



Staff Report for Heritage Richmond Hill Meeting

Date of Meeting: May 12, 2020
Report Number: SRPRS.20.079

Department: Planning and Regulatory Services
Division: Policy Planning

Subject: **SRPRS.20.079 - Request for Demolition for the Building at 10027 Yonge Street**

Purpose:

The purpose of this report is to seek Heritage Richmond Hill's recommendation to Council regarding the demolition request of Dr. Duncumb's Hall located at 10027 Yonge Street, a property designated under the *Ontario Heritage Act* under By-law 11-13.

Recommendation(s):

- a) That Staff Report SRPRS.20.079 be received;
- b) That Heritage Richmond Hill recommends in accordance with Section 34.2(a) of the *Ontario Heritage Act* that Council consent to the demolition request for Dr. Duncumb's Hall located at 10027 Yonge Street, subject to the following condition:
 - (i) that the owner carefully dismantle and disassemble the component building fabrics including the attributes identified in Designation By-law 11-13 as detailed in SRPRS.20.079 and make arrangements with City staff for the retention and storage of such materials to potentially be included in any new structure erected on the property;
- c) That By-law 11-13 which designated the property at 10027 Yonge Street under Part IV of the *Ontario Heritage Act* be rescinded.

Contact Person:

Patrick Lee, Director of Policy Planning, phone number 905-771-2420.

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

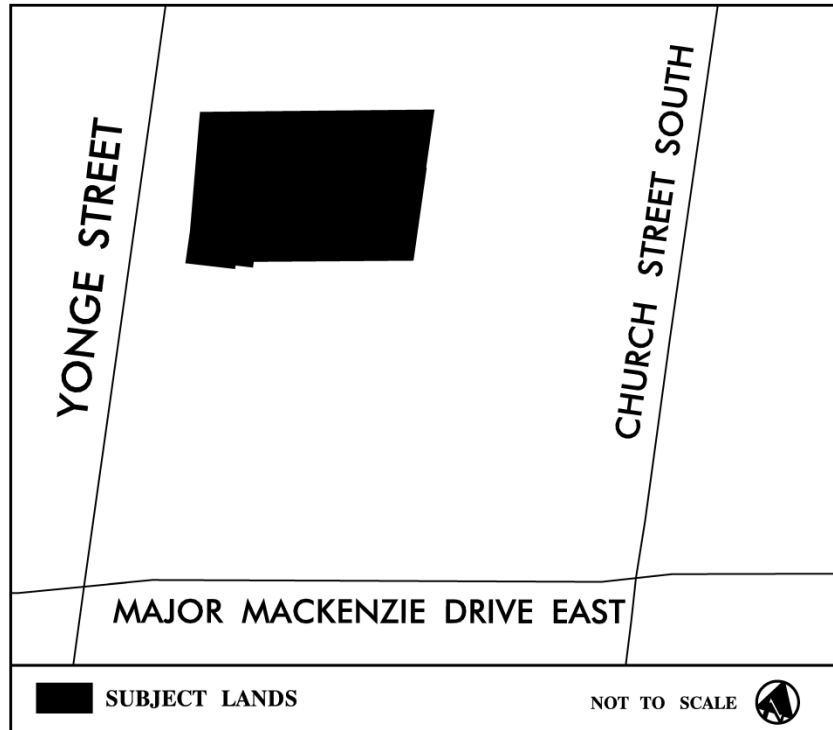
Approved by: Mary-Anne Dempster, Interim City Manager

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All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner and City Manager. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call the person listed under “Contact Person” above.



Background:

The subject lands are located on the east side of Yonge Street, north of Major Mackenzie Drive, at 10027 Yonge Street within the village core of Richmond Hill. The lands abut Yonge Street to the west, commercial uses to the south and north, and commercial and residential uses to the east. The property contains an existing structure known as Dr. Duncumb’s Hall, which is a two-storey brick building containing a residence on the first floor and a public hall on the second floor. The property, with Dr. Duncumb’s Hall being the principle heritage attribute, is designated under Part IV of the *Ontario Heritage Act* (OHA) for its design, historical and contextual value, as described in Designation By-law 11-13 (attached as Appendix A).

On March 12, 2020, the owner of the property submitted a request to demolish the designated structure (attached as Appendix B). In accordance with Section 34(4.3) of the *Act*, Council must make a decision within 90 days upon the receipt of the demolition

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request. If Council failed to make a decision within the period determined, then Council shall be deemed to have consented to the application. The end of the decision period will be June 11, 2020.

This staff report seeks Heritage Richmond Hill's recommendation to Council regarding the request by the owner to demolish Dr. Duncumb's Hall, the heritage attribute located at 10027 Yonge Street, a property designated under the *Ontario Heritage Act* under By-law 11-13.

Cultural Heritage Significance

Designated by Richmond Hill Council in 2011, Dr. Duncumb's Hall embodies significant cultural heritage value for the community of Richmond Hill. The reasons for designation and the attributes to be protected are provided in Designation By-law 11-13 attached as Appendix A to this report.

In brief, the property contains significant design value as an early and rare example of classical revival architecture within the City of Richmond Hill. Constructed between 1857 and 1861 for Dr. John Duncumb, the building is recognized as one of the earliest masonry structures within the village. The property contains significant historical value attesting to the early development of the village of Richmond Hill. As the first formal courthouse within the village, Dr. Duncumb's Hall reflects the growth of civic governance in the community during the mid-19th century. In 1863, Dr. Duncumb converted the courthouse to a public hall, which became the first place of worship for the St. Mary's Anglican congregation until 1872. The building has also significant associative value as it reflects the ideals of Dr. John Duncumb, who financed and built the Hall to serve as both his residence and a community courthouse, fulfilling his ambitions to serve as "judge, lawyer, magistrate, and jury." The property contains contextual significance as it defines, maintains and supports the historic character of the original village of Richmond Hill. The location is visually and historically linked to the St. Mary's Anglican Church, and to the growth of the community in the 19th century, and forms a significant landmark as a gateway to the historic village along Yonge Street.

Development History

In 2014, the owner submitted planning applications in order to permit a six (6) storey commercial development comprising retail, office, restaurant uses and a two-level underground parking facility on the subject lands. The existing two-storey heritage building was incorporated into the design of the proposed new building. The Zoning By-law Amendment and the related Site Plan Applications were deemed complete on November 11, 2014.

In May 2017, the applicant filed Notices of Appeal to the Ontario Municipal Board (the Board) on the subject planning applications (PL170615) on the basis that Council had not issued a decision within the prescribed timeframe in accordance with Sections 34 (11) and Section 41 (12) of the *Planning Act*.

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Between May 2017 and January 2018, the owner and staff continued to work on the proposal in the hope of reaching a settlement. On January 30, 2018, the Board confirmed that a hearing would proceed on April 17, 2018, as the parties were not able to reach a settlement. Commencing on April 17, 2018, the hearing continued for over five days. On September 12, 2018, the Board issued a decision regarding the appeal of the Zoning By-law Amendment application, and concluded that the proposal in front of the Board did not represent good planning. The Tribunal ordered that the appeal be dismissed.

Structural Conditions

The owner submitted the 10027 Yonge Street, Richmond Hill Existing Conditions Study (dated October 2011) prepared by +VG Architects (attached as Appendix C) as part of the planning application.

The report concluded that the exterior of the building was found to be in poor condition with many features of the building observed to be in a state of deterioration and disrepair. Considerable degradation was found within the exterior masonry walls, as well as at the roof structure and foundations. To repair the deficiencies noted in the report, the study recommended a total reconstruction of the exterior elements. In addition, the study also recommended a thorough structural analysis for the roof structure, first and second floor structure, exterior masonry walls and foundations. Since the 2011 conditions study, there has been no further structural review of Dr. Duncumb's Hall, and the building continued to deteriorate.

Property Standards By-law Infractions

Between 2018 and 2020, there have been a number of communications between City staff and the owner concerning the deteriorating conditions of the building exterior, and the need to secure the building openings. On November 30, 2018, an Order to Comply was sent to the owner requesting the securing of all building openings and repairs be made to the southern wall. On March 26, 2019, building inspection staff followed up with an email to the owner regarding the repair and ordered that steps shall be taken immediately to secure the area. On June 6, 2019, a resident reported to the City that the southern wall was bowed and the brick had crumbled. On June 13, 2019, the property owner confirmed that an updated structural report would be provided to staff. On January 22, 2020 By-law Enforcement advised that the structure has further deteriorated and may present a concern for public safety (see Appendix D).

Discussion:

Section 3.4.2 of Richmond Hill's Official Plan recognizes the importance of preserving cultural heritage resources in a way that allows historical buildings, structures, and landscapes to be experienced and appreciated by existing and future generations. It directs that cultural heritage resources **shall be** protected and conserved in accordance with applicable legislation and recognized heritage protocols. Designation under Part IV of the *Ontario Heritage Act* is one of the applicable legislations.

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10027 Yonge Street is a designated property in the City's Heritage Register. Section 34(1) of the *Ontario Heritage Act* provides that no owner of property designated under section 29 shall demolish or remove a building or structure on the property unless the owner applies to the council of the municipality in which the property is situated and receives consent in writing to the demolition or removal.

Section 34(2) of the *Ontario Heritage Act* further provides that the council, after consultation with its municipal heritage committee, if one is established, within the 90 day time period,

- (a) may,
 - (i) consent to the application,
 - (ii) consent to the application, subject to such terms and conditions as may be specified by the council, or
 - (iii) refuse the application;
- (b) shall give notice of its decision to the owner and to the Trust; and
- (c) shall publish its decision in a newspaper having general circulation in the municipality.

Dr. John Duncumb's social commitment to the community and his contribution to the civic governance of 19th century Richmond Hill are significant and cannot be understated. Dr. Duncumb's Hall, the two-storey building in which many of his activities took place, is one of the earliest masonry public buildings in the village. It contains important design value as an early and rare example of classical revival architecture in Richmond Hill. Designation By-law 11-13 clearly identified the building, its architectural style and features, and the masonry construction as the prominent heritage attributes that express the design value of the property.

Besides the physical attributes, the location on which Dr. Duncumb had chosen for the courthouse had direct impact on the evolving civic and social morphology of the village area. After his dismissal as a Justice of the Peace in 1863, Dr. Duncumb converted the courthouse to a public hall, which is associated as being the first place of worship for the St. Mary's Anglican congregation for eight years. In 1873, the congregation moved to its current location at 10030 Yonge Street. The close physical and historical relationship established by the two places effectively created the earliest civic, social, and religious node in the community.

Notwithstanding the attributes of the building and reasons for designation, the subject building and property have for many years stood vacant. The property in its current condition does not offer any functional or economic value to the Village Core. Further, the property in its current state does not offer any meaningful links to the public with respect to its storied past including any of the reasons for designation under the *Ontario Heritage Act*.

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Staff Consideration

The integration and adaptive re-use of Dr. Duncumb's Hall had been an objective of the current owner over the past few years, however, efforts have not come to fruition. The most recent attempt culminated in a refusal of a redevelopment proposal at an Ontario Municipal Board hearing.

Dr. Duncumb's Hall has stood vacant since 2011 as noted in the 2011 Existing Conditions Study (see Appendix C). The structural issues described in the structural study continue to intensify; and cracks, visible bowing, and crumbled bricks are, among other concerns, observed on the south exterior wall of the structure today. The structural degradation will likely accelerate as the building's overall conditions deteriorate. At a site visit in January 2020, the City's buildings staff argued against entry to the interior of the building due to safety concerns, and observed that structural failure of the building would occur if there is no plan for its stabilization and repair.

Even with the ability for the City's Heritage Property Standards By-law to require remediation in the attempt to reduce the denigration of the structure, staff have arrived at the conclusion that if the building were to continue to sit idle for much longer, it will eventually become completely unsafe and require demolition in order to maintain public safety.

Notwithstanding the efforts of staff and the property owner to attempt to secure the continued cultural heritage of the building and property into the future by way of a reuse of the building into a new development, it has become clear that some other means of preserving or commemorating the heritage of the site should be considered.

The competing goals of the Official Plan to foster redevelopment in Richmond Hill's Village Core must be considered as part of the broader planning objectives which include heritage preservation. In consideration of the challenges of redeveloping any property in a downtown setting with small parcel fabrics and tight spaces, alternative means of somehow providing a continuance of the heritage of the property should be sought. In consideration of the foregoing, staff recommend that Council permit the demolition of the building subject to the owner working with staff to investigate the salvage and storage of as many materials identified in the designating by-law as practical for potential reuse in a future redevelopment on the site. Staff and the current or future owner should also work to commemorate the history of the site in any redevelopment.

According to Section 34(2) of the *Ontario Heritage Act*, a municipal council may consent to the demolition application of a designated property subject to such terms and conditions as may be specified by the council. Given the above-noted physical deterioration of the building and the potential risk to public safety, staff recommends that Council consent to the demolition request subject to the owner carefully dismantling and disassembling the component building fabrics including the attributes identified in Designation By-law 11-13 as detailed in SRPRS.20.079 and make arrangements with

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City staff for the retention and storage of such materials to potentially be included in any new structure erected on the property.

Dr. Duncumb's Hall is recognized as one of the earliest masonry structures within the village, and is an early and rare example of classical revival architecture in Richmond Hill. Due to the building's condition, many bricks on the masonry structure may break during disassembly; as such, staff recommend that the owner recover as many whole original red clay bricks as possible. Among the attributes identified in Designation By-law 11-13, staff have identified the following physical attributes and building components to be protected:

- The recovery of as many whole, original red clay bricks as possible;
- Fan window with radiating brick window voussoirs contained in the west gable pediment;
- Classically inspired return eaves containing a plain fascia and frieze with slight moulding;
- Flat headed window openings with wood lugsills; and
- Horizontal casement windows on the north and south elevations containing leaded, and glass art windows with brick voussoirs and wood lugsills.

The subject property has seen challenges in its abilities to be re-developed. The removal of the structure may provide opportunities for interest in redevelopment and investment in the Village Core, and open up opportunities for a building design that celebrates and embodies the property's heritage value.

Financial/Staffing/Other Implications:

There are no financial implications through the adoption of the recommendations in this report

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.” Consideration of the heritage merits also aligns with the direction to “steward Richmond Hill’s heritage resources”, and implements Outcome 2 of Goal 3 which is the promotion of a sense of identify and place through “the celebration, promotion and enhancement of the Town’s unique places”.

Conclusion:

Notwithstanding the ability for the City's Heritage Property Standards By-law to require remediation in the attempt to reduce the denigration of the structure, staff have arrived at the conclusion that if the Dr. Duncumb's Hall building were to continue to sit idle for much longer, it will eventually become completely unsafe and require demolition in order to maintain public safety. Given the above-noted physical deterioration of the building and the potential risk to public safety, staff recommends that Council consent to

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the owner's demolition request, subject to the conditions that the owner agrees to work with staff to salvage materials to be incorporated into future development on the property. Staff recommends that the heritage designation be taken off of the property in order to hopefully foster some ability in seeing much needed reinvestment in the Village Core which could include some reuse of the Duncomb Hall materials as well commemoration efforts included in any redevelopment.

Attachments:

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

- Appendix A Designation By-law 11-13
- Appendix B Request for Demolition for the structure located at 10027 Yonge Street
- Appendix C 10027 Yonge Street, Richmond Hill Existing Conditions Study (dated October 2011) prepared by +VG Architects
- Appendix D Building Staff Safety Concerns

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Report Approval Details

Document Title:	SRPRS.20.079 Demolition Request for 10027 Yonge Street.docx
Attachments:	<ul style="list-style-type: none">- SRPRS.20.079 Appendix A - Des By-Law Duncumb's Hall.pdf- SRPRS.20.079 Appendix B - Demolition Request Mar 12, 2020.pdf- SRPRS.20.079 Appendix C -10027 Yonge St Existing Condition Report Final.pdf- SRPRS.20.079 Appendix D - Buildings Unsafe Jan.2020.pdf
Final Approval Date:	May 7, 2020

This report and all of its attachments were approved and signed as outlined below:

Patrick Lee - May 6, 2020 - 5:40 PM

Kelvin Kwan - May 6, 2020 - 10:55 PM

MaryAnne Dempster - May 7, 2020 - 8:44 AM