recommendation

The Commissioner of Planning recommends:

1. THAT request by the Applicant that this item be DEFERRED until the meeting of the Committee of the Whole on June 3, 2104, be accepted to permit further discussions with City staff for resolving outstanding issues with the development application; including the Cultural Services Division, to discuss how the cultural heritage value in the property can be incorporated.

Background

The above-noted Site Development Application (Official Plan and Zoning Amendments) is for property located at 165, 170, 180, 192, 201 and 229 Pine Grove Road, Vaughan, Ontario. Old Hayhoe Mills and the miller's home, the Fred Hicks House are located on the site. The Applicant is 165 Pine Grove Investments Inc. The Site is located in a Special Policy Area (SPA), which requires that any amendments to the SPA require Provincial approval.

In addition to outstanding issues regarding density, servicing, environmental matters, Heritage Vaughan recently recommended that the one of the properties on the site (229 Pine Grove Road) be designated under the Ontario Heritage Act.

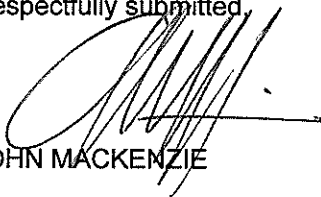
The applicant has reviewed the recommendations of Heritage Vaughan and has met with City staff regarding possible approaches for addressing the cultural heritage value into the development. There has been insufficient time for the Applicant and the City to fully consider the options. In addition, both the Applicant and City staff believe that it would be useful to consider the heritage matters as part of a comprehensive discussion incorporating all the outstanding issues relating to the Site Development Application.

On April 24, 2014 the Applicant's legal counsel, WeirFoulds LLP, sent correspondence to the City requesting that Item #32 be deferred for 30 days to allow for an opportunity for the Applicant and the City or consider a comprehensive resolution of all the outstanding issues with the Site Development Application. A copy of the letter is attached.

Conclusion

The Development Planning Department concurs with the request of the Applicant and recommends that Item# 32 be deferred to permit further discussions with City staff and the Applicant. Accordingly, should Council concur, the staff recommendation in the Committee of the Whole report of April 29, 2014, can be deferred until its meeting of the Committee of the Whole on June 3, 2104.

Respectfully submitted,



JOHN MACKENZIE

Commissioner of Planning

Copy to: Barbara Cribbett, Interim City Manager
Jeffrey A. Abrams, City Clerk
MaryLee Farrugia, Commissioner of Legal & Administrative Services/City Solicitor
Grant Uyeyama, Director of Development Planning

Attached: Correspondence to Legal Services Division dated April 24, 2014
From WeirFoulds LLP on behalf of 165 Pine Grove Investments Inc.

April 24, 2014

Denise Baker
Partner
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VIA EMAIL: DAWNE.JUBB@VAUGHAN.CA

Dawne Jubb
Solicitor
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Dear Ms. Jubb:

Re: Deferral Request for 229 Pine Grove Road, Vaughan ON

As you are aware, we are the solicitors for 165 Pine Grove Investments Inc. (the "Client").

Further to our meeting held yesterday April 23, 2014, it was agreed to with staff that in order to resolve a number of issues as it relates to the development application for the properties municipally known as 165-229 Pine Grove Road (the "Property"), the best approach would be to defer Council's consideration of the Notice of Intent to Designate for 229 Pine Grove Road to give an additional 30 days to see if there was an opportunity to resolve all outstanding issues as it relates to the development application for the Property. Specifically, we are requesting that staff pull the proposed report from the April 29, 2014 Committee of the Whole meeting agenda, being Item 32, such that it is not before Council for decision on that date.

The deferral will allow for an opportunity for my Client and City staff to consider a comprehensive solution for the Property, so that the development application may move forward towards a favourable Council decision. To date, a first meeting between my Client and their consultants and City staff has been set up for April 30, 2014 to advance matters.

I trust that you will find that a 30 deferral will be worthwhile if it can bring the necessary resolution to these outstanding matters, including heritage issues.

Please do not hesitate to contact me if you have any questions or concerns. I look forward to hearing from you early tomorrow whether this shared approach including the deferral request will be accommodated.

Yours truly,

WeirFoulds LLP

A handwritten signature in black ink, appearing to read "DBaker", with a stylized flourish at the end.

Denise Baker
cc. Client