



Report to: Development Services Committee

Report Date: June 28, 2011

SUBJECT: Request to relocate two Heritage dwellings within Angus Glen West Village
198 Angus Glen Blvd and 4073 Major Mackenzie Drive

PREPARED BY: Regan Hutcheson, Manager, Heritage (ext. 2080)
Teema Kanji, Senior Project Coordinator (ext. 4480)

RECOMMENDATION:

- 1) That the staff report entitled "Request to relocate two Heritage dwellings within Angus Glen West Village, 198 Angus Glen Blvd and 4073 Major Mackenzie Drive", dated June 28, 2011, be received;
- 2) That due to the exceptional circumstances resulting from the grading of Angus Glen Boulevard, Council has no objection to the relocation of the Eleanor Lynn Casely House located on Lot 67, 65M-4085 to Lot 5, 65M-4241 located at the southwest corner of Angus Glen Boulevard and Major Mackenzie Drive;
- 3) That the Eleanor Lynn Casely House located on Lot 67, 65M-4085 shall not be relocated to Lot 5, 65M-4241 until a site plan agreement has been registered for Lot 5 and securities have been posted in the amount of \$100,000;
- 4) The Letter of Credit in the amount of \$25,000 secured through the subdivision agreement (65M-4085) will not be released until a site plan agreement has been registered for Lot 5, 65M-4241 and the heritage house has been successfully relocated;
- 5) That Council has no objection to the relocation of the Stiver Tenant Cottage straddling Lots 7 and 8, 19TM-03004 (Phase 2) to the same lot as the designated Francis Stiver Farmhouse (Lot 1, 19TM-03004, Phase 2);
- 6) That both buildings (Eleanor Lynn Casely House and the Stiver Tenant Cottage) be designated under the Ontario Heritage Act on their new sites and that heritage easement agreements be secured;
- 7) That as a condition of draft plan approval, the Owner be required to obtain site plan approval and register a site plan agreement for the two heritage houses (Stiver Tenant Cottage and Francis Stiver Farmhouse) proposed on Lot 1, 19TM-03004, Phase 2 and post sufficient securities;
- 8) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not Applicable.

PURPOSE:

The purpose of this report is to obtain approval for the relocation of the Eleanor Lynn Casely House and the Stiver Tenant Cottage from their original locations to Lot 5, 65M-4241 and Lot 1 within 19TM-03004 (Phase 2) West Village respectively.

BACKGROUND:**Property and Area Context**

The heritage properties are located on the south side of Major Mackenzie Drive, west of Kennedy Road in the Angus Glen West Village Community (Figure 1). The West Village contains three heritage houses which are to be retained (Figure 2):

Phase 1 – Eleanor Lynn Casely House (198 Angus Glen Blvd.)

The Eleanor Lynn Casely House is designated under Part IV of the Ontario Heritage Act and is located within registered plan 65M-4085, Phase 1 (Figure 2). As part of the subdivision agreement, the Town secured a Letter of Credit in the amount of \$25,000 to ensure preservation of the existing building. A Heritage Easement is registered on the property.

Phase 2 – Francis Stiver Farmhouse and Stiver Tenant Farmers's Cottage (4075 and 4073 Major Mackenzie Drive)

The Francis Stiver Farmhouse is designated under Part IV of the Ontario Heritage Act and is subject to a Heritage Easement. The Stiver Tenant Cottage is listed on the Markham Register of Property of Cultural Heritage Value or Interest and has been recommended for designation by Heritage Markham (Figure 2).

Owner has applied for red-line revision to draft approved plan of subdivision 19TM-03004 (Phase 2)

A draft plan of subdivision for Phase 2 was draft approved in December, 2009. The original plan proposed 164 single detached units, the retention of the two heritage buildings and a high density block for a total of 166 units. The applicant has applied to revise the draft plan to allow for smaller lot sizes (35 ft, 43 ft, and a larger number of 50 ft lots). The total unit count for the revised plan is 177 units for an increase of 10 units. The additional servicing allocation for these additional 10 units will be taken from the servicing allocated to Block 167 (high density block). This is a staff delegated approval and staff will issue draft plan approval once the locations of the heritage buildings are finalized.

At the time of the original draft plan approval it was agreed that the Francis Stiver Farmhouse was to be retained in its original site and that a final location for the Stiver Tenant Farmer Cottage would be determined at a later time. The draft plan conditions indicated that a subdivision agreement would not be registered until a more appropriate location was determined for the Stiver Tenant Farmer Cottage.

A final location for the the Stiver Tenant Farmer's Cottage has been proposed

The existing location of the Stiver Tenant Farmer Cottage building is very close to Major Mackenzie Drive. The applicant has proposed that the Stiver Tenant Farmer's Cottage be relocated to the same large lot as the Stiver Farmhouse (Lot 1, 19TM-03004 Phase 2), located within the same subdivision (Figure 3).

A request to relocate the Eleanor Lynn Casely House has been received

The Eleanor Lynn Casely House was to be retained on its original site. However, issues relating to the installation and position of sewer lines required the level of Angus Glen Boulevard to be raised significantly, resulting in an awkward grade relationship for the heritage house. As a result of the finished grading in the vicinity of the Casely House, the heritage building is in a depression which makes it difficult to provide a workable driveway and usable amenity space. Staff has worked with the applicant to try to retain the Eleanor Lynn Casely House on its original site; however, the applicant has demonstrated that this cannot reasonably be done due to the extreme grading differences and space available.

Therefore, the applicant is proposing to relocate the Eleanor Lynn Casely House from its existing original site to a corner lot at the entrance to Angus Glen Boulevard at Major Mackenzie Drive (Figure 3). The new site will be opposite another heritage building, the Pingle House Training Centre located on the north side of Major Mackenzie Drive as part of the Angus Glen Community Centre. On its new site, the Eleanor Lynn Casely House will be restored and an addition will be constructed in addition to a detached garage (See Appendix 'A').

OPTIONS/ DISCUSSION:**Preservation of heritage resources on site is a key objective**

The Town's policy with respect to the preservation of heritage buildings within new developments is that the buildings are to be retained on their original sites. While the preservation of heritage resources on their original sites is always the first position of the Town, there are circumstances that arise that create exceptions in the interest of community planning.

The proposed new location for the Eleanor Lynn Casely House would locate the heritage house opposite the restored Pingle House located on the north side of Major Mackenzie (Angus Glen Community Centre) to form a heritage "node" along Major Mackenzie Drive. The Stiver Tenant Cottage, which relates historically to the stone Stiver Farmhouse, is proposed to be paired with the larger building on Lot 1, 19TM-03004.

Heritage Markham supports the proposed relocations

Heritage Markham Committee at its meeting on May 11, 2011, supported the proposed relocations. The Committee acknowledged that the Stiver Tenant Cottage is a small building and its incorporation with the Stiver Farmhouse property would be an appropriate location, and that the grading issues related to Angus Glen Boulevard has

made the Casely House a candidate for relocation. There was no objection to the proposed new locations for both heritage houses.

Variance or Zoning By-law amendment required to accommodate the Stiver Tenant Farmer's Cottage

As indicated above, the Stiver Tenant Farmer's Cottage is proposed to be relocated to Lot 1, 19TM-03004 which contains the Francis Stiver Farmhouse. The property is zoned Residential Two*383 Holding Three [R2*383(H3)] under By-law 177-96, as amended. The zoning permits a single detached house or a personal service shop (spa). The holding provision cannot be lifted until servicing is confirmed by the Region and site plan approval is obtained.

The Stiver Tenant Farmer's Cottage will be considered an accessory building to the existing farmhouse. By-law 177-96 permits an accessory building with a maximum floor area of 10 m² (108 ft²), whereas the cottage is approximately 90 m². Consequently, a variance or zoning by-law amendment will be required to permit an increase to the floor area of an accessory building. Further discussions with the Owner are required to determine the appropriate planning process.

Conditions of Draft Approval will address the relocation of the Stiver Tenant Farmer's Cottage and protection of the Francis Stiver Farmhouse

As a condition of draft plan approval for the revised plan, the Owner will be required to provide a \$125,000 Letter of Credit for the Stiver Tenant Cottage due to the relocation of the building to Lot 1, 19TM-03004 (Phase 2). This amount is the standard amount now required to relocate a heritage building. The Letter of Credit amount will be reduced to \$45,000 once the house has been successfully relocated and placed on a new foundation. The reduced Letter of Credit would be retained for use by the Town and not be released until the following criteria are addressed.

- Relocation of the heritage building as an intact structure, and placement on a permanent foundation;
- Construction and grading on the subject lands and adjacent lots, and roads have been completed to the satisfaction of the Town (Commissioner of Development Services);
- The building has been connected to municipal services;
- The exterior restoration of the Heritage Building is complete;
- The building meets the basic standards of occupancy as confirmed by the Building Standards Department; and
- All other heritage requirements of the Subdivision Agreement have been completed.

The Owner will be required to also to provide a \$90,000 Letter of Credit for the Francis Stiver House to ensure the preservation of the existing building.

Eleanor Lynn Casely House will not be relocated until a site plan agreement is executed for the proposed new location

The Eleanor Lynn Casely House is currently located on a lot within a registered plan 65M-4085 and is proposed to be moved to Lot 5 within registered plan 65M-4241. The requirements outlined in subdivision agreement that relate the preservation of the Eleanor Lynn Casely house cannot be transferred to Lot 5, 65M-4241. In order to ensure that the same requirements are applied to Lot 5, the Owner will be required to obtain site plan approval, execute a site plan agreement prior to the house being relocated and provide the Town with a \$100,000 Letter of Credit. This Letter of Credit will be reduced to \$85,000 once the house is relocated and placed on a new foundation. In addition, the \$25,000 letter of credit posted on the existing lot will not be released until the heritage house has been successfully relocated and placed on a new foundation. The reduced Letter of Credit would be retained for use by the Town and not released until the same requirements noted above for the Stiver Tenant Cottage are addressed.

Heritage houses must be designated and heritage easements secured

Heritage designations and easements relate to the lot on which the heritage houses are located. Therefore, both the Eleanor Lynn Casely House and the Stiver Tenant Cottage must be designated under the Ontario Heritage Act and heritage easements secured on their new sites.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not Applicable.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

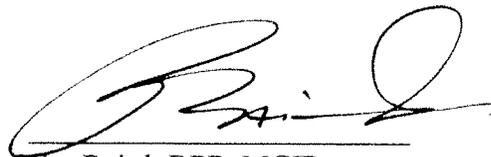
The conservation and protection of the Town's heritage resources is a component of the Town's Growth Management objective.

BUSINESS UNITS CONSULTED AND AFFECTED:

Heritage Markham was consulted.

RECOMMENDED BY:

Rino Mostacci, RPP, MCIP
Director, Planning & Urban Design



Jim Baird, RPP, MCIP
Commissioner of Development Services

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ATTACHMENTS:

Figure 1 – Location

Figure 2 – Location of Heritage Houses within Angus Glen West Village

Figure 3 – Proposed location for Heritage Houses within Angus Glen West Village

Appendix 'A' - Concept Plan for Eleanor Lynn Casely House