

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 6, 2014

Item 33, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 6, 2014.

**33 HERITAGE APPLICATION FOR DEMOLITION AND NEW CONSTRUCTION, 20 BELL COURT
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, the Interim Director of Planning / Director of Development Planning, and the Manager of Urban Design, dated April 29, 2014, be approved; and**
- 2) That the deputation of Mr. Gerry Borean, Parente Borean, Highway 7, Woodbridge, be received.**

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Urban Design recommend:

1. That the Committee of the Whole and Council's review of the heritage application for new construction at 20 Bell Court located within the Kleinburg-Nashville Heritage Conservation District, be deferred until the report on the required site plan application for the same property can be considered by Committee of the Whole and Council.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 4, and 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

N/A

Communications Plan

All agenda items and reports related to this item are circulated to relevant applicants and their representatives and posted on the website.

Purpose

To review the proposal for demolition and construction of a new residential structure at 20 Bell Court, located in the Kleinburg-Nashville Heritage Conservation District. This application was refused by the Heritage Vaughan Committee at its meeting of March 26, 2014. Vaughan Planning and Urban Design/Cultural Heritage staff are recommending a deferral of Council's review of this matter until the matter can be considered with the required site plan application.

Background - Analysis and Options

Designated Part V - Non-heritage style

The subject property is located at 20 Bell Court - a crescent street that connects to Islington Avenue and backs onto Highway 27. The subject property is located in the Kleinburg-Nashville Heritage Conservation District and is therefore Designated Part V under the *Ontario Heritage Act*.

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All new construction, alteration, and demolition applications within the Kleinburg-Nashville Heritage Conservation District are subject to the District's Guidelines and require the approval of a Heritage Permit, in addition to any other City approvals.

The existing building on the subject property is a 1960s one-storey Ranch style bungalow. The building is considered a non-heritage style in the Kleinburg-Nashville HCD Guidelines and demolition of the existing building can be supported. The new infill replacement, however, is to conform to the heritage district's guidelines in design.

Heritage Vaughan Refused Application for New Construction at 20 Bell Court at their March 26, 2014 Meeting

An application to construct a new residential structure at 20 Bell Court, located in the Kleinburg-Nashville Heritage Conservation District, was reviewed by the Heritage Vaughan Committee at its meeting of March 26, 2014. The subject application for new construction was refused by the Committee at this meeting.

During the meeting, two main issues were discussed by the Committee: lot coverage and architectural design. The applicant advised the Committee they were not willing to revise any part of the application. The applicant at the March meeting also presented a petition to the Committee with 457 signatures supporting their application. There was no objection to the demolition of the existing bungalow at the site.

Lot Coverage and Architectural Design Main Issues

The two issues that were discussed at the March 2014 Heritage Vaughan Committee meeting included lot coverage and architectural design. The subject property is zoned with a maximum lot coverage of 10% and the applicant's proposal is for 14%.

The Heritage Vaughan Committee expressed a position that a proposed increase in lot coverage will have a negative effect on the massing and scale of the building in relation to the overall streetscape character of Bell Court, Islington Avenue, Highway 27 and the Kleinburg-Nashville Heritage Conservation District as a whole.

The character of Bell Court is defined by one-storey 1960s ranch houses and bungalows on large lots which create and contribute to a rural setting as stated in Section 5.2.5 of the Kleinburg-Nashville Heritage Conservation District Guidelines. Bell Court is also placed at the northern entrance of the Kleinburg-Nashville Heritage Conservation District between Islington Avenue and Highway 27. This entire northern area is designated "Village Area" in the Kleinburg-Nashville Heritage Conservation District Guidelines and provides a buffer between the Kleinburg Village core and the new development beyond the district boundaries.

The proposed architectural style of the new residential house is Victorian in design and this style is recognized in the Kleinburg-Nashville Heritage Conservation District Guidelines. The tower at the rear elevation, however, and other minor details including the stone skirting, window style, and bay window do not conform to the style of the house. Therefore, the proposal does not conform to the Guidelines. The stone skirting must be shortened, the windows must be arched and the bay window must be altered. In addition, the tower in its entirety does not conform to the Guidelines. The tower at the rear elevation is derived from the Queen Anne style or French Chateau style and does not relate to the Victorian architectural style of the proposed building. The Guidelines clearly do not allow a mix of styles and state that one consistent architectural style be employed. The property backs onto Highway 27 and the Heritage Vaughan Committee discussed that the rear elevation will have a visual presence on Highway 27. The Committee identified at

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their meeting that this tower to the rear of the building should be redesigned as it does not conform to the style of the building and will be partially visible from Highway 27; a gateway to the Kleinburg-Nashville Heritage Conservation District.

Variances Approved by Committee of Adjustment on March 27, 2014

The applicant submitted an application to the Committee of Adjustment for variances to the front yard setback from a minimum of 15 metres to 8 metres, and an increase in lot coverage from a maximum of 10% to 14%. The variances were approved by the Committee of Adjustment on March 27, 2014, and are subject to a 20 day appeal period.

Site Plan Approval Required

The construction of a new house will require site plan approval as per Site Plan Control By-law 123-2013, as it is considered to be new construction within the Kleinburg-Nashville Heritage Conservation District. Staff recommends that the heritage application for a new structure at the site, be reviewed by Council at the same time as the required site plan report as other changes/requirements may need to be addressed by the applicant during the site plan process. The owner at 20 Bell Court has not yet submitted a site plan application to the Vaughan Planning Department.

Heritage Vaughan's Refusal Requires Referral to Council

The Heritage Vaughan Committee is a statutory advisory committee of Council and provides recommendations on heritage matters in the City. Through Delegation By-law 155-2010, the designated staff authority may approve Heritage Permits as endorsed by Heritage Vaughan Committee; however, if the Committee does not approve the heritage project, the matter is referred to Council for final consideration of the matter.

Relationship to Vaughan Vision 2020/Strategic Plan

This report supports the Vaughan Vision 2020 initiative of Service Excellence, specifically to "Demonstrate Excellence in Service Delivery" and to "Preserve our Heritage and Support Diversity, Arts and Culture".

The findings and recommendations are consistent with City of Vaughan policies and practices and factor in the results of consultation with the Heritage Vaughan Committee and analysis of the proposal described in this report.

Regional Implications

None

Conclusion

Vaughan Planning and Urban Design/Cultural Heritage staff recommends that Council defer the review of the proposed new construction at 20 Bell Court and Heritage Vaughan's recommendation on this matter, pending the review and Committee consideration of a site plan application for the new building at the subject site. Approval of this proposal at this time would nullify any further requirements that may be necessary as a result of the review of the site plan application by other departments. The Owner of 20 Bell Court has not yet submitted a site plan application, which is required to be submitted for new single detached dwellings in a heritage conservation district.

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Attachments

1. Maps of subject property.
2. Photographs of site.
3. Photographs of streetscape and surrounding area.
4. Proposed site plan and elevations.

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.)