

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 24, Report No. 31, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 26, 2017.

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**RESTORATION OF A DETACHED
RESIDENTIAL BUILDING AND NEW DEVELOPMENT
9869 KEELE STREET AND 9891 KEELE STREET
(WILLIAM BAILEY HOUSE) - MAPLE HERITAGE CONSERVATION DISTRICT
DESIGNATED UNDER PART V, ONTARIO HERITAGE ACT
WARD 1 - EAST SIDE OF KEELE STREET AND SOUTH OF MAJOR MACKENZIE DRIVE**

The Committee of the Whole recommends approval of the recommendation of the Heritage Vaughan Committee, dated August 16, 2017:

Recommendation

The City Clerk, on behalf of the Heritage Vaughan Committee, forwards the following recommendation from its meeting of August 16, 2017 (Item 1, Report No. 6) for Council's consideration:

- 1) That the recommendation contained in the following report of the Director of Development Planning and the Manager of Urban Design and Cultural Heritage, dated August 16, 2017, be approved;
- 2) That the applicant consider locating the designated parking spots for the heritage structure in reasonable proximity to the building; and
- 3) That the applicant consider redesigning lots 10 and 13 to introduce entrances along the main street and extending the sidewalks into the 3 block residential units.

Report of the Director of Development Planning and the Manager of Urban Design and Cultural Heritage, dated August 16, 2017

Recommendation

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

1. THAT Heritage Vaughan approve the proposed restoration and rehabilitation of the detached dwelling municipally known as 9891 Keele Street.
2. THAT Heritage Vaughan recommend to Council that, subject to final approval of the Development Application under the *Planning Act*, a heritage permit be issued for the the proposed new construction under Section 42 of *Ontario Heritage Act*, subject to following conditions:
 - a) The Development Application under the *Planning Act* must receive final approval before the issuance of the heritage permit. It is understood that Heritage Vaughan Committee recommendations to Council regarding the issuance of a heritage permit do not constitute support for any Development Application under the *Planning Act* or permits or requirements currently under review or to be submitted in the future by the Owner as it relates to the subject application;

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- b) Any significant changes to the proposal may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- c) That a Letter of Credit to the amount of \$150, 000 (calculated at \$100 per square foot) shall be provided to the City of Vaughan for the William Bailey House through the Letter of Undertaking; and
- d) Although the properties have undergone Stage 1 and 2 Archaeological Assessment and was declared to be free of archaeological concerns, the following standard clauses shall apply:
 - i) *Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Urban Design and Cultural Heritage Division of the Development Planning Department shall be notified immediately.*
 - ii) *In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.*

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 to seek a recommendation from the Heritage Vaughan Committee regarding the restoration and rehabilitation of the detached house at 9891 Keele Street and the proposed new construction of 15 townhouse units on the same site and the neighbouring vacant property to the immediate south, (9869 Keele Street) located within the Maple Heritage Conservation District (HCD).

Timeline

This application is subject to the 90 day review under the *Ontario Heritage Act*. This application was declared complete on June 18, 2017, and must be deliberated upon by Council by September 26, 2017, to meet the 90 day timeline. If this application is not considered by Council by the 90 day deadline, it is considered to be approved as outlined under the *Ontario Heritage Act*.

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Background - Analysis and Options

Location, Heritage Status, and Policies

The subject properties, known municipally as 9869 and 9891 Keele Street, are located on the east side of Keele Street, south of Major Mackenzie Drive, as shown in Attachment #1. The properties are located within the Commercial Core Area of the Maple HCD, and are protected under Part V of the *Ontario Heritage Act*. Guidelines for the Commercial Core area, (boundary shown in Attachment #2), are outlined in Section 9.5.3 of the Maple HCD Plan.

A previous development proposal for the two properties (File DA.13.033) was presented to Heritage Vaughan Committee for their consideration and recommendation on May 22, 2013. The development proposal included the retention of the existing heritage building in addition to a new 3-storey condominium building containing 56 units with ground floor commercial uses, five townhouse units and underground parking. A Heritage Permit was issued for this project (HP.2014-026-00). However, a new development application has been initiated by the Owner.

The property known municipally as 9891 Keele Street (also known as the William Bailey House) as shown on Attachment #3 is a recognized contributing heritage property to the Maple HCD and is proposed to be retained within the new development proposal. The William Bailey House is thought to have been built circa 1884 and is a good, intact example of vernacular Ontario architecture, specifically a variation of the Ontario Gothic Revival. It is a one and one and a half storey wood frame building with an L-shaped plan, under a cross-gable pitched roof. A full review of the property is included as part of the Cultural Heritage Impact Assessment (CHIA) submitted in support of the application as shown on Attachment #4.

Cultural Heritage staff have reviewed the CHIA and are of the opinion that it meets the City of Vaughan CHIA Guidelines. A Conservation Plan has been prepared and is included as Attachment #5. Staff has reviewed the Conservation Plan and are satisfied that it meets the City of Vaughan's Conservation Plan Draft Guidelines. The William Bailey House is proposed to be rehabilitated and converted to a live/work unit, similar to what was previously proposed and approved in the 2013 Heritage Permit application for the subject lands. In keeping with the policies of the Vaughan Official Plan 2010, the Owner shall provide a Letter of Credit to the City of Vaughan for the William Bailey House through the site plan approval process, should the related site development application be approved. The Letter of Credit shall be returned to the Owner once the Conservation Plan and Heritage Plan requirements have been fulfilled, municipal services have been connected, and that there are no further possible potential negative structural impacts from construction activities on the site.

The property municipally known as 9869 Keele Street is currently a vacant lot that was originally part of 9891 Keele and was created circa 1950 through a severance. There was a previously existing dwelling on the lands which was built prior to 1954, and it was demolished between 1999 and 2002. Therefore, there is no entry for this property in the Maple HCD Inventory.

As shown on Attachment #6, directly to the south of 9869 Keele Street is the cemetery for St. Andrews Presbyterian Church, a significant cultural heritage landscape in the Maple HCD. An archaeological assessment was completed to confirm the boundaries of the cemetery and to determine the potential for the disturbance of human remains or the existence of any outlying burials. During the Stage 2 onsite assessment, there was no evidence of any burials outside of the known boundaries of the cemetery, and no further concerns were identified through field testing. Although the properties did not show further archeological potential, Cultural Heritage staff recommends that the standard archaeological clause be applied during construction activities as a condition of the Heritage Permit, should the recommendation in this report be approved.

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To the north of the subject property is 9901 Keele Street, as shown on Attachment #7. There is a contributing structure on this property that was retained when the site was developed in 2006.

Proposed New Construction

The Owner has submitted a proposal to construct 15 residential units as shown on Attachment #8, including eight townhouse units in 3 distinct building forms on the easterly portion of the site accessed by a private road and a 5 unit townhouse and a semi-detached unit along Keele Street.

The proposal provides a variety in the massing of the buildings and the proposed designs for the new construction are architectural styles recognized by the Maple HCD Plan. Along Keele Street, the Victorian Vernacular style is proposed, as shown on Attachments #9a-f that feature red and buff brick patterning and decorative brick work, segmented arches over the windows, four paned windows, quoin work along the edges and decorative bargeboard work along the front verandahs. All garages are located at the rear of the Keele Street buildings and will not be visible from the street view.

Behind the William Bailey House and the Keele Street new construction, is a second row of units, as shown on Attachments #9 g-l. These proposed buildings feature the Neo-Classical or Georgian style recognized in the Maple HCD Plan. These buildings use red brick cladding with stone lintels and straight arches over the windows and garage entrances. The windows are configured with six over six panes and the front verandahs feature neo-classical details. Multi-paned transom windows openings are featured over the front door and the rear balcony opening. While the garage doors are located at the front of these units, they are largely screened from the Keele Street view through the siting of the units and landscape.

The maximum permitted building height in the Commercial Core Area is 11.8 m and 3 storeys (Maple HCD Plan Section 4.6.1 & 9.5.3.6). While the proposed new construction is 3 ½ storeys, the midpoint of the front row of buildings is 10.97 m and is seen to be only a half storey taller than the William Bailey House when viewed from the street as shown on Attachment #10. The new construction behind the Keele Street structures will be 10.84 m high at the mean of the roof and is set well behind the heritage structure. Accordingly, the proposed building height conforms to the Maple HCD Plan.

Within the existing streetscape, the proposed new construction is located between an existing development with a heritage resource on the north side and the St. Andrew's Cemetery to the south. The property to the north of the subject property is known municipally as 9901 Keele Street. The built heritage resource at 9901 Keele is located along Keele Street and is of similar scale and height to 9891 Keele Street. There will be no changes that disrupt this existing balance. As shown on Attachment #10, the proposed new construction is set back from the William Bailey House at 9891 Keele Street. There will be landscaping around the heritage house and along Keele Street to further buffer the property from the newer built forms.

To the south of the property is the cemetery for St. Andrews Presbyterian Church on the west side of Keele Street. Although the cultural heritage landscape of the cemetery has a lower view line than the proposed new construction, the existing high stone retaining walls along Keele Street and the existing tall evergreen trees planted along the edges of the cemetery mitigate the visual impact of the proposed new structures.

The Heritage Vaughan Committee is advised that the proposed new construction is subject to related Official Plan and Zoning By-law Amendment and Site Development and Draft Plan of Subdivision applications (File OP.15.009, Z.15.037, DA.15.090 and 19T-15V0015). These applications must receive final approval under the Planning Act, prior to the issuance of any Heritage Permit for the new construction.

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Cultural Heritage Landscape

The 2005 Maple HCD Inventory entry for 9891 Keele Street identifies a large coniferous tree in front of the house as a significant landscape element on the property (“very tall coniferous tree in front of house appears to be one of former pair, and should definitely be retained”.) The submitted Tree Inventory as shown in Attachment #10, identifies the existing trees on the site as White Cedar, Norway Maple, Manitoba Mable, Mountain Ash, Persian Walnut, Black Walnut, Crabapple, Horse Chestnut, Crack Willow, Eastern Red Cedar and Colorado Spruce with recommended actions to preserve or remove the trees.

The Landscape Master Plan as shown on Attachment #11, confirms the retention of the Colorado Spruce in front of the heritage house, and the prominent linear zone of woody vegetation along the southern edge of the site abutting the cemetery, comprised of predominantly White Cedars interspersed with various deciduous trees species. The Landscape Master Plan includes the removal of 23 other existing trees within the property. Most of the trees proposed for removal are Manitoba and Norway Maples and a Siberian elm; three species that are identified as invasive and unsuitable for the Maple HCD. Other trees to be removed include Mountain Ash, Persian Walnut, Black Walnut, Crabapple, Horse Chestnut, Crack Willow, Eastern Red Cedar. The Tree Preservation Plan, shown on Attachment #13, identifies the trees to be preserved and the trees to be removed.

The Landscape Plan also confirms that 32 new deciduous trees and 3 coniferous trees are proposed to be planted within the development. Planting will extend around the heritage structure at 9891 Keele Street to frame it and provide a buffer and transition between the original and new structures. Tree and shrub plantings are proposed along the Keele Street streetscape including 5 deciduous street trees within the right-of-way.

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

Conclusion

Cultural Heritage staff have reviewed the Heritage Permit application to retain the existing heritage structure at 9891 Keele Street and to construct five new buildings for a total of 15 units on the two properties known municipally as 9891 and 9869 Keele Street. The Maple HCD Plan outlines that new development should enhance the District’s heritage character and complement the area’s village-like, human scale of development, while promoting densities sufficient to secure the District’s future economic viability. The proposed design is in keeping with goals and guidelines of the Maple HCD Plan. Accordingly, staff recommend that the Heritage Vaughan Committee recommend that Council approve a Heritage Permit for the proposed restoration of the William Bailey House. However, a Heritage Permit shall only be issued for the new construction once related development applications under the *Planning Act*, are approved by Council.

Attachments

1. Location Map
2. Maple HCD Commercial Core Boundary

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3. Maple Heritage Conservation District Inventory (Excerpt)
4. Cultural Heritage Impact Assessment
5. Conservation Plan
6. Street Photos - Current Condition South Side
7. Street Photos - Current Condition North Side
8. Site Plan
9. Elevations a - m
10. Tree Inventory Report
11. Landscape Master Plan
12. Tree Preservation Plan

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.)