

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

By approving the recommendation contained in the report of the Commissioner of Planning, Director of Development Planning, and Manager of Urban Design and Cultural Heritage, dated March 3, 2015; and

By receiving Communication C6 confidential communication from the Commissioner of Planning and the Interim Commissioner of Legal and Administrative Services/City Solicitor, dated March 23, 2015.

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of March 24, 2015;
and
- 2) That the coloured elevations submitted by the applicant be received.

The Commissioner of Planning, Director of Development Planning, and Manager of Urban Design and Cultural Heritage recommend:

1. THAT the proposed demolition of the George Munshaw House, Designated Part IV under the Ontario Heritage Act through By-law 403-87, BE REFUSED.
2. THAT staff be directed to continue to work with the applicant to incorporate the George Munshaw House into the approved Plan of Subdivision 19T-03V13.

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”

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

Items that require Council decisions are first brought to the Heritage Vaughan Committee as a Municipal Heritage Committee established under Section 28 of the Ontario Heritage Act to advise Council on heritage matters.

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Once a decision is final, Council shall give notice to the owner and the Ontario Heritage Trust and publish the decision in a newspaper with general circulation in the City of Vaughan. The notice will be published in the *Vaughan Citizen* and *Thornhill Liberal*.

Purpose

The purpose of this report is to seek a Council decision for the proposed demolition of the George Munshaw House, designated Part IV of the Ontario Heritage Act through By-law 403-87.

Background - Analysis and Options

Location

The subject property is located north of Major Mackenzie Drive and west of Bathurst Street as shown on Attachments #1, #2, and #3. The building is located in Approved Draft Plan of Subdivision 19T-03V13 and more recently in Proposed Draft Plan of Subdivision 19T-13V011 of which Longyard Properties Inc. is the owner.

Reasons for Designation

The George Munshaw House was designated Part IV under the Ontario Heritage Act due to its historical and architectural value. Architecturally, the house was constructed with vertical plank sheathing as a frame support and represents the transition period from post and beam construction to balloon frame construction. The date of construction of the Munshaw House is circa 1825-1850. The building was moved from Lot 44 of Concession 1 on the east side of Bathurst Street and south of Major Mackenzie Drive to its current location in 1985, and a new foundation was put in place.

George Munshaw Jr.'s grandfather, Balsor Munshaw, was one of the founding members of what is modern day Richmond Hill. Balsor Munshaw arrived in Toronto from Pennsylvania in 1793 and settled near Elgin Mills and Yonge Street. Balsor later moved to the Yonge Street and Regional Road 7 area and would have a total of nine children. One of the children, George Munshaw Sr., purchased the north half of Lot 44 of Concession 1 in 1815, which later contained the vertical plank house discussed in this report, likely built by George Munshaw Sr. himself.

Council and Heritage Vaughan Approval Requirement under Ontario Heritage Act

Part IV, Section 34 of the Ontario Heritage Act requires that Council, with the advice of the Heritage Vaughan Committee, must render a decision for demolition proposals for Part IV, Section 29 individually designated properties.

Council must render one of three decisions as per Section 34. (2) of the Ontario Heritage Act:

- (i) consent to the application,
 - (i.1) consent to the application, subject to such terms and conditions as may be specified by the council, or
- (ii) refuse the application.

Heritage Vaughan Refused Proposed Demolition of George Munshaw House at January 21, 2015 Meeting

Heritage Vaughan accepted staff's recommendation, with amendments, to refuse the demolition of the George Munshaw House at the Heritage Vaughan meeting of January 21, 2015. There was no deputation made by the applicant. The recommendation is provided below:

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Heritage Vaughan advises Council:

- 1) That the recommendation contained in the following report of the Manager of Urban Design and Cultural Heritage, dated January 21, 2015, was approved; and
- 2) That the developer secure the George Munshaw House by erecting a 6' fence and installing additional lighting, and that the site be visited periodically.

Recommendation

The Manager of Urban Design and Cultural Heritage recommends:

1. That Heritage Vaughan refuse the proposed demolition of the George Munshaw House, Designated Part IV under the Ontario Heritage Act through By-law 403-87.

Council and Heritage Vaughan Committee Recommended Building to be Preserved and Integrated into Future Subdivision in 2005

On August 24, 2005, several buildings within Subdivision 19T-03V13 were approved for demolition with the exception of the George Munshaw and Bassingthwaite Houses (Attachment #3), which were to be integrated into the future subdivision due to their strong cultural heritage value. The following is an extract from the Council approved recommendation:

Heritage Vaughan recommends:

That the Bassingthwaite House (at 10244 Bathurst Street) be preserved and integrated into the subject Draft Plan of Subdivision to the satisfaction of Cultural Services staff.

That the owner continue to have the George Munshaw House (the small building at 980 Major Mackenzie Drive) preserved and eventually integrated into the subject Draft Plan of Subdivision to the satisfaction of Cultural Services staff.

The Approved Draft Plan of Subdivision 19T-03V13 allocated spaces for these two homes on Block 777 and Block 800 (now shown on Attachment #3 with proposed road and lotting with recent proposed Draft Plan of Subdivision File 19T-13V011), and By-law 063-2013 stipulates that Block 800, which contains the George Munshaw House, be zoned to allow one detached residential dwelling only.

Proposed Draft Plan of Subdivision 19T-13V011, which is currently under review by staff, shows Block 800 developed with lots for single detached dwellings and a cul-de-sac street. The George Munshaw House partially sits within the proposed right-of-way, and hence the applicant's proposal to demolish the structure.

Vaughan Official Plan 2010 Supports Conservation and Education of Heritage Resources

Section 6.1 (6.1.1.1 and 6.1.1.2) of the Official Plan states that cultural heritage resources shall be conserved and integrated into future development. Increasing the awareness and education component of heritage resources is also supported in the Official Plan.

Section 6.2.2.4 states that *Designated heritage properties shall be conserved in accordance with Good heritage conservation practice*. The policies regarding education and awareness do not supercede this policy.

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Strategy for the Maintenance & Preservation of Significant Heritage Buildings Supports Retention of Heritage Resources

The Strategy for the Maintenance & Preservation of Significant Heritage Buildings, approved by Council on June 27, 2005, supports retention and integration of heritage resources with the following guiding principles, objectives and strategies:

Guiding Principles

1. Built heritage resources are recognized as an irreplaceable commodity, unique to the Vaughan community that should be preserved for future generations to experience.
2. Built heritage resources create a distinctive and exceptional urban, suburban & rural environment and landscape that are important in developing rich, interesting and sustainable communities.
3. Preservation of built heritage resources should not prevent the development of lands, but rather by their retention and incorporation in a development plan, create more interesting streetscapes and communities.

Objectives

1. To encourage and ensure the preservation of significant heritage buildings/structures in the City of Vaughan through the use of available tools and resources.
2. To encourage the adaptive re-use of significant heritage buildings in infill and the new development of lands.

Strategies

Strategy 3 – Include Provisions for Preservation in Plan of Subdivision Agreements

- 3.1 The development of new lots under the plan of subdivision process will require that owners be required to preserve, restore and incorporate significant heritage structures in their plan.
- 3.2. The preservation of significant heritage buildings shall be made a condition of plan approval prior to the registration of the subdivision agreement.

Vaughan Accord Supports Retention of Heritage Resources

The Vaughan Accord, signed on January 20, 2015 by members of City Council states:

Remember our history and heritage by protecting and preserving important landmarks

Applicant Proposal to Demolish George Munshaw House and Build Commemorative Structure and Commemorate the History of the Patterson Village in the Park

The applicant is proposing historical commemoration of the George Munshaw House which entails the complete demolition of the structure and the construction of a commemorative park feature in the subdivision. This proposal does not include the salvage of any building materials as the structure is proposed to be composed entirely of new materials. The commemorative

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structure is proposed as a shade structure modeled after the George Munshaw House at an 80% scale that explains and demonstrates the history of the Patterson Village, the history of the Munshaw family, and the vertical plank construction of the George Munshaw House through plaques and the structure itself.

This option is not supported by staff since it proposes the complete demolition of the designated heritage resource. This option does not comply with Section 6.2.2.8 of VOP 2010 which states, "To allow, where appropriate, the adaptive re-use of a built heritage resource on a designated heritage property in a manner that does not adversely impact the heritage attributes of the resource."

Relocation of George Munshaw House – Preferred Option

Section 6.2.2.7 of VOP 2010 directs, "To explore all options for on-site retention of heritage buildings and landscape features on designated heritage properties before resorting to relocation", and that, "The following alternatives be given due consideration in order of priority:

- a) on-site retention in the original use and integration with the surrounding or new *development*;
- b) on-site retention in an adaptive re-use;
- c) relocation to another site within the same development; and,
- d) relocation to a sympathetic site within the City."

The Cultural Heritage Resource Impact Assessment submitted by the applicant examines four possible options for relocation of the George Munshaw House: (1) Public elementary school block within the subject site, (2) Off-site at Little Don Park in Richmond Hill, (3) On a new residential lot within the subject subdivision, or, (4) Within the Open Space in the subject subdivision (see Attachments #6.1 - 6.3). None of these outlined options are being pursued by the applicant. Instead, the applicant is proposing to demolish the George Munshaw House.

Staff considered the four proposed relocation options for the George Munshaw House outlined in the submitted Cultural Heritage Resource Impact Assessment and conclude the following: Option (1) is not feasible as the building cannot be incorporated into a block allocated for the public elementary school. The parkland outlined in Option (2) is not located within the City of Vaughan and therefore does not comply with Section 6.2.2.7 of VOP 2010. Option (4) was discussed with Parks Development staff and the grades are not conducive to relocating a heritage structure in this location.

Staff recommends that Option (3), the retention, relocation and integration of the George Munshaw House into the subdivision, should be further explored by the applicant: "Relocation within the proposed new subdivision offers the opportunity to position the house in a new location that allows for the development to occur." The benefit to the City and to the public with this option is to increase the visibility and public appreciation of the heritage structure.

Cultural Heritage staff has previously indicated support for the retention, adaptive reuse, and relocation of the George Munshaw House in comments sent to Development Planning staff on November 10, 2014. In this instance, relocation is supported by staff because the house was moved in 1985 from its original location on the east side of Bathurst Street and south of Major Mackenzie Drive to its current location. The George Munshaw House was preserved because of its recognized cultural heritage value.

While the adaptive re-use of the building to a non-residential use could be supported, the building could remain residential and be used as a main residence or as an accessory structure to a main residence. If the building is to be used as a main residence, sympathetic additions to the building can be explored.

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Staff recommendation to retain the George Munshaw House and to relocate it within the proposed development supports the Official Plan objective to create a clear sense of the City's culture and heritage. The George Munshaw House and the Bassingthwaite House, which is being preserved in-situ, are both irreplaceable assets that offer a unique placemaking opportunity for this new development.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020/Strategic Plan, through the following initiatives, specifically:

Service Excellence:

- Preserve our Heritage & Support Diversity, Arts & Culture
 - i) The Part IV designated George Munshaw House contains significant historical and architectural value. Its conservation and integration within the new community keeps the heritage resource alive as an expression of our culture and as a legacy that can be appreciated by future generations.

Regional Implications

N/A

Conclusion

Staff is recommending that Council refuse the proposed demolition of the Part IV designated George Munshaw House as it contains significant historical and architectural heritage value. Also, that staff be directed to work with the applicant to determine an appropriate site for the relocation of the structure within the community in approved Plan of Subdivision 19T-03V13.

Attachments

1. Contextual Location Map
2. Location Map
3. Location of George Munshaw House within Proposed Draft Plan of Subdivision 19T-13V011
4. Vertical sheathing diagram from designation report for Designation By-law 403-87
5. Vertical sheathing diagram of William Henry House, constructed 1858-1860 from John I. Rempel's Building with Wood
- 6.1 - 6.3 Excerpt from Cultural Heritage Resource Impact Assessment, 980 Major Mackenzie Drive and 10244 Bathurst Street, Vaughan – Potential sites for relocation
- 7.1 - 7.8 Site Photos

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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.)