



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** January 22, 2018

**Report Number:** SRPRS.18.006

**Department:** Planning and Regulatory Services

**Division:** Policy Planning

**Subject:** **SRPRS.18.006 – 41 Elgin Mills Road East;  
Heritage Designation By-law**

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### **Purpose:**

The purpose of this report is to seek Council's adoption of the heritage designation by-law (attached as Appendix A) for the property located at 41 Erin Mills Road thereby completing the previously-initiated designation process. The passing of the subject by-law had been delayed to allow for completion of a Flood Remediation Class EA study taking place in the area that included the subject property.

### **Recommendation(s):**

1. That By-law 2-18, attached as Appendix A to SRPRS.18.006 be adopted to designate Erin Mills Road East (site of the William Neal House) as being a property of cultural heritage value or interest under Part IV, Section 29, of the *Ontario Heritage Act*; and
2. That Notice of Passing of the By-law be mailed to the Ontario Heritage Trust and the property owner.

### **Contact Person:**

Isa James, Heritage / Urban Design Planner, phone number 905-771-5529 and/or Joanne Leung, Manager of Heritage and Urban Design, phone number 905-771-5498

### **Report Approval:**

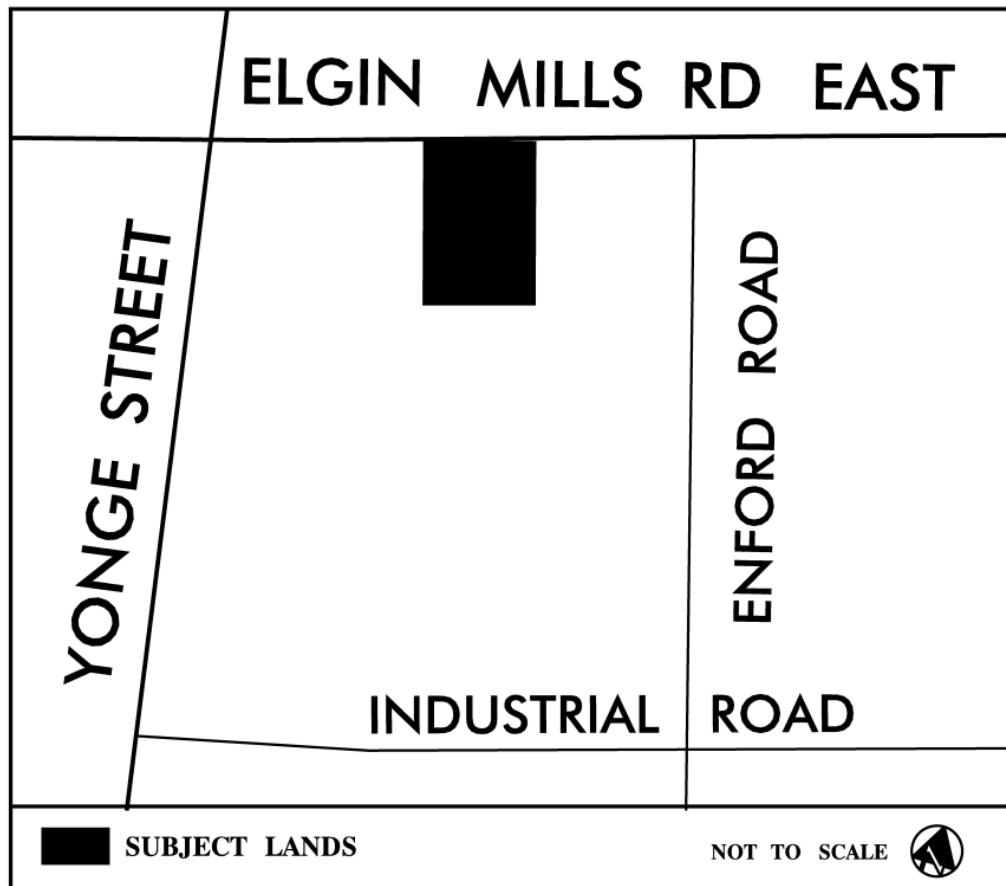
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, Chief Administrative Officer

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

## Location Map:

Below is a map illustrating the location of the subject property. Should you require an alternative format, call the person listed under “Contact” above.



## Background:

Heritage Richmond Hill originally recommended designation of 41 Elgin Mills Road East on September 25, 2012. On September 23, 2013 Council voted to adopt the HRH and staff recommendation to designate the subject lands under Part IV of the *Heritage Act*. Notice of Intent to designate the property was published and issued to the owner and the Ontario Heritage Trust on October 10, 2013.

The owners filed an appeal to the Conservation Review Board of Ontario (CRB), who heard the matter. In their report of December 24, 2014 (see Appendix B) the CRB noted:

“[68] The Review Tribunal finds that:

- The Property has associative value because it has direct association with William Neal who was, and is, significant to the community of Richmond Hill; and
- The William Neal House is the primary physical attribute on the Property that is directly associated with William Neal and, therefore, in relation to its associative value.”

The CRB recommended that the “Statement of Cultural Heritage Value or Interest” be reviewed and that reference to “architectural” value be removed therefrom (action completed) and that the Town of Richmond Hill proceed with the designation of 41 Elgin Mills Road East under s. 29 of the *Ontario Heritage Act*.

On October 19, 2015, staff brought forward the designating by-law for Council’s consideration. At the request of the property owner, Council deferred voting on the adoption of the designation by-law for 6 months in order to allow for the completion of a Flood Remediation Class EA Study that might have had an effect on the subject lands.

The Flood Remediation Class EA Study is now complete. The remediation works that are to take place on the subject lands will not affect the site of the heritage building. It is projected that as a result of the implementation of the proposed remediation activities, 41 Elgin Mills will no longer fall within a flood hazard area. Council’s resolution to defer adoption of the subject heritage designation by-law until post completion of the Flood Remediation Class EA Study for the area has been realized.

### **New Demolition Permit Submitted**

An application to demolish the William Neal House at 41 Elgin Mills Road East was submitted on November 14, 2017. Since Council has previously published “Intent to Designate”, under Section 30(2) of the *Heritage Act*, the house is protected as if the designation process had been completed. Therefore, upon receipt of an application for demolition, Council has 90 days in which to consult with the municipal heritage committee and to respond to the demolition application. February 12, 2018 will mark the end of the 90 day maximum Council response period.

At its December 5, 2017 Heritage Richmond Hill meeting, the Committee recommended that the demolition request be denied. Concurrent with this staff report, the HRH recommendations from the December meeting is included in this Committee of the Whole agenda.

### **Financial/Staffing/Other Implications:**

The recommendations in this report will have no financial or staffing implications.

### **Relationship to the Strategic Plan:**

This designation of 41 Elgin Mills Road East under Part IV of the *Ontario Heritage Act*, is consistent with Goal 3 – Outcome 1 of the Strategic Plan which is to “Respect the past through promoting the awareness of the Town’s heritage, in part by showcasing

local history.” This project also implements the direction to achieve Goal 3, “A More Vibrant Richmond Hill,” specifically, by “stewarding Richmond Hill’s heritage resources.”

## **Conclusion:**

William Neal played a significant role in the evolution of Richmond Hill in the 20<sup>th</sup> Century, through his civic and business activities. Mr. Neal proudly represented the residents of the village throughout the 1940s until the 1960s, during which time he served as the Town’s first Mayor in 1957. He is also closely associated with the rise of the automobile in Richmond Hill through his operation of the first Dodge dealership in Canada which he opened in Richmond Hill in 1931, and as the operator of the first vehicle licencing office north of Toronto in 1934.

The reasons for deferral of the resolution by Council have been realized. The passing of the Heritage Designation By-law completes Council’s decision to designate the subject lands. From a process perspective, it is necessary to complete the designation process which was directed by Council in 2015.

## **Attachments:**

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

- Appendix A - 41 Elgin Mills Road East Heritage Designation By-law 2-18
- Appendix B - Conservation Review Board Report

### **Report Approval Details**

Document Title:	SRPRS.18.006.docx
Attachments:	- SRPRS.18.006AppendixA .docx - SRPRS.18.006AppendixB.pdf
Final Approval Date:	Jan 9, 2018

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

**Patrick Lee - Dec 22, 2017 - 3:19 PM**

**Kelvin Kwan - Jan 9, 2018 - 3:59 PM**

**Neil Garbe - Jan 9, 2018 - 4:12 PM**