

**Extract From
Heritage Richmond Hill Meeting
HRH#08-17 held December 5, 2017**

2. Application to Demolish House at 41 Elgin Mills Road East – File Number D12-07172 – (Staff Report SRPRS.17.209)

Moved by: Councillor Cilevitz

Recommendation 1

That the Heritage Richmond Hill Committee recommends to Council:

- a) That the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied;
- b) That prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

Carried



Staff Report for Heritage Richmond Hill

Date of Meeting: December 5, 2017

Report Number: SRPRS.17.209

Department: Planning and Regulatory Services

Division: Policy Planning

Subject: SRPRS.17.209 Application to Demolish House at 41
Elgin Mills Road East (Town File No.: D12-07172)

Purpose:

To seek the Heritage Richmond Hill Committee's consideration regarding an application for demolition of the William Neal House located at 41 Elgin Mills Road East. This property was the subject of a "Notice of Intent to Designate" (under Part IV of the *Ontario Heritage Act*) published on October 10, 2013.

Recommendation(s):

1. That Heritage Richmond Hill recommends to Council that the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied; and
2. That Heritage Richmond Hill recommends to Council that prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

Contact Person:

Isa James, Urban Designer/ Heritage 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:

"Original signed by P.Lee, Director, Policy Planning, is on file in the Office of the Clerk"

Kelvin Kwan
Commissioner of Planning and Regulatory Services

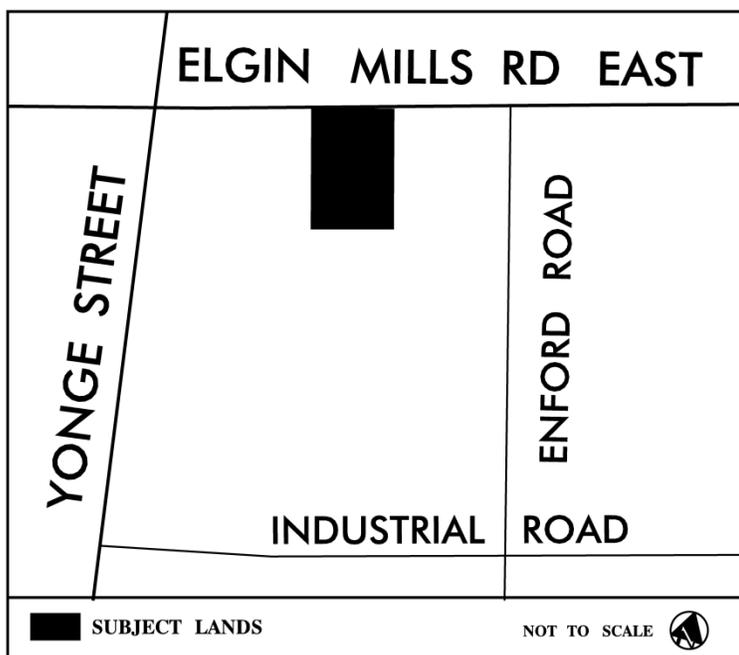
Approved by:

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

Neil Garbe
Chief Administrative Officer

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:

The subject property is located on the south side of Elgin Mills Road East between Yonge Street and Enford Road. An application for demolition of the house and bank barn on the property was submitted on August 16, 2012. Heritage Richmond Hill recommended designation of 41 Elgin Mills Road East and refusal of the demolition application for the occupying structures 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, who heard the matter and made recommendations in their report of December 24, 2014 in favour of designating the property. On October 19, 2015, 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. 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. A draft heritage designation by-law will be forwarded to Council for approval in January of 2018.

New Demolition Permit Submitted

An application to demolish the William Neal House (the heritage attribute of the property) as well as accessory structures, at 41 Elgin Mills Road East was submitted on November 14, 2017. Since Council has previously published "Intent to Designate", upon receipt of a demolition application, under Section 30(2) of the *Heritage Act*, the house is protected as if the designation process had been completed. Therefore, upon receipt of a demolition application, Council has 90 days in which to consult with the Municipal Heritage Committee and issue a decision in regard to the demolition application.

As the accessory structures are not identified in the Designation By-law, staff has no objection to their removal. Staff is, however, concerned about accidental damage to the house itself and is therefore recommending that it be securely fenced prior to issuance of a demolition permit.

Appeal Process

If Council denies this application and should the owner wish to pursue the demolition further, the owner would have the opportunity to appeal the decision to the Ontario Municipal Board.

Financial/Staffing/Other Implications:

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

Relationship to the Strategic Plan:

This protection of the William Neal House at of 41 Elgin Mills Road East, 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 20th 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 designation of the William Neal House remain valid and the House should be preserved.

Attachments:

There are no attachments to this report.