



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: February 10, 2021

SUBJECT: Official Plan and Zoning By-law Amendments
7750 Bayview Avenue
Proposed High Density Development
7750 Bayview Avenue Limited Partnership c/o Liberty Development Corporation
McCullagh Estate /Shouldice Hospital
File 20 126269

Property/Building Description: McCullagh Estate / Shouldice Hospital, 1937
Use: Commercial-Institutional
Heritage Status: Listed on the Markham Register of Property of Cultural Heritage Value or Interest

Application/Proposal

- The proposal as facilitated by the proposed Official Plan and Zoning By-law amendments contemplates the following development:
 - GFA of 111,712 sq m (1,202,457.96 sq ft) within the North Block of the Master Plan Area consisting of 1,287 residential units and 2,495.8 sq m (26,864.6 sq ft) of indoor amenity space.
 - There would also be 3,217.5 sq m (34,632.9 sq ft) of outdoor amenity space.
- This development represents the proposed first phase of a long-term, multi-phased development of the Master Plan;
- A key component of this proposal is the retention of the existing Shouldice Hospital facilities and associated surface parking areas within the South Block as per the terms of an on-going lease arrangement with the hospital tenant. According to the application submission, it is proposed that the South Block will see landscape enhancements to front lawn and orchard plantings of the estate house of the Shouldice Hospital integrating these as the key elements of the conservation strategy for the long term.
- In the long term, it is anticipated that opportunities for adaptive re-use of the South Block and new development opportunities within the East Block will occur. As of right development permissions (725 residential units) are proposed to be retained within these two blocks to accommodate their future growth.
- The provision of a trail network is proposed to achieve interconnection within the site and to the broader community. The Master Plan includes 1.799 ha (4.445 acres) of land that

wrap around the western and southern limits of the Master Plan area, identified as the Western Block that will be reserved for conservation and be protected as part of these amendment applications.

- The applications are in support of new development that includes buildings within the North Block ranging between 18 to 35 storeys.
- See attached Site Plan
- **Heights:**
 - RESIDENTIAL NORTH TOWERS- Two towers at 24- and 35-storeys, connected by a single 6-storey landscaped podium;
 - RESIDENTIAL NORTH-WEST and WEST TOWERS - Two towers at 31 storeys (North-West Tower) and 18- storeys (West Tower), connected by a single 6 storey landscaped podium;
 - RESIDENTIAL SOUTH-WEST TOWER - A single tower at 21-storeys.
- According to the submitted **Heritage Impact Assessment (HIA) (ERA Architects Inc., August 27, 2020)**, the proposed development anticipates the construction of five new residential towers, the extension of Royal Orchard Boulevard, a new roadway, and a defined trail network to and through the Site. The proposed development removes the existing Greenhouse and conserves the following features of the original 1936 Plan: the Main house, Gatehouse, Stable building, Gardener’s Cottage, Formal Gardens, Forecourt, Pomona Creek Valley lands within the Western Grounds, and Curvilinear Driveway.

The HIA also notes that “*the existing structures adjacent to Bayview Avenue are within the area currently identified for potential future road widening. However, these changes do not form part of the current development applications, and as such are not described or assessed in this Report*”. This is not totally accurate as the Gatehouse and Stable Building are described and assessed in the report (pages 35-37) and all the buildings along Bayview Avenue (Gatehouse, Stable Building and Gardener’s Cottage) are included as significant cultural heritage resources in the consultant’s Draft Statement of Significance (page 41 onwards)..

Background Information

- Markham Register of Property of Cultural Heritage Value or Interest
 - The property is listed.
 - Staff has prepared background research on the property (see Appendix B) and the Heritage Impact Assessment includes a comprehensive overview of the historical and architectural features (see Section 2- Background and Analysis).
- Shouldice Hospital Lease
 - A portion of the Site is currently occupied by the Shouldice Hospital, a tenant with an ongoing lease arrangement for the main house, addition and parking lot approximately 2 ha in area.
- Markham Official Plan 2014
 - Area and Site Specific Policies – 9.18.11.2 – Shouldice Hospital (this section is under Appeal)

- Provides a maximum building height provision is included (3 storeys to the west, 8 Storeys in the middle of the site and 10 storeys along Bayview Avenue)
- To retain the heritage building on the lands in-situ as an integral part of the development
- To recognize the archaeological potential of the lands and the requirements for an archaeological assessment
- Archaeological Assessment Report
 - A Stage 1 background study concluded that the property exhibits archaeological potential. The Stage 2 property assessment did not identify any archaeological resources within the subject property. The archaeological report recommends that no further archaeological assessment of the property is required.
- Heritage Impact Assessment Report (sent to members as a separate document)
 - The report noted that the key cultural heritage features of the site are to be retained, but acknowledges that the new development (buildings and roadways) “**will have some impact on the cultural heritage value of the Site**”.
 - The following information is taken from the HIA Report (chapter 7) and represents the opinion of ERA Architects Inc.

a) Setting

The proposed development will alter the Site’s setting, and will impact the existing balance of the natural and built form environment. However, the majority of new construction will be located in "Altered Estate Lands". The Site’s varied topography will be altered by infill for the proposed development, however the lands which descend into the ravine at the property’s south and west edges will be conserved. Opportunities for recreation and connectivity to the Site’s natural features and Pomona Creek Valley lands will be enhanced through a defined trail network.



Unaltered Estate Lands
 Altered Estate Lands
 Pomona Creek Valley
 (Google Maps, WZMH, annotated by ERA).

b) Views

The proposed development maintains the contextual relationships between the Site's heritage features, including the important axial relationship and the following three views identified as heritage attributes of the Site:

(1) The northward terminating view from the Main House to the curved treeline at the north edge of the Formal Garden.

Due to the proposed alterations to the Formal Gardens, the northward views from the Main House to the Formal Gardens will be impacted. However, the proposed reinstatement of the treeline will conserve the original landscape design intent and ensure the impact on this northward view is minimal.

(2) The southward terminating view from the Formal Garden to the Main House

The southward views towards the Main House across the Forecourt from the Formal Gardens will not be impacted by the new development.

(3) The arrival views at the Forecourt looking westward towards the Western Grounds.

This view will be altered by the introduction of a new backdrop of several buildings. However, the proposal has been designed in a manner that maximizes the space between the existing and new built form through landscape buffers and open space. In addition to this, the proposed buildings introduce a new complementary material palette, including a variation of high quality materials in a neutral colour palette.

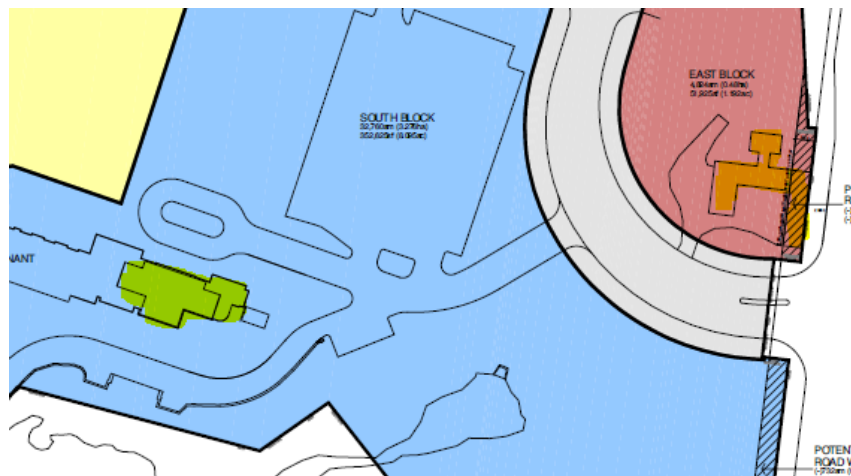
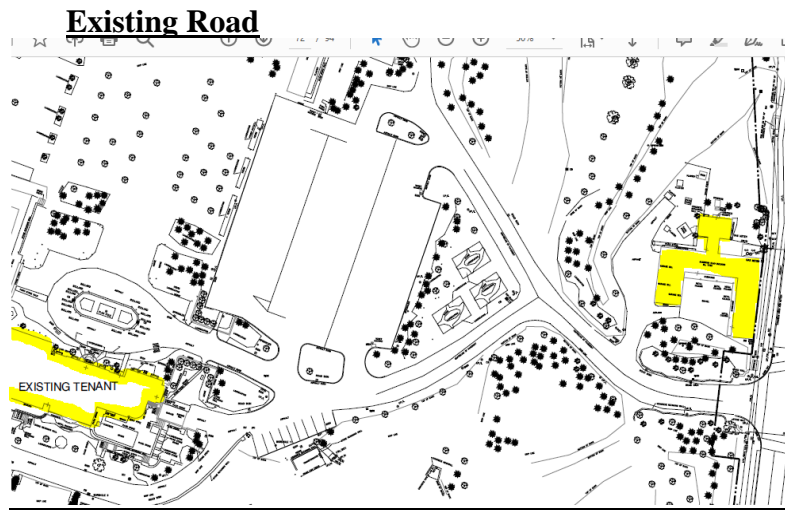


c) Shadows

Shadow impacts on the Site's heritage attributes, identified in Appendix II of the HIA report, will be minimal. The Shadow Study shows that there will be new shadows on the Main House and Forecourt from 6:18PM onwards throughout the year, however there are no anticipated impacts associated with these shadows. New shadows will be cast on the Formal Gardens after 4:18PM during the spring equinox, partially after 2:18PM during the summer equinox, and partially after 3:18PM during the fall equinox. **The new shadows will not inhibit the sunlight required to maintain the integrity, character, and usability of the Formal Gardens, and as such, minimal impact is anticipated.**

d) Roadways

A new roadway and driveway will be introduced as part of the proposed development. The proposal will be maintaining the presence of a curvilinear driveway leading to the Main House. The new roadway will have some impact on the Formal Gardens, as the removal of existing mature trees that form the curvilinear treeline is required for the proposed new roadway. However, the proposal includes the introduction of new trees to reinstate a curvilinear treeline.



Proposed roadway-

e) Greenhouse

The Greenhouse is proposed to be removed to allow for the new roadway. ERA found the Greenhouse to be in poor-to-defective condition and as such, its removal is appropriate. Given its poor condition and the proposed retention of many other original estate feature, ERA is of the opinion its removal will have minimal impact on the Site's cultural heritage value.



○ **Conservation Approach and Strategy – HIA**

*The primary conservation approach is **rehabilitation**, which introduces a new compatible contemporary use of the Site, while protecting its heritage attributes. In addition, the proposed approach includes the preservation of the original built form and landscape features on the Site, including their protection and preventative maintenance.*

Preliminary Conservation Strategy

The conservation scope will be detailed in a forthcoming Conservation Plan. However, the general conservation strategy for the Site includes:

- Retention in-situ of original estate features including: the Main House, Gatehouse, Stable Building and Gardener's Cottage;*
- Preservation of the Forecourt, Formal Gardens, Stone Gates and Pillars, Pomona Creek Valley lands within the Western Grounds, and Curvilinear Driveway;*
- Reinstate curved treeline on the northern edge of the Formal Gardens to maintain the existing terminus and views from the Main House to the Formal Gardens; and*
- Minimal preventative maintenance measures for the Main House, including flat roof replacement, rain-gear replacement, and window repairs.*

Proposed alterations and new construction is primarily located in "Altered Estate Lands". Most original estate features will be conserved.

○ **Mitigation Strategy-HIA**

The proposed development accommodates new uses on Site while mitigating impacts to the Site's cultural heritage value through implementing the following design considerations:

- Siting new construction primarily in "Altered Estate Lands" while preserving the Pomona Creek Valley lands within the Western Grounds and allowing for the continued evolution of the Site;*
- Providing a landscaped buffer between the existing and new built form, and between the Pomona Creek Valley lands within the Western Grounds and the new built form;*
- Introducing a defined trail network to and through the Site, maintaining and improving access to the Pomona Creek Valley lands;*
- Locating the new roadway along the perimeter of the Site and making use of the existing roadway at the southern edge of the Site, ensuring minimal impact on the views and the existing landscape features;*

- *Providing a curvilinear roadway that is in keeping with the form of the original and existing driveway on Site; and*
- *Providing new parking underground, to allow for unencumbered active uses at ground level.*

○ ***Next Steps (HIA Report)***

As the development process moves forward, further mitigation strategies should be explored, including but not limited to:

- *Review of site plan control details and landscape plan elements within the context of existing heritage attributes;*
- *Continued maintenance and opportunities for restoration of the Main House, Gatehouse, Stable Building, and Gardener's Cottage; and*
- *The preparation of a Conservation Plan, detailing the conservation scope of work for the Site, as requested by City Staff.*

The proposed road widening of Bayview Avenue and future redevelopment of the Site beyond that currently proposed, may require further assessment to identify any potential impacts on the Site's cultural heritage value.

• **Applicant Letter- Goodmans- Feb 1, 2021**

- See Appendix A
- Applicant has reviewed the December Heritage Markham staff memo and provided a response to each recommendation either in support or opposition. These recent comments are noted below in the staff comments section. Where needed, staff has addressed the applicant's comments.

Staff Comment

Heritage Section staff have the following comments for Heritage Markham's consideration:

• **Protection of the Cultural Heritage Resources**

- The Heritage Impact Assessment submitted in support of the applications acknowledges that the property has cultural heritage value as expressed through the following features:
 - Main House,
 - Gate House,
 - Stable Building,
 - Gardener's Cottage,
 - Forecourt in front of Main House,
 - Formal Gardens to the north of Main House,
 - Stone Gates and Pillars,
 - Pomona Creek Valley lands within the Western Grounds, and
 - Curvilinear Driveway.
- The HIA also provides a detailed draft **Statement of Significance** in support of the above features which will be helpful in preparing a Designation By-law for the property.

- It is recommended that as part of any approval consideration for the OPA and ZBA applications, the City designate the portion of the property containing the identified heritage features, including interior features of value in the Main House such as decorative plaster details, wood mouldings and trim, original windows, doors and hardware, and the ornate curved processional black granite staircases on each level. Staff do not anticipate including the modern addition to the Shouldice Hospital in the designation by-law.
- Applicant's Response (Scope of Designation):
 - *Our client agrees that a portion of the property has cultural heritage value. The Heritage Impact Assessment prepared by ERA Architects, and submitted with our client's official plan amendment and rezoning application (the "ERA HIA"), concludes that the site is a candidate for designation under Part IV of the Ontario Heritage Act (the "Act"). The ERA HIA notes that the Main House, Forecourt and Formal Gardens are to be conserved as key features of the site. It also notes that any future proposed alterations to the eastern portion of the site will require further assessment, and will need to have regard to the Region's proposed 6 metre widening of Bayview Avenue. The ERA HIA concludes that the proposed Phase 1 development will allow for the introduction of new residential uses, while conserving the site's cultural heritage value.*
 - *The heritage designation by-law should apply only to the portion of the South Block containing the Main House, Forecourt and Formal Gardens and the portion of the East Block containing the Gatehouse and Stables. The ERA HIA notes that significant portions of the property have been altered since the initial development of the 1936 McCullagh Estate Plan. These altered lands and the westerly valley lands should not be included in the heritage designation by-law. It is appropriate to include the Main House, Forecourt and Formal Garden, the site's key features, in the designation by-law. The Gatehouse and Stables are less significant, and not key features of the site, and their conservation may be affected by the Region's proposed widening of Bayview Avenue and/or future redevelopment of the East Block; however, their inclusion in the designation by-law will ensure that any future demolition or alterations proposed for these buildings will be considered as part of an application under the Act.*
 - Staff Comment – the above responses do not reflect what the applicant's HIA report identifies as the significant cultural heritage resources in the Statement of Cultural Heritage Value or the Heritage Attributes in Section 4.2 of the report. Missing features include the curvilinear driveway, Gardener's Cottage, stone pillars with Gates, designed landscape features (stone steps, bridge over lake)
- Applicant's Response (Processing)
 - *Our client does not object to the designation of part of the property, as listed above, under Part IV of the Act. It would be appropriate for the City to process and enact the designating by-law in conjunction with its review and approval of our client's official plan amendment and rezoning application.*

- Staff Comment – staff had agreed in recent discussions to bring the designation by-law forward at the time Council addresses the OPA and ZBA applications unless directed by Senior Staff or Council to bring it forward sooner. However, given the applicant does not support designating all the heritage features, designation could be initiated immediately by Council – and any appeal would be to the Conservation Review Board which is not binding on Council (as opposed to changes to the Heritage Act not yet in force in which the appeal goes to LPAT for the final decision).
- It is recommended that the Greenhouse complex not be included in any designation of the property and the City support its future removal after the building is documented. There also may be interest in relocating the building elsewhere and it should be advertised by the proponent as a condition of any removal approval.
- Applicant's Repose
 - *Our client has no concerns with recommendation c), which indicates that there is no objection to the relocation or removal of the Greenhouse complex, subject to it being properly documented and advertised for potential relocation.*
- It is recommended that the Official Plan Amendment document include cultural heritage resource policies that address the protection, conservation and interpretation of these features. Suggested policies:
 - To recognize the property's significant cultural heritage resources by designating the heritage features and attributes under Part IV of the Ontario Heritage Act;
 - To retain and conserve significant cultural heritage resources in their original locations within the property and to promote the integration of these resources into new development proposals in their original use or an appropriate adaptive re-use;
 - That where it has been demonstrated to the City that retention and conservation of a significant cultural heritage resource in its original location is neither appropriate nor viable, the City will determine whether the resource can be relocated in its entirety to another site within the property or within Markham, or be demolished subject to appropriate mitigation measures;
 - To protect, conserve and interpret significant cultural heritage resources within the property by imposing conditions of approval on development or site alteration containing a cultural heritage resource itself and adjacent lands, including but not limited to, the following:
 - a) Obtaining designation of the property pursuant to the Ontario Heritage Act (if not previously secured);
 - b) Securing a Heritage Easement Agreement on the property;
 - c) Obtaining site plan approval and Site Plan Agreement (or other form of Agreement) for the conservation and restoration cultural heritage resources;
 - d) Securing satisfactory financial and/or other guarantees to repair, restore or reconstruction a cultural heritage resource that is to be

retained, but is damaged or demolished as a result of the new development;

- e) Requiring notice provisions of the cultural heritage resource through a heritage notice in offers of purchase and sale affecting the cultural heritage resource;
 - f) Requiring commemoration of the cultural heritage resource(s) that is existing or one that has been lost through the acquisition and installation of an interpretive plaque for the heritage resource(s) in a publicly visible location on the property as part of the Markham Remembered Program;
 - g) Requiring a Heritage Impact Assessment and/or a Conservation Plan, when requested by the City; and
 - h) Requiring development that directly affects a significant cultural heritage resource itself and adjacent lands, to be designed, sited or regulated so as to protect and mitigate or minimize negative visual and/or physical impacts on the heritage attributes of the resource.
- It is recommended that as a condition of any future development application approval such as Site Plan Approval for the new towers, the City secure a Heritage Easement Agreement on the portion of the property containing the identified heritage features. The HE Agreement would provide additional protection for cultural heritage resources.
 - Applicant's Response (HE Agreement)
 - *It is premature and unnecessary to require a Heritage Easement Agreement at this time. No demolition or alterations which would affect the property's heritage attributes are currently being proposed. Once a portion of the property is designated as proposed above, an application under Sections 33 or 34 of the Act will be required for any demolition or alterations proposed for the portions of the property that include the Main House, Forecourt and Formal Gardens, or the Gatehouse and Stables, and the need for a Heritage Easement can be appropriately considered in conjunction with such application. The City's template Heritage Easement Agreement sets forth Permitted Alterations, and any Permitted Alterations to such portions of the property are most appropriately determined when any demolition or alterations are proposed.*
 - Staff Comment – A HE Agreement is typically obtained as a condition of development approval (i.e. Site Plan Approval, Draft Plan of Subdivision) or as a condition of financial assistance. It should be secured as a condition of approval for the first development application approved on the entire property (and not as the applicant has proposed).
- **Conservation of the Cultural Heritage Resources**
 - It is recommended that as a condition of future development approval for any part of the property, the City
 - secure a Heritage Easement Agreement on the portion of the property containing the identified heritage features;

- obtain a Conservation Plan for the cultural heritage resources on the property including both maintenance and restoration requirements. Secure its implementation through a financial security;
 - implement a historic landscape plan for the Formal Gardens including reinstating the curved treeline on the northern edge of the Formal Gardens to maintain the existing terminus and views from the Main House;
 - Secure commitments from the owners to undertake necessary maintenance on existing cultural heritage resources.
 - Applicant's Response
 - *Our client has no objection to preparing a Conservation Plan, and a landscape plan for the Formal Gardens, as a condition of its Phase 1 development approval. The Conservation Plan and landscape plan can be required and secured as a condition of site plan approval.*
 - It is also suggested that the proponent be requested to immediately undertake repairs to the Gate House and any other vacant building requiring maintenance (Gardener's Cottage). As per the HIA report comments on the Gate House, consideration should be given to covering the ground floor windows and doors with ventilated exterior grade plywood to add an additional layer of security to the building. It's unclear if the interior is currently being heated, or if adequate ventilation is being provided to the interior spaces, which would discourage the buildup of moisture and accumulation of mold inside the building.
- **Interpretation of the Cultural Heritage Resources**
 - As a condition of future development approval, the City should secure one or more Markham Remembered plaques to highlight and celebrate the identified cultural heritage resources on the property.
- **Transition of new proposed development to Formal Gardens and Heritage Buildings**
 - A number of approved City of Markham policy documents note the need to ensure that adjacent development to cultural heritage resources responds to and respects the heritage resource, including height and massing (See Appendix D - Markham Official Plan – Heritage and Urban Design policies, City's Built Form Guidelines).
 - In this case, the cultural heritage resources that are adjacent and impacted by new development are the Shouldice Hospital and the formal gardens in front of the house. The proposed building form is a 35 storey tower with a six storey podium.
 - Consideration could be given to an alternative building form and/or height for the building to the west of the Formal Gardens/Shouldice Hospital buildings. A lower height with a more animated base could reduce shadow impacts and provide a better transition relationship to the existing cultural heritage resources/landscapes. The reduction in height could be re-directed to the adjacent 24 storey building so as to not impact number of units.
 - Applicant's Response
 - *Our client disagrees with recommendation e), which suggests that for the new building immediately northwest of the Main House/Formal Gardens, consideration be given to a lower multi-storey building or a lower building typology. The siting and heights of new buildings on the North Block was carefully considered as part of the preparation of our client's*

Phase 1 application. The ERA HIA concludes that shadow impacts on the site's heritage attributes will be minimal, and it also concludes the proposed development has had appropriate regard for views through the site, including the northwest terminating view from the Main House to the curved treeline at the north edge of the Formal Gardens, the southward terminating view from the Formal Gardens to the Main House and the arrival views at the Forecourt looking westward towards the Western Grounds. Heritage Planning staff have provided no detailed reasons why the proposed building heights need to be lowered. Any recommendations with respect to the siting and heights of new buildings should come forward as part of a final report from City Planning & Urban Design staff, which will take into account urban design and other considerations.

- **Proposed Road Configuration**

- Observation – the new alignment of Royal Orchard Blvd will separate the Gate House and Stables from the remainder of the former Estate grounds.

Suggested Recommendation for Heritage Markham

THAT the Heritage Markham Committee has the following comments and recommendations concerning the Official Plan and Zoning By-law Amendments in support of the redevelopment of the property (7750 Bayview Avenue):

- a) The property has cultural heritage value which includes the following features: the Main House, Gate House, Stable Building, Gardener's Cottage, Forecourt, Formal Gardens, Stone Gates and Pillars, Pomona Creek Valley lands within the Western Grounds, and Curvilinear Driveway;
- b) The identified cultural heritage resources should be protected through designation under Part IV of the *Ontario Heritage Act*, including interior features of value in the Main House such as decorative plaster details, wood mouldings and trim, original windows, doors and hardware, and the ornate curved processional black granite staircases on each level;
- c) Given the proposed road configuration, there is no objection to the relocation or removal of the Greenhouse complex subject to it being properly documented and advertised for potential relocation;
- d) The Official Plan Amendment should include cultural heritage policies that address the protection, conservation and interpretation of these features; and
- f) For the proposed new tower building immediately northwest of the Shouldice Hospital/Formal Gardens, the applicant should give consideration to a lower multi-storey building with a more animated base to provide a more sensitive transition to the adjacent existing cultural heritage resources/landscapes.

THAT the proponent be requested to undertake necessary maintenance on the existing cultural heritage resources including repairs to the Gate House, and the proper boarding and low level heating of unoccupied buildings if they are to continue to be left vacant;

AND THAT as a condition of future development approval for any part of the property, the City should:

- secure a Heritage Easement Agreement for the cultural heritage resources on the entire property;
- obtain a Conservation/Restoration Plan for the cultural heritage resources on the property including both maintenance and restoration requirements, with implementation secured through a financial security;
- require the implementation of a historic landscape plan for the Formal Gardens including reinstating the curved treeline on the northern edge of the Formal Gardens to maintain the existing terminus and views from the Main House;
- secure commitments from the owners to undertake necessary maintenance on existing cultural heritage resources including repairs to the Gate House, and the proper boarding and low level heating of unoccupied buildings if they are to continue to be left vacant.
- secure one or more Markham Remembered plaques to highlight and celebrate the identified cultural heritage resources on the property;

Appendices

Appendix A – Letter from Goodmans – Feb 1, 2021

Appendix B – Historical Research (staff)

Appendix C – ERA Heritage Impact Assessment Report – Aug 27, 2020 (sent to members separately)

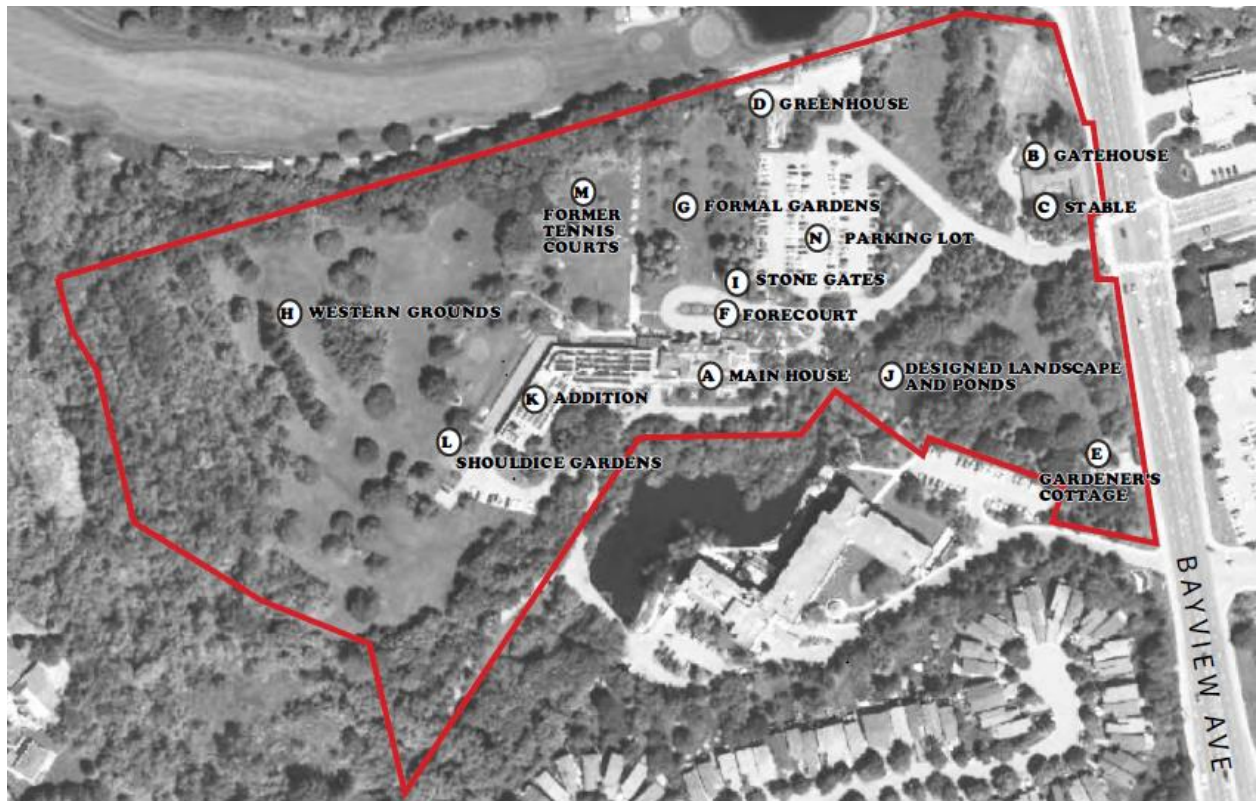
Appendix D – City Policies – New Development and Existing Cultural Heritage Resources

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Location



Map from Heritage Impact Assessment(HIA) (ERA Architects Inc)



Images (from HIA Report)



Main House – front above, rear below





Stable Building (unoccupied)



Gate House (to the north of the Stable Building)



Gardener's Cottage



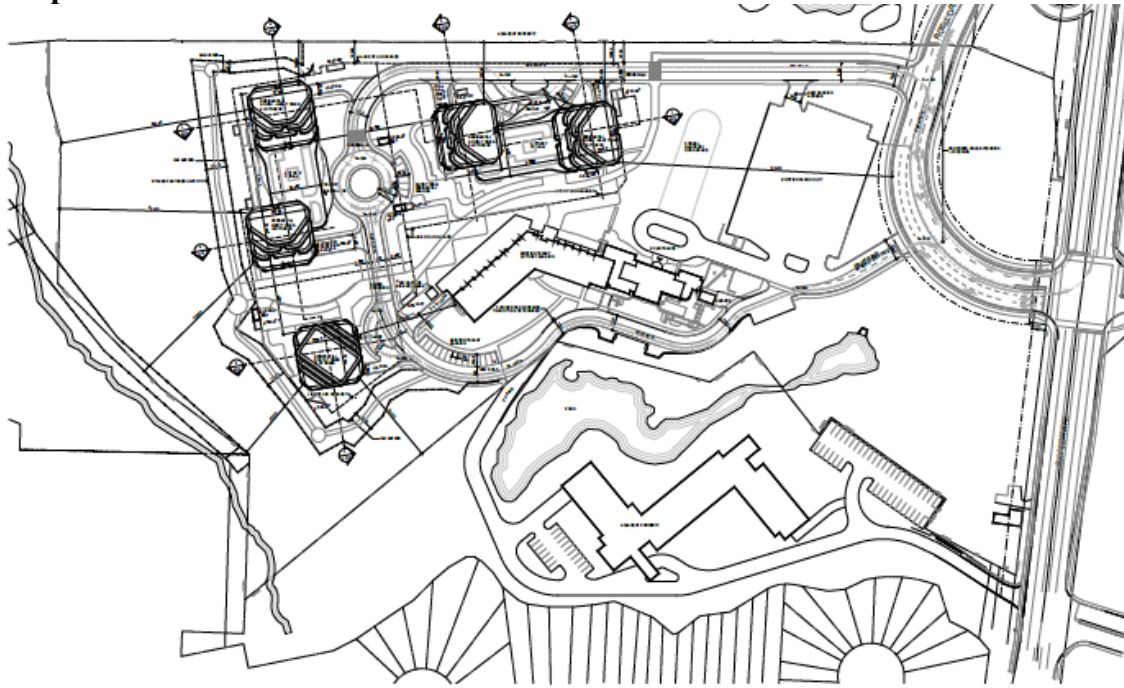
Greenhouse



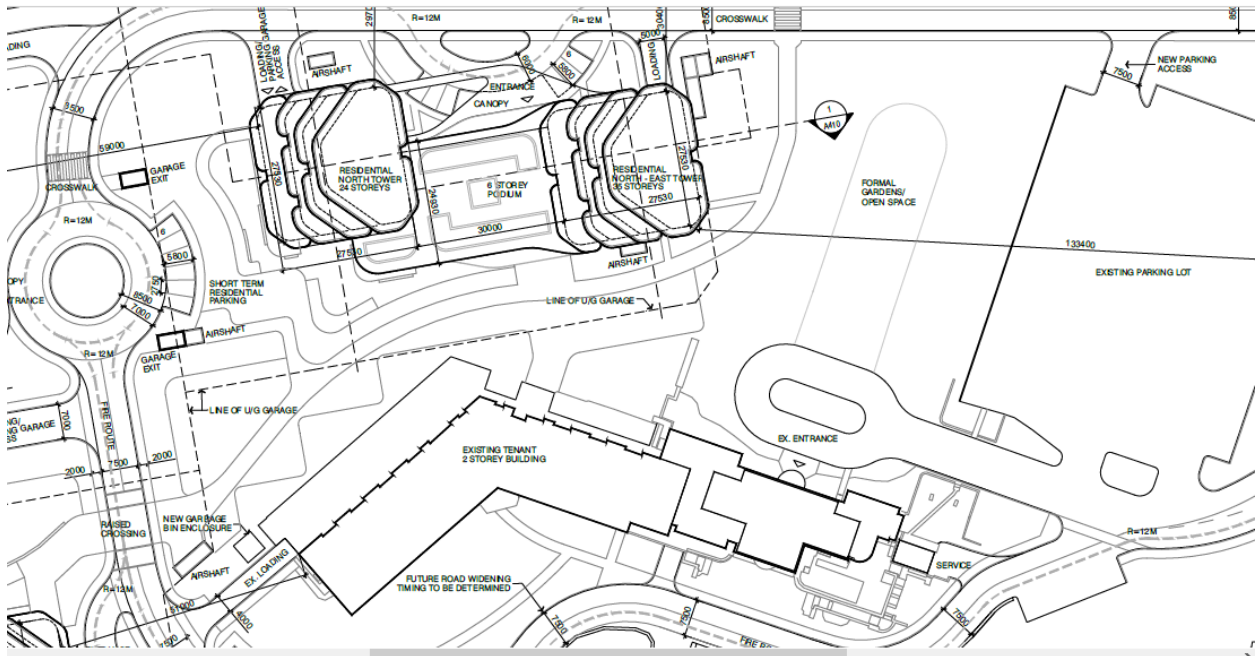
Interior- Reception Area



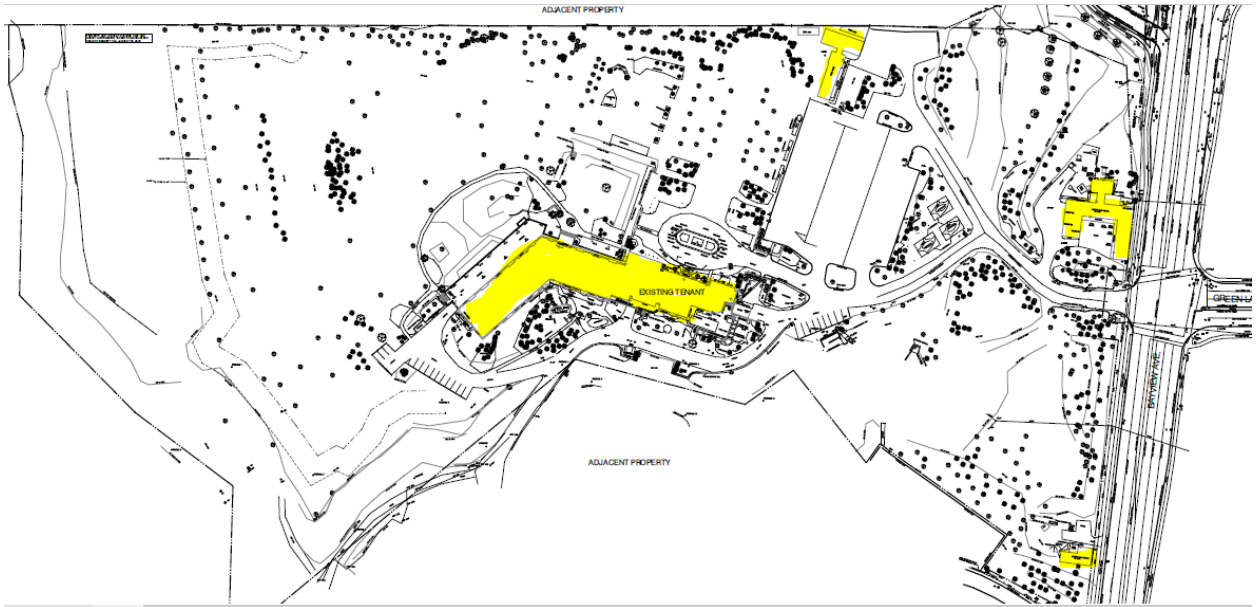
Proposed Site Plan



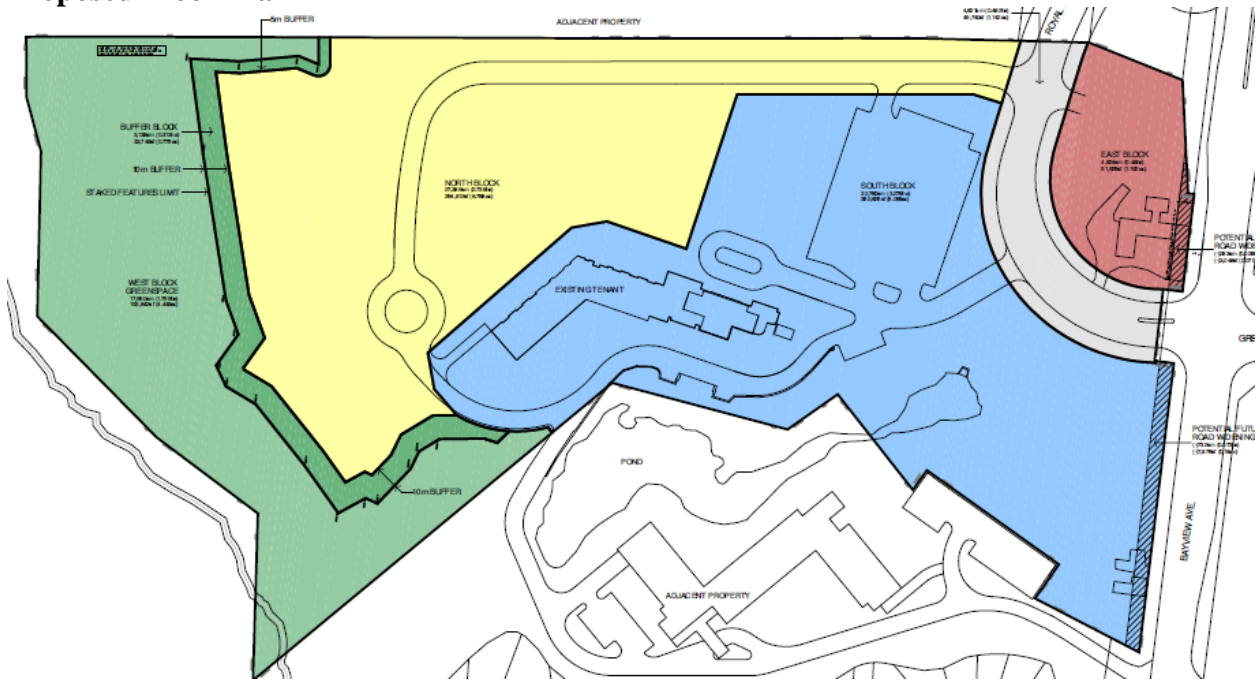
Site Plan (WZMH, 2020).

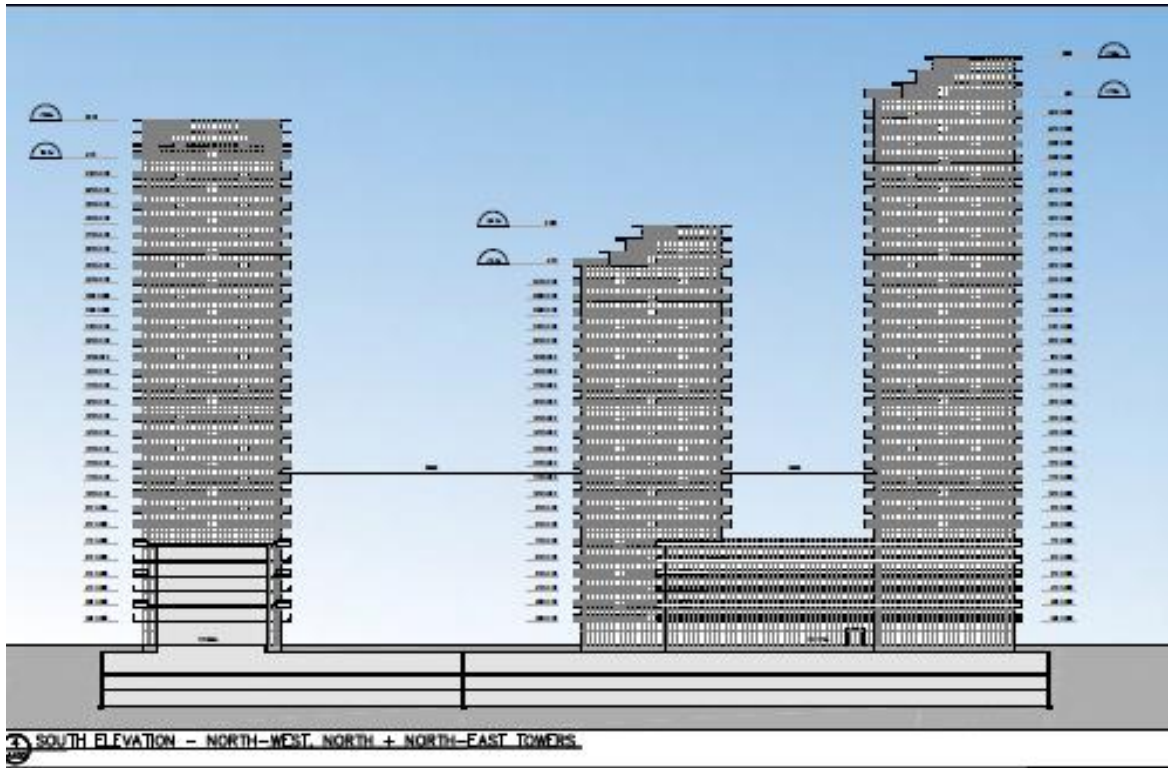


Existing Site Plan



Proposed Block Plan





South Elevation of buildings facing the Shouldice Hospital with the furthest right tower being next to the Formal Gardens

Artist Concept





Barristers & Solicitors
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333 Bay Street, Suite 3400
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February 1, 2021

Our File No.: 191318

Via Email

Heritage Markham Committee
Markham Civic Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Attention: Laura Gold, Committee Clerk

Dear Committee Members:

Re: 7750 Bayview Avenue

We are solicitors for 7750 Bayview Avenue Limited Partnership, the owner of the property municipally known as 7750 Bayview Avenue. We are writing to address the comments and recommendations set forth in the December 9, 2020 memorandum from Heritage Planning staff. At its meeting of December 9, 2020, the Heritage Markham Committee deferred consideration of this memorandum to its meeting of February 10, 2021. Our client appreciates and thanks the Committee for that deferral, as it has now had the opportunity to review the memorandum with its advisors and with Heritage Planning staff.

As set forth below, our client is mostly in agreement with Heritage Planning staff's recommendations, with three exceptions relating to the scope and timing of a heritage designation by-law, the timing of a Heritage Easement Agreement and the height of new buildings on the property.

The Official Plan Amendment and Rezoning Application

Our client's application is seeking permission for a Phase 1 development that would consist of five new residential buildings within the site's North Block, ranging in height from 18 to 35 storeys. The proposed Phase 1 development also includes the extension of Royal Orchard Boulevard through the site, a new roadway through the North Block to service the residential buildings, and a defined trail network through the site. The proposed development proposes the removal of the existing Greenhouse, but proposes no other alterations to or removal of existing buildings on the site.

No redevelopment is being proposed at this time within the site's South Block (containing the Shouldice Hospital, which continues to operate within the Main House under a long-term lease,

and the Gardener's Cottage) or within the site's East Block (containing the Gatehouse and Stable Building). The site's West Block, which includes approximately 1.8 hectares of land adjacent to the Pomona Creek Valley, is intended to be reserved for conservation purposes.

Heritage Planning Staff's Suggested Recommendations

Our client does not take issue with Heritage Planning staff's recommendations, except for the following:

- (i) a heritage designation by-law should apply only to the portions of the property that include (a) the Main House, Forecourt and Formal Gardens and (b) the Gatehouse and Stables, and the timing of the by-law should be concurrent with official plan amendment and rezoning approvals;
- (ii) it is premature to require a Heritage Easement Agreement at this time; and
- (iii) our client does not agree that a lower form of residential building is required for the new building immediately northwest of the Main House/Formal Gardens.

Specific comments on each of Planning Staff's recommendations are set forth below.

Recommendation a)

Our client agrees that a portion of the property has cultural heritage value. The Heritage Impact Assessment prepared by ERA Architects, and submitted with our client's official plan amendment and rezoning application (the "ERA HIA"), concludes that the site is a candidate for designation under Part IV of the *Ontario Heritage Act* (the "Act"). The ERA HIA notes that the Main House, Forecourt and Formal Gardens are to be conserved as key features of the site. It also notes that any future proposed alterations to the eastern portion of the site will require further assessment, and will need to have regard to the Region's proposed 6 metre widening of Bayview Avenue. The ERA HIA concludes that the proposed Phase 1 development will allow for the introduction of new residential uses, while conserving the site's cultural heritage value.

Recommendation b)

Our client does not object to the designation of part of the property, as listed above, under Part IV of the *Act*. It would be appropriate for the City to process and enact the designating by-law in conjunction with its review and approval of our client's official plan amendment and rezoning application.

The heritage designation by-law should apply only to the portion of the South Block containing the Main House, Forecourt and Formal Gardens and the portion of the East Block containing the Gatehouse and Stables. The ERA HIA notes that significant portions of the property have been altered since the initial development of the 1936 McCullagh Estate Plan. These altered lands and

the westerly valley lands should not be included in the heritage designation by-law. It is appropriate to include the Main House, Forecourt and Formal Garden, the site's key features, in the designation by-law. The Gatehouse and Stables are less significant, and not key features of the site, and their conservation may be affected by the Region's proposed widening of Bayview Avenue and/or future redevelopment of the East Block; however, their inclusion in the designation by-law will ensure that any future demolition or alterations proposed for these buildings will be considered as part of an application under the *Act*.

It is premature and unnecessary to require a Heritage Easement Agreement at this time. No demolition or alterations which would affect the property's heritage attributes are currently being proposed. Once a portion of the property is designated as proposed above, an application under Sections 33 or 34 of the *Act* will be required for any demolition or alterations proposed for the portions of the property that include the Main House, Forecourt and Formal Gardens, or the Gatehouse and Stables, and the need for a Heritage Easement can be appropriately considered in conjunction with such application. The City's template Heritage Easement Agreement sets forth Permitted Alterations, and any Permitted Alterations to such portions of the property are most appropriately determined when any demolition or alterations are proposed.

Recommendation c)

Our client has no concerns with recommendation c), which indicates that there is no objection to the relocation or removal of the Greenhouse complex, subject to it being properly documented and advertised for potential relocation.

Recommendation d)

Our client has no objection to preparing a Conservation Plan, and a landscape plan for the Formal Gardens, as a condition of its Phase 1 development approval. The Conservation Plan and landscape plan can be required and secured as a condition of site plan approval.

Recommendation e)

Our client disagrees with recommendation e), which suggests that for the new building immediately northwest of the Main House/Formal Gardens, consideration be given to a lower multi-storey building or a lower building typology. The siting and heights of new buildings on the North Block was carefully considered as part of the preparation of our client's Phase 1 application. The ERA HIA concludes that shadow impacts on the site's heritage attributes will be minimal, and it also concludes the proposed development has had appropriate regard for views through the site, including the northwest terminating view from the Main House to the curved treeline at the north edge of the Formal Gardens, the southward terminating view from the Formal Gardens to the Main House and the arrival views at the Forecourt looking westward towards the Western Grounds. Heritage Planning staff have provided no detailed reasons why the proposed building heights need to be lowered. Any recommendations with respect to the siting and heights of new buildings

should come forward as part of a final report from City Planning & Urban Design staff, which will take into account urban design and other considerations.

Our client looks forward to the continued processing of its Phase 1 application and, as part of that, it anticipates further discussions and review as to how best to address the comments from Heritage Planning staff.

Yours very truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read 'Mark Noskiewicz', is positioned below the typed name.

Mark Noskiewicz

MN/nb

7126385

Appendix B - Historical Research

McCullagh Estate House/Shouldice Hospital

1937

7750 Bayview Avenue

Part of Lots 30 and 31, Concession 1

This report is an update of the original research report prepared by Heritage Markham, 1979.

Historical Background:

Early Property History

The McCullagh Estate House/Shouldice Hospital is located on portions of Lot 30 and Lot 31, Concession 1, Markham Township. The early history of this property is linked to the very beginning of Thornhill and the milling industries that provided the impetus for the development of a village in this location.

Thompson Maxwell received the original Crown patent for the 190 acres of Lot 30, Concession 1 in 1803, but this was cancelled (possibly due to non-completion of the required settlement duties) and instead, Stillwell Willson received the patent or grant in 1808. Willson was the owner of large land holdings throughout the region north of the Town of York (later Toronto), and did not likely reside on this property.

This property, fronting on Yonge Street, was particularly valuable due to the presence of the Don River, which provided the opportunity for the establishment of water-powered industries such as saw mills, grist mills and others. John Street, which runs through Lot 30, was constructed by William Berczy and his German settlers in the mid 1790s as a road leading from Yonge Street to the German Mills near Leslie Street, to the east of Thornhill.

Allan McNab, who is best remembered in Ontario's history as the original owner of Dundurn Castle in Hamilton, purchased the eastern portion of Lot 30 in 1817. There he built a grist mill and a saw mill on the Don River, to the west of the John Street bridge, in 1820. The mills were registered under the name of Daniel Brookes and operated by John Playter and his son, also named John. McNab envisioned a community to be named Dundurn that would grow up around his mills, but that was not to be, and his "Dundurn" was built elsewhere.

In 1844, McNab's mills were purchased by John Brunskill, who renamed them "Pomona Mills" after the Roman goddess of orchards and gardens. Brunskill lived in a fine brick house on Yonge Street known as "Cricklewood," now addressed as 54 Cricklewood Crescent. Brunskill's land holdings also included property on the south half of Lot 31, Concession 1, and the east half of Lot 29, Concession 1, south of John Street.

After John Brunskill's death in 1870, the property was divided and sold. The grist mill was operated by a succession of owners including William Harris, Andrew McFall, John Ramsden, and lastly, William Hall. The mills were destroyed by fire in 1889, and today their importance to the history of old Thornhill is commemorated in the name of Pomona Mills Park in the Don Valley. A stucco-clad brick house at 170 John Street, known as the Pomona Mills House, is a physical remnant of this vanished industry.

In 1880, Matthew Dean purchased 91 acres of farmland on the north side of John Street that were formerly associated with the mills. This included part of Lots 30 and 31, Concession 1. The Dean farmhouse overlooked the mill pond. In later years, Matthew Dean's son, Major, farmed the property, continuing until 1937. The Dean farmhouse, similar in design to the Pomona Mills House, but located on the north side of the river valley closer to Bayview Avenue, was demolished to make way for the development of Baywood Court in the latter part of the 20th century.

The George McCullagh Estate

In 1936, the Dean farm was sold to prominent Toronto financier and press baron Clement George McCullagh (1905-1952) as the location for his county estate. The large acreage (approximately 91 acres) was ideally suited to accommodate his interest in jumping and thoroughbred horses. In addition to the house, there were stables and a staff cottage. The Thornhill estate was home to George McCullagh, his wife Phyllis C. Laidlaw, and their three children Robert, George, and Ann.

George McCullagh, the son of a London, Ontario cabinet maker, worked his way up the corporate ladder of the *Toronto Globe* newspaper, beginning as a subscription agent in his home town, then moving to Toronto to the newspaper's editorial department. As the assistant business editor at the *Toronto Globe*, his interest and expertise in financial matters, in particular northern mine development, led to a career with a Toronto brokerage firm. He went on to form the firm of Barrett, McCulloch and Co. In 1936, with the financial backing of gold mining magnate William H. Wright, George McCulloch purchased the *Toronto Globe*, followed by *The Mail and Empire*, which he amalgamated to form *The Globe and Mail*.

In addition to his duties as publisher of *The Globe and Mail*, George McCulloch served on the boards of a number of Toronto hospitals, as well as the University of Toronto. He was a part owner of the Toronto Maple Leafs. In 1948, he purchased and improved the *Toronto Telegram*. McCullagh also had a keen interest in Canadian politics, at first a supporter of the Liberal party then later backing the Conservatives. In the late 1930s he promoted the idea of an all-party national government that would run the nation on the basis of sound business principles.

For his country estate, George McCullagh engaged Donald Mackenzie Waters, a Toronto architect well-versed in historical architectural styles and in particular, the Georgian Revival. In contrast to his interest in period styles, Waters was also an early, influential promoter of

international modernism in Canadian architecture. He specialized in the design of residences, commercial projects, and historic restorations. Some of his best-known projects include the Ridpath Limited Showroom and Store (Toronto, 1928), the Gilbey Distillery Ltd. office and factory (new Toronto, 1933), the Deck House at the Elgin Hotel in Muskoka (Lake Joseph, 1938), and Maple Leaf Gardens (Toronto, 1931) as an associate architect with Ross and McDonald and Jack Ryrie.

Mackenzie Waters was a founding member of the Architectural Conservancy of Ontario when it formed in 1933, and was involved in the restoration of Fort York. It is fitting that after retirement, his practice was taken over by B. Napier Simpson, the noted Thornhill-based restoration architect.

On the drawings, the name “Bayview” appears on the title block. Traditionally, estates of this scale have been given names by their owners, so it is possible that McCullagh named his estate Bayview. However, based on current research, no other references to that name have been found, so it may be that this was not the name of the estate, merely an indication of its geographical location.

The McCullagh residence was built in the Georgian Revival style, one of the traditional revivalist architectural styles favoured by the business elite of Toronto, on the periphery of Bayview Heights, a semi-rural area of country estates that was centred on Bayview Avenue, north of Lawrence. This affluent area took advantage of the picturesque setting of the Don Valley and the proximity of the properties to Toronto. Described by the media as “Millionaires’ Valley” or “Millionaires’ Row” in its heyday, this community developed in the late 1920s through the 1930s. Some of the noteworthy original residents included E. P. Taylor, E. R. Wood, Frank P. Wood, J. J. Vaughan, and James McLean.

Other homes of distinction and character, but not necessarily on the same scale as the estate houses of the McClullagh house and others in Millionaires’ Row, were also built in the general area during the same time period. “Aldbarron,” the home of James Murray at 7070 Bayview, built c.1937, was one of these, as was Irving W. Ford’s house at 234 Steeles Avenue, 1940.

The Shouldice Hospital

The next owner of the McCullagh estate was Dr. Edward Earl Shouldice (1890-1965), the inventor of an innovative hernia treatment called the “Shouldice Repair.” This technique, developed during the Second World War, improved the results of the procedure and significantly shortened the recovery time for patients. Dr. Shouldice began in 1945 with a private hospital on Church Street in Toronto. Before long there was a long waiting list of patients but limited space to work with.

In 1953 Dr. Shouldice purchased the former McCullagh property and converted the spacious estate house to serve as his new private hospital. As the demand for the surgery grew, plans were

developed for a significant addition. Donald Jackson of Thornhill, of Jackson, Ypes and Associates, was the architect. A large modern wing was added in 1970, with the official opening presided over by the Honorable Thomas Wells, Ontario Minister of Health. The Shouldice Hospital is well known both nationally and internationally, attracting patients from all over North America for its unique hernia procedure.

The children of Dr. Shouldice have carried on his legacy. In 1961, Dr. Byrnes Shouldice followed in his father's footsteps as a surgeon at the Shouldice Hospital, and later became President and Chairman of the Board. Mrs. W. H. Urquhart, the daughter of Dr. Shouldice, served as Vice President and Director on the Board since the founding of the hospital. Her husband, William Urquhart served as President and Chairman of the Board until his passing in 1998.

The conversion of the McCullagh estate into the Shouldice Hospital carefully preserved and retained the major features of the property, including the main house, the stone bridge and pond, the expansive landscaped grounds, and the staff cottage and stables. The original grandeur of the estate remains intact despite the change in use and the major addition to the main building. In 1967, a sewage treatment plant was built on the portion of the property near the John Street bridge, which enabled the construction of sewers on the Markham side of old Thornhill, leading to suburban residential development.

Today, the Shouldice Hospital is located on approximately 22 acres of the original property, with portions having been sold off for the development of the Glynnwood Retirement Residence and residential subdivisions.

Architectural Description

The McCullagh Estate house is a two and a half storey masonry building clad in aluminum siding that simulates the original wood clapboard siding underneath. There are no corner boards. The general shape is a three part plan, with irregularities in the form of one storey wings. The principal façade faces north and is set close to grade level. The house is built into a slope that allows for an exposed basement level wall and large windows on the south façade. The basement wall, where exposed, is faced in rock-faced, broken-range ashlar of Credit Valley stone.

The roof of the main block is hipped with tight eaves and a flat-roofed centre. The roof of the sidewings is hipped. The one storey wings have flat roofs. On the north façade, main block, there are three dormers with segmental tops, containing 6 over 6 sash windows. On the south façade there are five dormers of this type, three on the projecting bay, and two on the main block. Two massive chimneys of white-painted red brick frame the main block. They are ornamented with corbelled caps and wide pilasters.

North Facade

On the north façade the two and a half storey main block is divided into seven bays. The three centre bays are within a shallow projecting frontispiece. The walls within this area are clad in aluminum siding with a vertical board and batten finish, which covers a flush-boarded wall surface. A full-height semi-circular portico shelters a recessed front entrance with splayed reveals. The portico is supported on four, slender square columns and two half columns (pilasters). The cornice is flat and is also clad in the aluminum board and batten finish. The entrance consists of double-leaf wood doors with narrow applied mouldings creating a panelled effect, with a circular motif enclosing the hardware. Over the door is a flat-headed transom light with thin muntins arranged in an intersecting circle pattern. On either side of the transom light are metal ventilation grates.

Flanking the entrance are two octagonal windows divided into nine panes. On the second floor there are three 6 over 9 sash windows, each with wrought iron balustrades that give the effect of shallow balconies. The outer bays flanking the projecting frontispiece contain four over four sash windows framed with louvered shutters, two on the ground floor, and two above. On the left side, the outermost window has been converted to a door. The flat-roofed, one storey wings each have three 6 over 6 sash windows framed with louvered shutters.

South Façade

The south façade overlooks the pond. The projecting wing, three bays wide, has an exposed foundation wall, with a central, segmental bay window flanked by a round, six-paned window on each side, framed with stone voussoirs and keystones. A shallow balcony with a metal railing extends across the width of the projecting wing, bowing out over the bay window below. The metal railing has rounded ends and is lightly proportioned. The stone-faced base of terraces on the east and west sides of the wing are located on either side of the exposed foundation wall. Their rounded corners contribute to the open appearance of this large light well.

On the main floor level, a series of three multi-paned French doors open onto the shallow balcony associated with the projecting wing. Above the French doors are three 6 over 6 sash windows framed with louvered shutters. On the right, the south wall of the main block has three 9 over 6 sash windows framed with louvered shutters. On the second floor there are two 6 over 6 sash windows aligned above the outer ground floor windows. On the left, ground floor level of the south wall of the main block is enclosed within a sunroom addition. On the second floor are two 6 over 6 sash windows similarly arranged to those on the right.

East Façade

The east façade incorporates a garage into the base of the stone-faced terrace. The one-storey, flat-roofed wing has an entrance door on the left. A smaller extension of the wing is tucked into the ell, with a curved corner. There is a glass block wall on the east side, and tall vertical windows on the curved corner. The corner windows have been altered from the original design. This section of the building has vertical aluminum siding. On the second storey of the two storey east wing are two 6 over 6 sash windows. On the second floor level of the east wall of the main

block is a tall, narrow 10 paned window. On the ground floor level of the east wall of the south projecting wing is a single set of French doors, with a 6 over 6 sash window above.

West Façade

The west end of the building has been altered by the addition of the modern wing. The addition impacted the ground floor level but has left the second floor level intact.

Interior

The interior of the building has been modified to suit the hospital function, but has been carefully treated to preserve the sense of an estate-style residence. Many original features remain, as well as much of the original layout. Generally speaking, the layout is a large-scale version of a box-hall plan. The service areas are located at the front of the house, whereas the principle rooms are located to take advantage of the southern exposure of the rear of the house. The circular entrance vestibule has a patterned tile floor, four rounded niches, and a plaster ceiling with concentric circles. The elegant curving staircase, with its lightly-proportion balustrade, is an important feature to the right of the vestibule. Fireplace mantels, plaster accents and mouldings have a stylized Neo-classic character, which complements the Art Deco aesthetic of other elements of the interior.

Stylistic Considerations:

The McCullagh Estate house is a good example of a large, architect-designed residence in the Georgian Revival style, with Art Deco influences. The overall character of the building remains true to the original design intent, but in terms of some details, the exterior has been simplified by the addition of aluminum siding over the wood cladding. The cornice, portico and wall treatment in the centre bay have been simplified by the modern cladding of the wooden elements. It is fortunate that the architectural drawings from 1937 have been preserved and can be used to compare the current state of the building with the architect's elevations and floorplans.

The Georgian Revival, called the Colonial Revival in the U.S., was a significant architectural movement in the early to mid 20th century. The Georgian Revival, along with the Tudor Revival, were the traditional architectural styles preferred by Toronto's business elite for new residences in the early to mid 20th century, in contrast to the highly decorative Queen Anne Revival and Richardson Romanesque preferred by earlier generations of the city's elite.

The revivalist styles appealed to those with a sense of nostalgia and tradition. They can be distinguished from authentic examples of the buildings that inspired them by the use of modern materials, an eclectic mix of details, differences in scale and proportion, and the incorporation of modern features such as garages, sunrooms and modern fenestration. The Georgian Revival was based on English colonial architecture of the 1700s to early 1800s. Symmetrical facades, gable or hip roofs, clapboard siding, multi-paned sash windows framed with shutters and formal entranceways are typical features.

In the case of the McCullagh Estate house, the overall Georgian Revival architectural character is accented with a Neo-classical portico and Art Deco features such as octagonal windows, a wall of glass block, front doors with a circular panel motif, and streamlined metal railings. These same architectural influences extend into the interior. Although there are a few other examples of the Georgian Revival style in Markham, the McCullagh Estate house stands out as the largest and most sophisticated of them, and the only example incorporating Art Deco detailing.

Context:

The McCullagh Estate house/Shouldice Hospital stands on a 22 acre remnant of the original property. The house is set back from Bayview Avenue, and is not visible from the road. A winding driveway leads to the front of the house, with a landscaped oval-shaped turn-around in front of the main doors. On the south side of the Bayview Avenue entrance is a one storey hip-roofed cottage (7716 Bayview Avenue) designed to reflect the Georgian Revival style of the main house. It has a simple L-shaped plan, a hip roof, multi-paned sash windows with shutters, and aluminum siding in an imitation of clapboard. Further north at 7766 Bayview Avenue, the former stables are found, arranged in a south-facing U shape. A two storey, cubic shaped residence is attached to the north wall of the stables by a small link. The stable complex is distinguished with louvered ventilators on the hip roof. The design and materials reflect those seen on the main house and cottage.

The grounds of the former estate are park-like, with large mature trees, a pond with an arched stone bridge bearing the date “1937,” stone terraces on the east and south sides of the main house, and a greenhouse. The introduction of paved parking lots and the large west wing serving the needs of the Shouldice Hospital have not significantly impacted the essential residential character of the site.

The grounds were designed by the firm Borgstrom and Carver. The plans are still in existence and can be used to compare which features of the McCullagh estate remain in place today. According to Humphrey Carver’s memoir, *A Compassionate Landscape*,” regarding the McCullagh estate he stated “I think it was the best work of landscape art that Borgstrom and I did together.”

References:

1. Research report prepared for Heritage Markham, 1979. Attributed to Merilyn McKelvey.
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6. MacTaggart, Ken W. “Belief in Democracy Publisher’s Beacon.” Globe and Mail, August 6, 1952.

7. Fulford, Robert. "Robert Fulford's column about George McCullagh." Globe and Mail, April 15, 1998.
8. Shouldice Hospital Web Site: "Our History: A Tradition of Excellence."
9. Biographical Dictionary of Architects in Canada 1800-1950. Waters, Donald Mackenzie.
10. Deed abstracts, Census data, McPhillips Map 1853-54; Tremaine's Map of 1860; Historical Atlas of York County 1878.
11. Information on the landscape plan provided by Alex Topps, September 30, 2019, including images of the original drawings and additional biographical information on George McCullagh.

**Appendix C – Heritage Impact Assessment – ERA Architects Inc- Aug 27,
2020.**

Sent under separate cover.

Appendix D – City Policies - New Development and Existing Cultural Heritage Resources

Official Plan - Cultural Heritage Policies

4.5.3.3 To use secondary plans, zoning by-laws, subdivision and site plan control agreements, signage by-laws, and other municipal controls, to ensure that development that directly affects a *cultural heritage resource* itself and *adjacent lands*, is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the *heritage attributes* of the resource, including considerations such as scale, massing, height, building orientation and location relative to the resource.

4.5.3.4 To impose conditions of approval on development containing a *cultural heritage resource* itself and *adjacent lands* to ensure the continued protection of the *cultural heritage resources*.

Official Plan - Urban Design Policies

6.1.1.5 To develop comprehensive urban design guidelines including, but not limited to, streetscape design guidelines, built form, height and massing guidelines, and parks and open space guidelines, and design guidelines for specific uses and types of development, to guide new development and *redevelopment* to achieve, among other things:

- a) excellence in urban design;
- b) best practices in sustainable development in accordance with Section 6.2;
- c) a public realm consisting of streets and boulevards, open spaces and parks providing places for shared use and community interaction;
- d) a better balance of mobility and safety needs of all street users;
- e) attractive, well-designed streetscapes;
- f) landmarks, vistas and public art, view corridors and focal points that enhance a sense of place;
- g) an interconnected parks and open space system with public access to private open spaces, where appropriate;
- h) landscaping, and *urban forest* enhancements in accordance with Section 3.2;
- i) site development that respects and reinforces the existing and planned context in which it is situated;
- j) building height and massing that corresponds to specific site characteristics and the overall context of the development;
- k) building design that is compatible with adjacent development and land uses;
- l) building and site design that addresses *cultural heritage resources* and *adjacent lands* in accordance with Section 4.5;
- m) building and site design that provides for long term adaptability;
- n) connectivity and integration of surrounding uses;

- o) accessibility for all users regardless of age and physical ability;
- p) public safety;
- q) bird friendly design; and
- r) appropriate interface conditions between lands within the 'Greenway' designation and adjacent land uses.

6.1.8 Built Form and Site Development

Building height and massing will correspond to the specific site characteristics and contribute to the overall context of the neighbourhood. The design of buildings will enhance adjacent or abutting development, streetscapes and parks and open spaces, where appropriate, and exhibit architectural diversity and best practices in sustainable development.

Density will be organized, concentrated and distributed through site planning and design including considerations such as:

- building height and massing;
- transition between areas of different intensities and uses; and
- relationships between buildings, streets and open space.

6.1.8.2 To design and place buildings on sites based on their relationship to their location and context, their character and use, and their ability to enhance existing site conditions and positively contribute to adjacent development and the public realm.

6.1.8.3 To organize and distribute the density across a site through site planning to address:

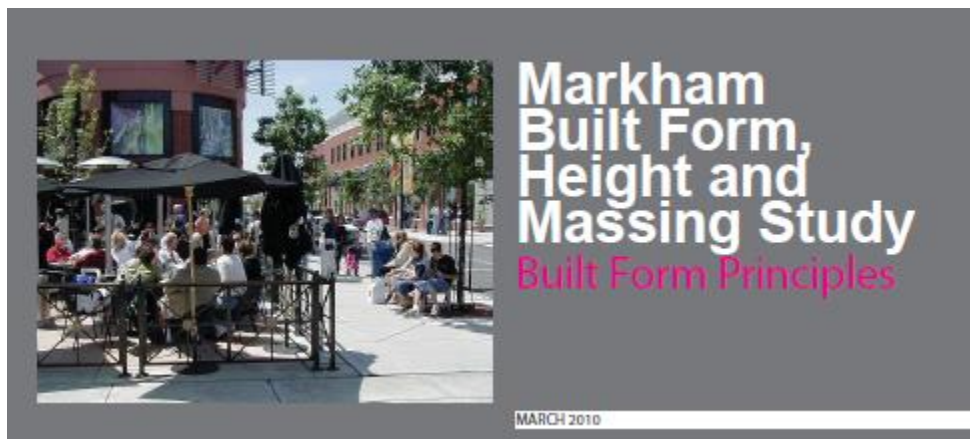
- a) building height and massing;
- b) transition between areas of different intensities and uses; and
- c) relationships between buildings, streets and open space.

6.1.8.4 To design and place buildings on a site to be compatible with adjacent or abutting development, a *cultural heritage resource* itself and *adjacent lands*, streetscapes and parks and open spaces by addressing, where appropriate:

- a) transitions in height and massing, including the relationship to the width of the public right-of-way, and adequate setbacks between buildings, the public realm and adjacent or abutting development;
- b) safe connections to pedestrian and cycling routes and convenient access to public transit;
- c) continuity in building placement;
- d) views and vistas of identified landmarks;
- e) comfortable microclimatic conditions including sunlight access and wind conditions, public safety, and adequate privacy conditions for residential buildings and their outdoor amenity areas;
- f) adequacy of sky views;
- g) opportunities for expansion of buildings and the introduction of new buildings in the future;
- h) building design that:
 - i. incorporates architectural detailing and features to increase comfort, add interest and achieve a good relationship with neighbouring development;
 - ii. orients primary facades and locates pedestrian entrances on public street frontages;
 - iii. encourages human interaction and activity at the street level and avoids blank facades along public streets and spaces;

- iv. allows space for activities such as vending and outdoor seating along commercial frontages;
- v. provides security and privacy for residential units at street level while creating opportunities for informal interaction between residents and neighbourhoods;
- vi. minimizes the appearance of garage entrances and provide Urban Design and Sustainable Development screening of parking along public streets;
- vii. provides screening of service areas, service building elements and utilities;
- viii. provides design elements and treatments to minimize bird strikes; and
- viii. minimizes the appearance of rooftop mechanical equipment.

Built Form Guidelines



Transition

Transition is a term used to describe the way any new development relates to, or interfaces with, existing developments. Transition is important in between areas of different scales, intensities, and land uses within a new development.

Transitions can be achieved in many ways. The intent is to ensure that development does not overwhelm or negatively affect neighbouring land uses.

Existing context requires different measures of transition. For example, intensification areas may generate taller buildings that require desired separation and buffers to ensure privacy, and adequate light into existing buildings and yards.

These guidelines consider a variety of anticipated transitional responses.

Built form

Guideline BF.11 - *Heritage - New Massing*

Design the massing and height of new development to respond to and/or respect adjacent heritage building(s). The height of a new building immediately adjacent to a heritage building should transition within one storey of the height of the heritage building(s).



Guideline BF.12 - *Heritage - Legibility*

Generally, a heritage building should not be integrated within higher density development and should exist as a significant and independent pavilion structure intended to be experienced and seen in the round.

New work, such as an addition to a heritage building, should be compatible, but distinguishable from the old. Heritage buildings or structures should be recognized as products of their own time.

Refer to the Provincial Policy Statement for details.