

**Extract From
Heritage Richmond Hill Meeting
HRH#04-18 held June 4, 2018**

3. Request to Amend Heritage Designation By-law 95-13 – 630 King Road – File Number D12-07232 – (Staff Report SRPRS.18.138)

Moved by: D. McLeod

Recommendation 2

That the Heritage Richmond Hill Committee recommends to Council:

- a) That the Town Clerk provide the owner of the designated property, described in Town of Richmond Hill By-Law No. 95-13, written notice of the proposed amendment to correct the legal description of the said property in accordance with section 30.1 of the *Ontario Heritage Act*, on or before June 8, 2018, by personal service;**
- b) That, pending no objection from the owner during the 30 day post-notification period, the amending by-law substantially in the form as set out in Appendix 'A' to staff report SRPRS.18.138 be adopted by Council at its meeting on July 9, 2018;**
- c) That the Town Clerk provide a copy of the amending by-law to the Ontario Heritage Trust, cause the amending by-law to be registered against the property, and update the Municipal Heritage Register, in accordance with the requirements of the *Ontario Heritage Act*.**

Carried



Staff Report for Heritage Richmond Hill Meeting

Date of Meeting: June 4, 2018
Report Number: SRPRS.18.138

Department: Planning and Regulatory Services
Division: Policy Planning

Subject: Request to Amend Heritage Designation By-law
95-13; 630 King Road (File No. D12-07232 -
SRPRS.18.138)

Purpose:

The purpose of this staff report is to seek Heritage Richmond Hill's consideration of the Chief Administrator's direction, under Section 2 of Town of Richmond Hill Delegation By-law (By-law 255-81) to reduce the extent of the designated area surrounding the heritage attribute (the John Love House) and to amend the legal description of Designation By-Law No. 95-13.

Recommendation(s):

- a) Heritage Richmond Hill recommends that the Clerk provide the owner of the designated property, described in Town of Richmond Hill By-Law No. 95-13, written notice of the proposed amendment to correct the legal description of the said property in accordance with section 30.1 of the *Ontario Heritage Act*, on or before June 8, 2018, by personal service;
- b) That, pending no objection from the owner during the 30 day post-notification period, the amending by-law substantially in the form as set out in Appendix A to SRPRS.18.138 be adopted by Council at its meeting on July 9, 2018; and
- c) That the Clerk: provide a copy of the amending by-law to the Ontario Heritage Trust; cause the amending by-law to be registered against the property; and update the Municipal Heritage Register, in accordance with the requirements of the *Ontario Heritage Act*.

Contact Person:

Isa James, Senior Urban Designer, phone number 905-771-5529 and/or
Joanne Leung, Manager Heritage and Urban Design, phone number 905-771-5498.

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Submitted by:

"Signed version on file in the Office of the Clerk"

Kelvin Kwan
Commissioner of Planning and Regulatory Services

Approved by:

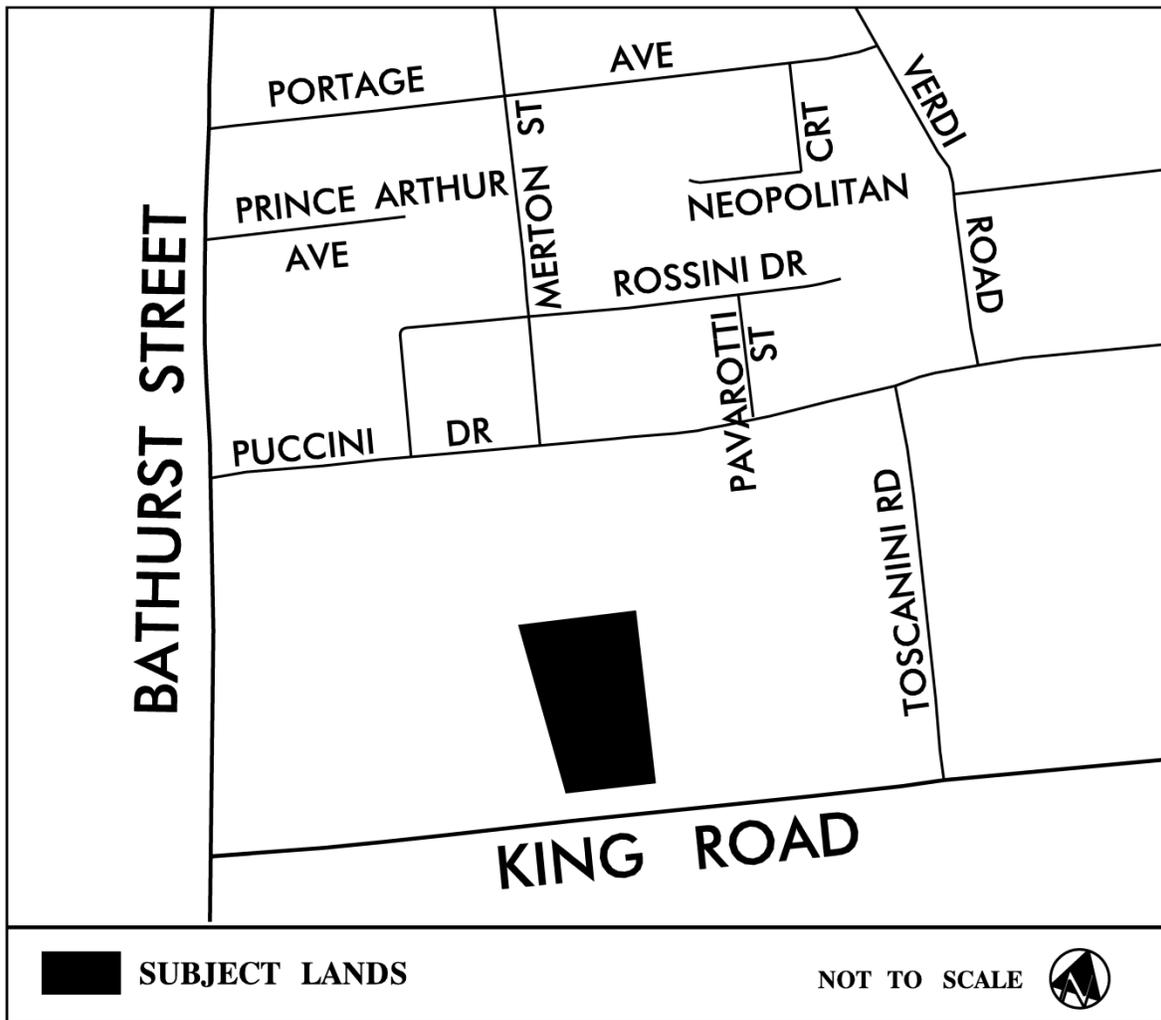
"Signed version on file in the Office of the Clerk"

Neil Garbe
Chief Administrative Officer

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Location Map:

The map below depicts the property location. Should you require an alternative format, call the contact person listed in this document.



Background:

630 King Road, described as Lot 18, Plan 807, is located on the north side of King Road between Bathurst Street and Toscanini Road. The subject lands have a total area of 9,994.21m² (2.47 acres). The lands contain a heritage building and the property was designated in accordance with Section 29 of the *Ontario Heritage Act* by Council in 2013. The designating By-law No.95-13 is attached as Appendix B.

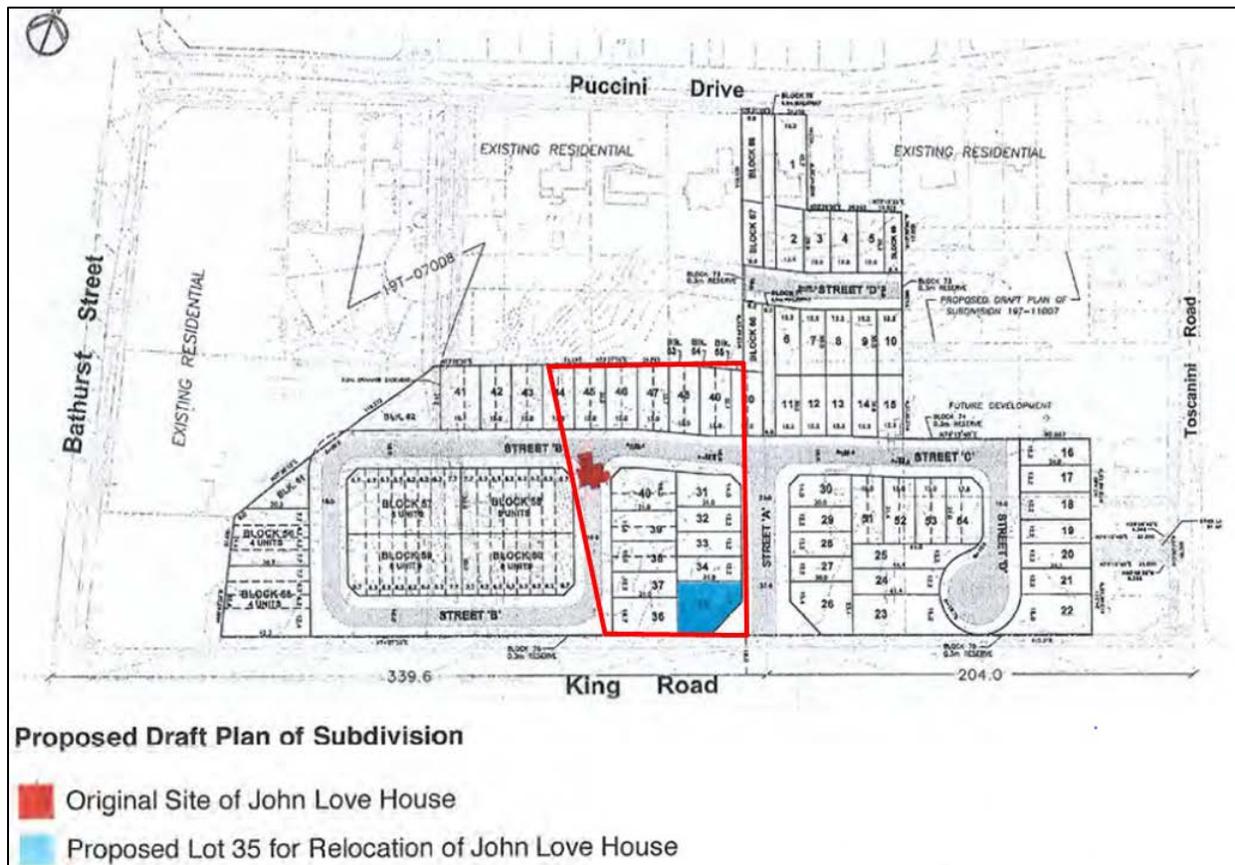


Diagram 1 - King South Developments Inc. Draft Plan of Subdivision - Joan Burt Architect

King South Developments Inc. has purchased 630 King Road (outlined in red in Diagram 1) and in conjunction with neighbouring lands, proposes to utilize the site to build a low and medium density residential subdivision. The Town and King South Developments Inc. have worked together to create a functional and attractive plan of subdivision that accommodates the John Love House in an appropriate manner. The draft plan of subdivision was approved by the Town on August 9, 2013.

On November 6, 2014, King South Developments Inc. and the Town entered into a Heritage Restoration Agreement pertaining to the John Love House. In the agreement, the owner agrees to relocate the house onto a new foundation on the lot shown in blue on Diagram 1 above. The owner further agrees to restore the exterior and interior of the building in accordance with the requirements described in the Conservation Plan. A Letter of Credit in the amount of \$700,000.00 was received to ensure that the required works will be completed to the Town's satisfaction. Diagram 2 below illustrates the approved siting of the relocated house, Diagram 3 illustrates the building's proposed front elevation (facing King Road) and Diagram 4 illustrates its proposed east elevation (facing the new local road).

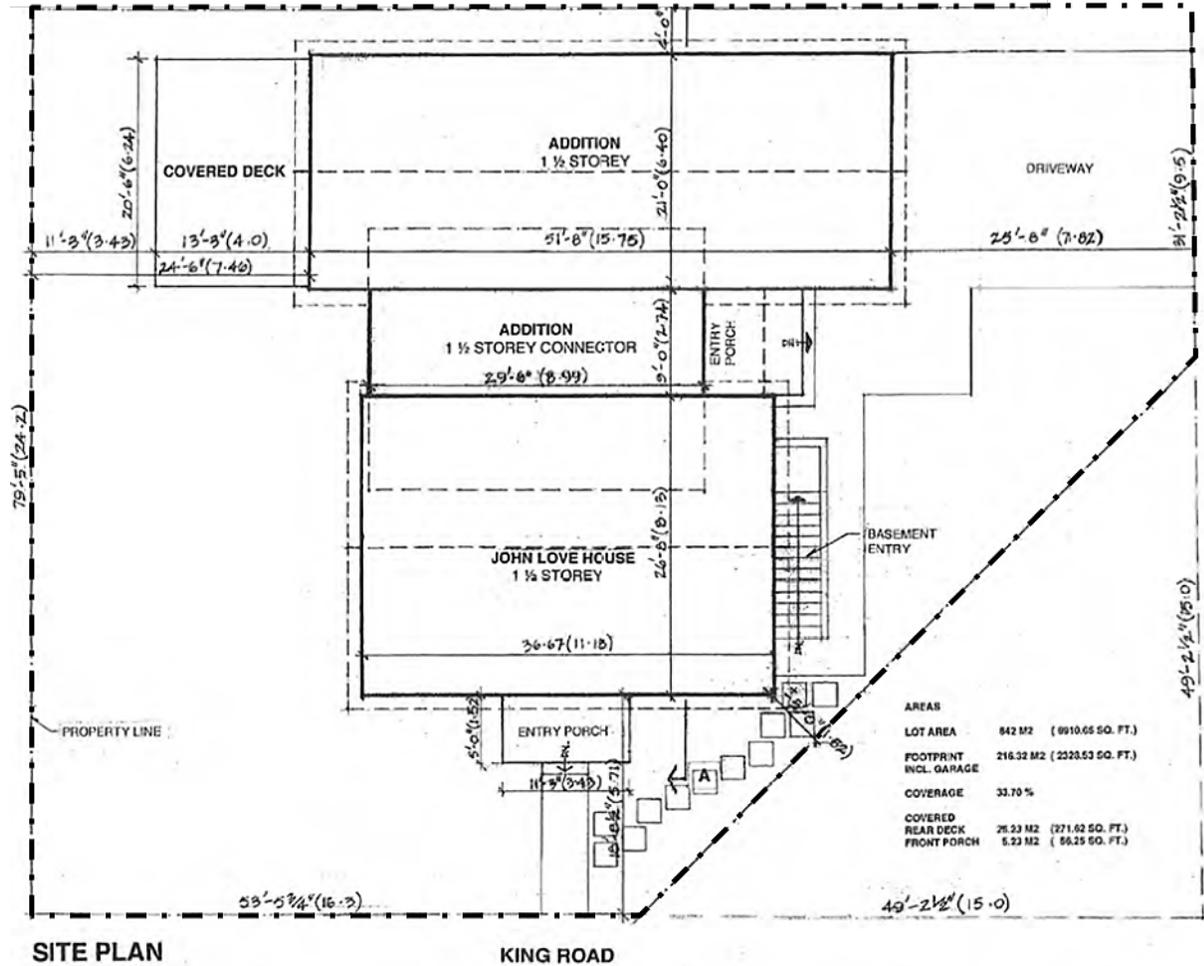


Diagram 2 – Proposed Site Plan for Relocated John Love House Joan Burt Architect

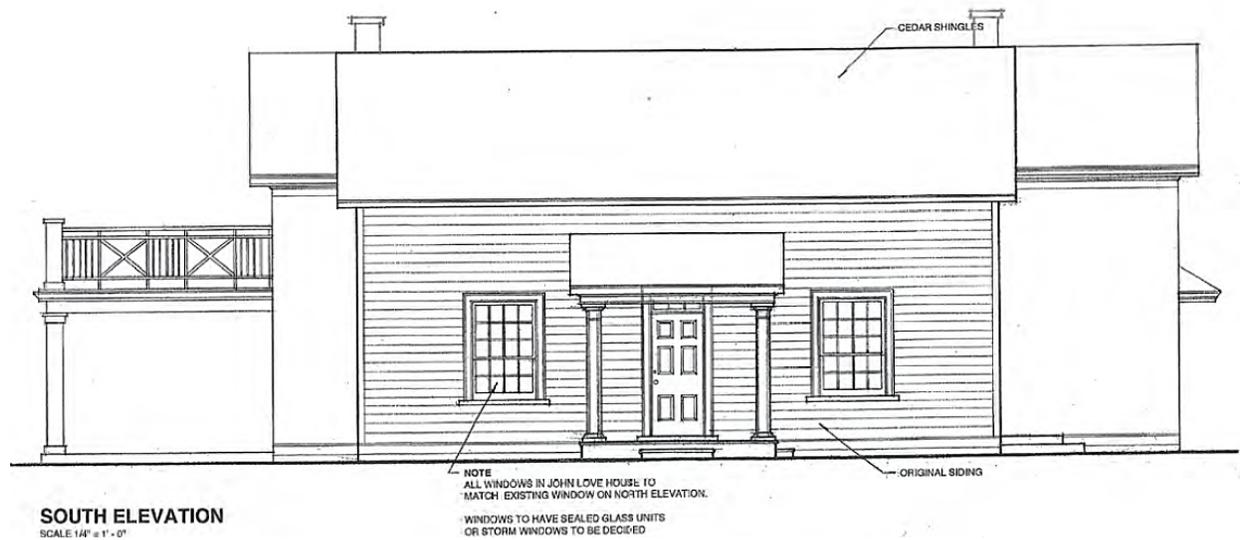


Diagram 3 - Proposed South Elevation for Relocated John Love House Joan Burt Architect

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Diagram 4 - Proposed East Elevation for Relocated John Love House Joan Burt Architect

Discussion

The 2013 Heritage Designation By-Law (95-13) currently includes the entirety of the lands formerly known as 630 King Road. In light of the executed agreement with respect to the relocation of the John Love House to Lot 35 (defined by draft R-Plan attached as Appendix C) and its restoration, an amendment to the Designation By-law is now appropriate to:

1. Exclude areas of new residential development that should not be encumbered by the designation; and
2. Amend the designation by-law with new legal descriptions for the new location of the John Love House.

In order to meet the impending dates related to the registration of this subdivision, the Chief Administrative Officer (CAO) reviewed the request to amend the Designation By-law and directed that By-law 95-13 be amended to correct the legal description identifying the lands to which the By-law applies (see Appendix D).

This staff report seeks Heritage Richmond Hill's consideration of the CAO's direction to provide written notice, by personal service, of the proposed amendment to enact By-law 66-18 (as provided in Appendix A) to amend Designation By-law 95-13 under Section 30.1 of the *Ontario Heritage Act*.

Financial/Staffing/Other Implications:

There are no financial or staffing implications at this time.

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Relationship to the Strategic Plan:

A detailed consideration of the heritage merits of the subject property is in keeping with Goal 3 – Outcome 1 of the Strategic Plan which is to “Respect the past through promoting the awareness of the Town’s heritage.”

Conclusion:

The owner of the property has worked with the Town and created a plan of subdivision which will continue to protect the heritage attributes identified in the Designation By-law No.95-13. To complete the development process, the legal descriptions of the heritage property need to be updated to reflect the revised extent of the protected property. Staff recommend that the draft Amending Designation By-law as provided in Appendix A to this report be approved. Upon there being no objection filed within the 30 day period prescribed by the *Ontario Heritage Act*, and at such time that the draft R-Plan is deposited, the By-law may be passed by Council.

Attachments:

The following attached documents may include scanned images, with maps and photographs. If you require an alternative format, please call the contact person listed in this document.

- **Appendix A** **Draft Amending By-Law (66-18)**
- **Appendix B** **Designation By-Law (95-13)**
- **Appendix C** **Draft Reference Plan defining Lot 35**
- **Appendix D** **Memo from Chief Administrative Officer**

The Corporation of the Town of Richmond Hill

By-law 66-18

A By-law to Amend By-law 95-13
(being a By-law to Authorize the Designation of
630 King Road (*John Love House*)
Under the *Ontario Heritage Act*

Whereas Section 30.1 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 authorizes the Council of a municipality to enact a by-law to amend a by-law designating property under that Act;

And Whereas the owner of the property known municipally as 630 King Road, Richmond Hill has applied to have the heritage designation under the *Ontario Heritage Act* thereon amended in order to correct the legal description of the property;

The Council of The Corporation of The Town of Richmond Hill enacts as follows:

1. That By-law 95-13 is hereby amended by revising Paragraph 1 as follows:
 1. That the real property identified as Part 1, Reference Plan Number xxxxx, being Part of Lot 18, Plan M-807, Richmond Hill, Regional Municipality of York, is hereby designated under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as being of cultural heritage value or interest.
2. That the Town Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the property and on the Ontario Heritage Trust, and to cause the Register established under subsection 27 of the Act to be updated.
3. That the Town Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "A" in the Land Registry Office.

4. That Schedule "A" attached to By-law 66-18 is declared to form a part of this By-law.

Passed this _____th day of _____, 2018.

Dave Barrow
Mayor

Stephen M.A. Huycke
Town Clerk

File D12-07232

SCHEDULE “A” TO BY-LAW 66-18

The real property located at 630 King Road is described as being PCL 18-1 SEC M807, Lot 18 Plan M807; Town of Richmond Hill, Regional Municipality of York [PIN NO. 03206-0287 (LT)].

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. 95-13

A By-law to Authorize the Designation of
630 King Road (*John Love House*)
under the *Ontario Heritage Act*

WHEREAS Section 29 of the *Ontario Heritage Act, R.S.O. 1990, c.0.18* authorizes the Council of a municipality to enact by-laws to designate real property to be of cultural heritage value or interest;

AND WHEREAS the Council of The Corporation of the Town of Richmond Hill has caused to be served on the owners of the lands and premises known as 630 King Road, Richmond Hill, and upon the Ontario Heritage Trust, notice of intention to so designate the aforesaid real property and has caused such Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality;

AND WHEREAS the Statement of Cultural Heritage Value or Interest and the Description of Heritage Attributes are set out in Schedule "A" and attached to By-law No. 95-13;

AND WHEREAS no Notice of Objection to the proposed designation has been served on the Town Clerk within the period prescribed by the *Ontario Heritage Act*;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That the real property located at 630 King Road, being Lot 18, Plan M-807, Richmond Hill, Regional Municipality of York [PIN NO. 03206-0287 (LT)], are hereby designated under Part IV of the *Ontario Heritage Act, R.S.O 1990, Chapter 0.18*, as being of cultural heritage value or interest.
2. That the Clerk is hereby authorized to cause a copy of the By-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property to be served on the owner of the property and on the Trust, and publish a notice of the By-law in a newspaper having general circulation in the municipality.
3. That the Town Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property in the Land Registry Office.
4. That Schedule "A" attached to By-law No. 95-13 is declared to form a part of this By-law.

PASSED THIS 9TH DAY OF SEPTEMBER, 2013.



Mayor Dave Barrow
Mayor



Town Clerk
Donna L. McLarty

SCHEDULE "A" TO BY-LAW NO. 95-13

REASONS FOR DESIGNATION

John Love House
630 King Road

Statement of Cultural Heritage Value or Interest

The subject property has design or physical value as it is a representative example of simple Georgian style for early 19th century rural domestic architecture in Upper Canada. The John Love House is also an excellent example of an early form of vertical wood plank frame construction and is the earliest of buildings of this type to be identified in Richmond Hill as of 2008.

The subject property has historical or associative value as it is the last extant, original building constructed by a member of the Love family, early settlers who came to the area from Pennsylvania to play a prominent role in the establishment of the crossroads community of Love's Corners, later Temperanceville, at King Road and Bathurst Street. The Love family was also instrumental in the establishment of the Methodist congregation in Temperanceville including the donation of land for the construction of all three of the community's places of Methodist worship.

The subject property has contextual value as it is the only extant original dwelling of the community of Temperanceville fronting on King Road, east of Bathurst Street.

Description of Heritage Attributes

- Original form of the 1.5-storey, side gable roof house;
- Vertical plank frame construction;
- Openings and location of original exterior doors and windows;
- Return eaves on main roof verge;
- Exterior and interior 5-panel wooden doors with a wide lock rail;
- 3-panelled transom light over the front door;
- Original 9-over-6 windows in the north wall;
- 20-pane wooden storm window on the west main window
- Four small 4-panelled casement windows in the upper side gable walls.



May 30, 2018

MEMO TO: Heritage Richmond Hill Committee

COPY TO: Kelvin Kwan
Commissioner of Planning Regulatory Services

FROM: Neil Garbe
Chief Administrative Officer

SUBJECT: Amendment to Heritage Designation By-law 95-13
File D12-07232

Pursuant to Section 2 of By-law 255-81, being a by-law to delegate authority to the Chief Administrative Officer to recommend the approval of by-laws to Committees and Council, I hereby recommend approval of By-law 66-18 which has the effect of reducing the aerial extent of By-law 95-13 which designates lands under Part IV of the *Ontario Heritage Act*.

A handwritten signature in blue ink, appearing to read "N. Garbe".

Neil Garbe
Chief Administrative Officer