



Report to: Development Services Committee

Date of Report: November 15, 2011

SUBJECT:	Alteration to the Queen's Hotel Building Permit Application 11 129318 NH 174-178 Main Street Unionville Heritage Conservation District
PREPARED BY:	George Duncan, Senior Heritage Planner, ext. 2296
REVIEWED BY:	Regan Hutcheson, Manager, Heritage Planning, ext. 2080

RECOMMENDATION:

- 1) That as recommended by Heritage Markham, the building permit application 11 129318 NH to retroactively approve the alteration of a window to a door on the front door of the historic Queen's Hotel at 174-178 Main Street, Unionville, be refused;
- 2) That there is no objection to the removal of interior walls as outlined in the Building Permit application;
- 3) That the applicant restore the window to its previous condition;
- 4) That the retail tenant submit a sign permit for the new wall sign;
- 5) And that staff be directed to take any actions necessary to give effect to the resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

To refuse an unauthorized alteration to a significant heritage building and to recommend that the owner restore the building to its previous condition.

BACKGROUND:

The Queen's Hotel is an important heritage building on Main Street, Unionville

The Queens' Hotel, dating from c.1871, is an important heritage building on Main Street, within the Unionville Heritage Conservation District. This heritage building, designed in the Second Empire style, is a brick structure with a mansard roof. It is a Class A building, which means that it is a building of major importance to the Unionville Heritage Conservation District. Located at Main Street's distinctive bend, the Queen's Hotel is a significant landmark building within Unionville's commercial core.

An alteration on the Main Street façade was undertaken without approval

On May 27, 2011, a resident alerted staff by telephone that a ground floor window on the front wall of the Queen's Hotel building had been converted into a door. Staff checked Town records and found that there was no application or approval given for this work. A wall sign associated with the retail unit was also added without approval. That same

afternoon, a member of Heritage Section staff made a site visit and observed that the window had been removed at the north end of the front of the building, and replaced with a door. Refer to Figure 2 for an archival view of the Queen's Hotel, Figure 3 for a modern-day view, and Figure 4 for a photograph of the alteration.

The alteration removed an original feature of the building

The work undertaken without approval involved altering the window frame, window sash, and window sill and cutting the wall below window sill level. The top portion of the window opening was closed in and a wood door with glazing above and panels below was installed. When staff observed the alteration, it was complete, including painting. In reviewing photographs of the building, it is clear that this window was an original feature of the building.

A direction to comply was issued and a charge was laid under the Ontario Heritage Act

On June 10, 2011, By-law Enforcement issued a Direction to Comply to the owner, requiring 1) all work is to cease; 2) required permits are to be obtained; or 3) the building is to be restored to its prior condition. A charge under the Ontario Heritage Act was laid August 4, 2011 for altering a building designated under Part V of the Act without obtaining a permit from the municipality.

The owner has submitted a Building Permit application for the work already completed

A Building Permit application (Application # 11 129318 NH) dated October 12, 2011, has been submitted for changing a window to a door, and demolition of interior walls. The application was taken to Heritage Markham for comment on the same day the application was received. The committee did not support the alteration of the window to a door, and recommended that the building be restored to its previous condition (Heritage Markham Extract Appendix 'A'). Heritage Section staff also do not support the alteration of the original window to a door. There is no objection to the removal of interior walls.

The applicant has explained that the new door was introduced to improve the street access to a new retail tenant at the north end of the ground floor of the building. Previously, the northernmost retail space was entered from the interior of the building via an existing exterior door to the left of the new door opening.

OPTIONS/ DISCUSSION:

The alteration does not comply with the policies of the Unionville Heritage Conservation District Plan

One of the key objectives of the Unionville Heritage Conservation District Plan, adopted by Council in 1997, is "To encourage the conservation of the distinguishing original qualities or character of heritage buildings and avoid the removal or alteration of any historic or distinctive architectural feature." A guiding policy regarding the conservation and restoration of heritage buildings is "The original building fabric and architectural features on heritage buildings should be retained and repaired wherever feasible."

In the detailed guidelines of the Unionville Heritage Conservation District Plan, it is stated that “Original windows and doors should be considered an integral part of the heritage building and should be conserved and well maintained.” It also states that “New windows and doors should only be introduced on the rear or other inconspicuous elevations.”

The alteration does not comply with the heritage conservation policies of the Official Plan

Removing and altering an original architectural feature of a significant heritage building is not consistent with the Town of Markham’s Official Plan Heritage Conservation policies. In particular, “In reviewing proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings, the Town will be guided by the applicable Heritage Conservation District Plan and the following general principles: heritage building fabric and architectural features on heritage buildings should be retained and repaired.”

The alteration does not comply with the Ontario Ministry of Culture’s Conservation Principles

Markham strives to implement the policy of the Ministry of Culture for heritage properties. The alteration does not comply with the principle of “Respect for Historic Material,” because an original architectural feature has been removed and altered.

Staff recommend that the building be restored to its previous condition

Given the significance of the Queen’s Hotel and the fact that the alteration took place on the principal street-facing façade without approval, staff recommend that the owner restore the building to its previous condition. Tenancy of retail spaces is transitory whereas the architectural character of the heritage building is a quality to be preserved for the long-term. The alteration of the original window to a door is not consistent with the Unionville Heritage Conservation District Plan, the heritage policies of the Official Plan, or provincial standards, and sets an undesirable precedent.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This report aligns with the corporate direction of Growth Management by addressing the management of one of the Town’s significant cultural heritage resource.

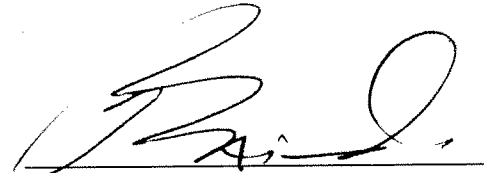
BUSINESS UNITS CONSULTED AND AFFECTED:

By-law Enforcement issued a Direction to Comply on July 10, 2011, and the Town Prosecutor laid a charge under the Ontario Heritage Act on August 4, 2011. A trial date is to be set on November 18, 2011.

RECOMMENDED BY:



Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning & Urban Design
Services



Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development

ATTACHMENTS:

Figure 1: Location Map
Figure 2: Archival Photo
Figure 3: Modern-Day Photo

Figure 4: Photo Showing Alteration
Appendix 'A': Heritage Markham Extract

Figure 1:

File Path:

Q:\Development\Heritage\PROPERTY\MAINSTU\174 Queen's Hotel\DSCNov152011.doc

Owner:

David Conway
754006 Ontario Limited
4 Grand Cypress Lane
Collingwood Ontario
L9Y 3Z2

Agent:

Abhay Shah
Delta Engineering Services
800 Denison Street, Unit 3A
Markham ON
L3R 5M9

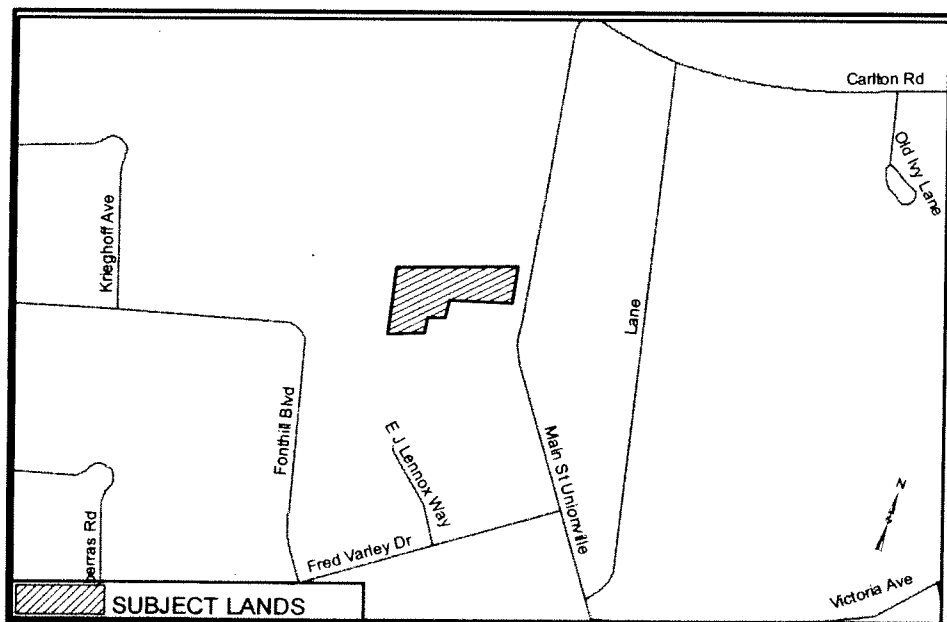
Tel. 905-477-4744

Email: conway@bmts.com

Tel. 905-479-1600

Email: deltaeng@hotmail.com

Location Map:



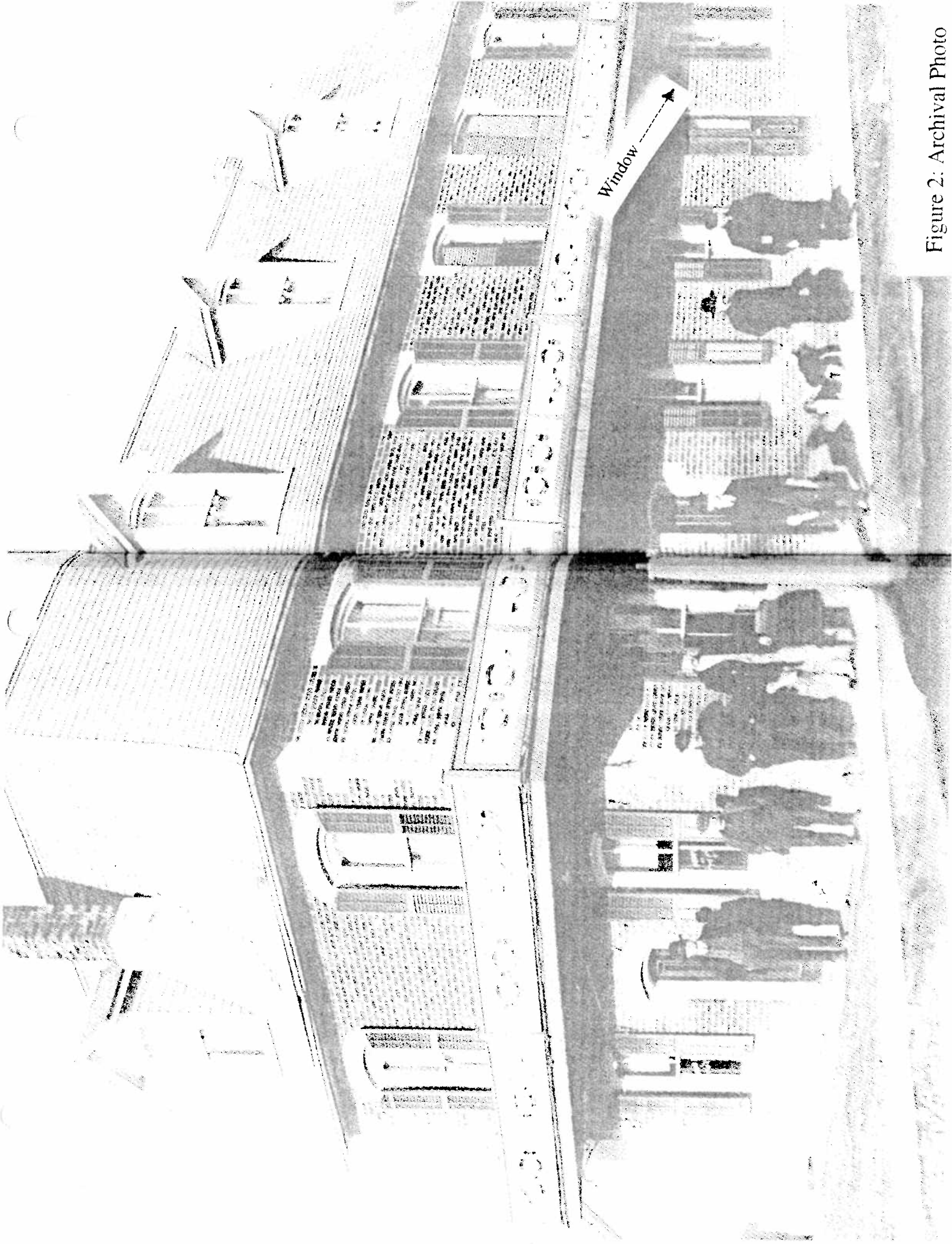


Figure 2: Archival Photo

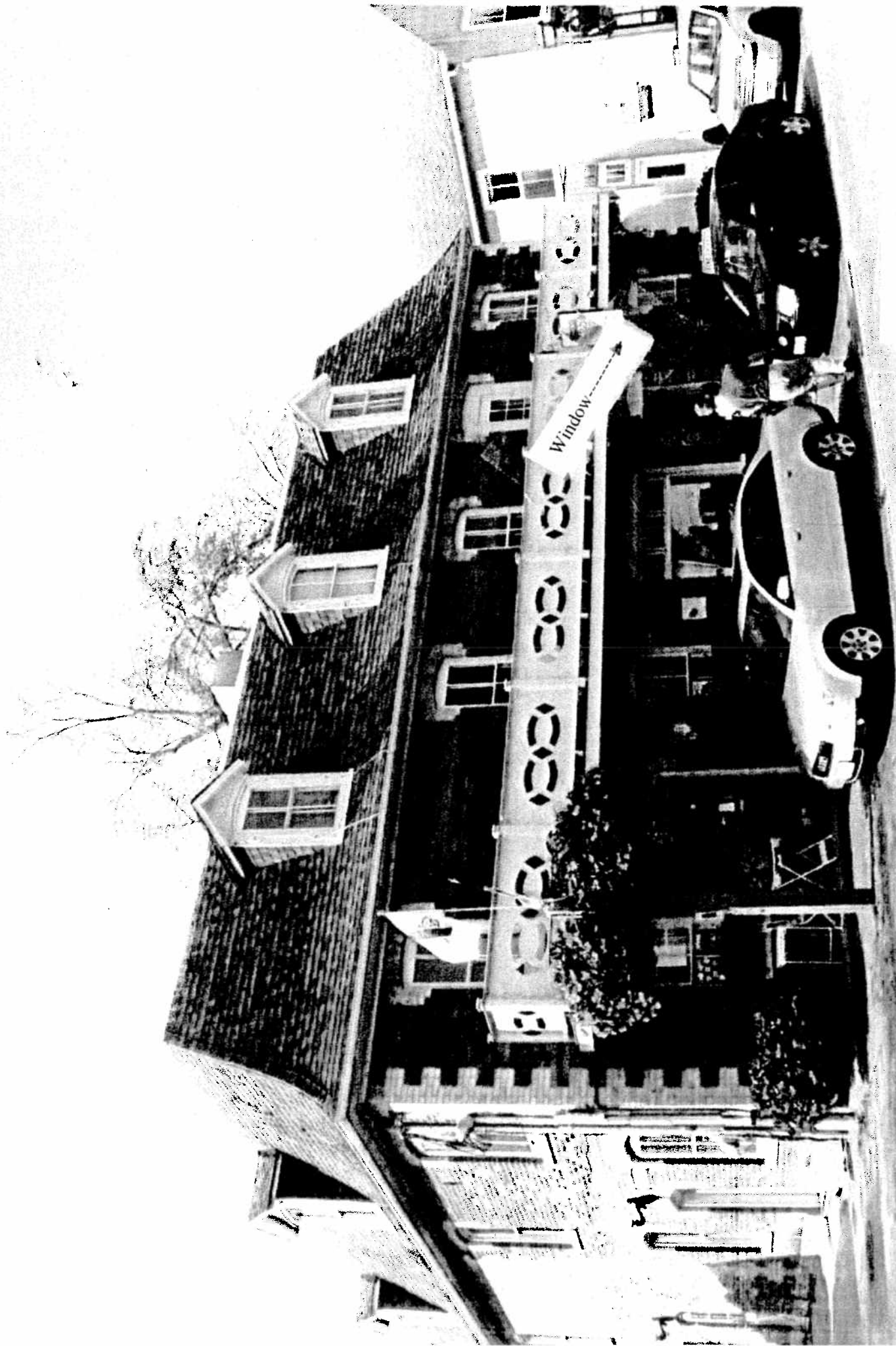


Figure 3: Modern-Day Photo



Figure 4: Photo Showing Alteration

Green Lee, Photo June 12, 2011

HERITAGE MARKHAM
EXTRACT

DATE: October 19, 2011
TO: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM #21 OF THE TENTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON OCTOBER 12, 2011

21. BUILDING PERMIT APPLICATION 11 129318 NH
174-178 MAIN STREET, UNIONVILLE
Extracts: R. Hutcheson, Manager of Heritage Planning
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HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham does not support the alteration of the original window on the façade of the Queen's Hotel at 174-178 Main Street, Unionville, and recommends that the owner be requested to remove the new door and restore the window to its original condition.

CARRIED