

Heritage Vaughan Committee Report

DATE: Wednesday, March 29, 2023

WARD: 1

TITLE: PROPOSED DESIGNATION UNDER PART IV OF THE ONTARIO HERITAGE ACT OF 12 ONTARIO STREET WARD 1 – VICINITY OF ONTARIO STREET AND MAJOR MACKENZIE DRIVE WEST

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Heritage Vaughan Committee's support and recommend to the Committee of the Whole approval for the proposed designation of the property municipally known as 12 Ontario Street located at the southwest corner of Ontario Street and Railway Street (as shown on Attachment 1) in the Core Maple Heritage Conservation District.

Report Highlights

- The report proposes the designation of 12 Ontario Street, a 1½ storey, wood frame Ontario Gothic cottage built circa 1867.
- The property holds physical, associated, and contextual cultural heritage value as described in the attached Statement of Cultural Heritage Value.
- The designation of this property meets the policies of the Vaughan Official Plan and the objectives and required criteria outlined in the *Ontario Heritage Act* by the Province of Ontario Regulation 9/06.

Recommendations

THAT Heritage Vaughan recommend Council approve the proposed development as presented, subject to the following conditions:

1. That the Designation Report for 12 Ontario Street be Received.

2. That Council approve the recommendation of the Heritage Vaughan Committee to designate 12 Ontario Street in accordance with Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18.
3. That Staff be authorized to publish and serve the Notice of Intention to Designate in accordance with the requirements under; Part IV, Section 29 of the *Ontario Heritage Act* R.S.O 1990, c.O.18 to the Ontario Heritage Trust, the Property Owner, and published in the local newspapers.
4. If no objection is served on the City Clerk within 30 days of the date of publication of the Notice of Intention, Council shall pass a by-law designating 12 Ontario Street and a copy of the by-law shall be served on the Owner and Ontario Heritage Trust and a notice shall be published in the local newspapers.

Background

12 Ontario Street was first identified as a potential heritage property in 2005 during the Maple Heritage Conservation District Study. The evaluation of property confirmed that the primary structure was built circa 1867 and is one of the oldest surviving cultural heritage properties. However, in establishing the Maple Heritage Conservation District in 2007, the decision was made by staff and Council to limit the boundary of the HCD along the Major Mackenzie Drive properties on the north side.

Further research on the subject property has confirmed that the cultural heritage value of 12 Ontario Street meets the criteria set out under OHA Regulation 9/06 for physical, associative and contextual cultural heritage value. A complete designation report that outlines these values is included herewith.

Previous Reports/Authority

Not applicable.

Analysis and Options

In June 2019, the *More Homes, More Choice Act*, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the *Ontario Heritage Act* ('OHA'). The Bill 108 Amendments to the OHA came into force on July 1, 2021, and include a shift in Part IV designations related to certain Planning Act applications. These changes affect Section 29(1.2) of the OHA which now restricts City Council's ability to give notice of its intention to designate a property under the Act to within 90 days after the City Clerk gives notice of a complete application.

The Bill 23, the *More Homes Built Faster Act*, 2022, Amendments to the OHA that came into force on January 1, 2023 mandates the municipalities to remove properties from the heritage register under section 27 if they do not pass a by-law designating the property on the second anniversary of the bill coming into force (January 1, 2025).

In light of this new legislation, it is imperative for City of Vaughan staff to identify cultural heritage properties that are currently Listed under Section 27 of the OHA or identified as a property of interest to be evaluated as a candidate for designation under Part IV, Section 29 of the OHA. The Province has amended O. Reg. 9/06 under the *Ontario Heritage Act*, which establishes nine provincial criteria for determining whether a property is of cultural heritage value or interest if it meets two or more of the nine criteria.

As set out in Vaughan's Official 2010 Plan, the City of Vaughan states that it is the policy of Council to:

6.1.1.1. To recognize and conserve cultural heritage resources, including heritage buildings and structures, Cultural heritage landscapes, and other cultural heritage resources, and to promote the maintenance and development of an appropriate setting within, around and adjacent to all such resources.

6.1.2.6. That the City shall use criteria established by Provincial regulation under the Ontario Heritage Act for determining cultural heritage value or interest and for identifying and evaluating properties for listing in the Heritage register and for designation under Part IV of the Ontario Heritage Act. The City may further refine these criteria and provide guidelines for their use through the Vaughan Heritage Conservation Guidelines.

6.1.2.7. Any property worthy of designation under Part IV of the Ontario Heritage Act that fulfills one or more of the criteria identified in policy 6.1.2.6 will be considered to possess cultural heritage value.

6.2.1.1. To make full use of the provisions of Provincial legislation, such as the Ontario Heritage Act, Planning Act, Municipal Act and Environmental Assessment Act, to protect and conserve cultural heritage resources in Vaughan.

Following a thorough examination of archival documentation, and after a documented site visit, staff finds that the subject property holds cultural heritage value and meets the criteria of criteria as set out under the *Ontario Heritage Act* by the Province of Ontario Regulation 9/06 for the categories of design/physical, historical/associative and contextual value.

Designation Comments

LEGAL DESCRIPTION

PLAN M72 Part Lots 34 and 37 RP 64R 3004 Pt 2

ROLL: 1928 000 2200 28000

EVALUATION UNDER O.REG 9/06 CRITERIA

Ontario Regulation 9/06 made under the *Ontario Heritage Act* establishes nine criteria for determining cultural heritage value or interest. A property may be designated under Section 29 of the OHA if it meets two or more of these criteria. The following evaluation tables identify the application of each criterion as "N/A" (not applicable) or "X" (applicable) to the property, with explanatory text below.

1. DESIGN OR PHYSICAL VALUE

The property has design value or physical value because it	
▪ is a rare, unique, representative or early example of a style, type, expression, material or construction method	X
▪ displays high degree of craftsmanship or artistic merit	N/A
▪ demonstrates high degree of scientific or technical achievement	N/A

12 Ontario Street presents physical heritage value as one of the oldest surviving heritage homes of the historic village of Maple. Although the property is located outside of the Maple Heritage Conservation District, it is part of Maple's oldest subdivision, created in 1853. It is also the only surviving example of a wood frame Ontario Gothic cottage in Maple.

2. HISTORICAL OR ASSOCIATIVE VALUE

The property has historical value or associative value because it	
▪ has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	X
▪ yields, or has the potential to yield, information that contributes to an understanding of a community or culture	N/A
▪ demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	N/A

12 Ontario Street has historical association as the home of at least 3 Maple families who had a significant impact in Maple and its history in the 19th and 20th century. It was home to the James Woods family, an early settler family and a founding family of Maple. It was also home to Thomas Cousins and his wife Elizabeth and their son Wilbert. From 1920 to 1960 it was the home of Ethel and Harry Chapman, known as the last blacksmith of Maple and a trustee of the village of Maple.

3. CONTEXTUAL VALUE

The property has contextual value because it is	
▪ important in defining, maintaining or supporting the character of an area	X
▪ physically, functionally, visually or historically linked to its surroundings	X
▪ a landmark	N/A

12 Ontario Street house and lot are significant in establishing and maintaining the cultural heritage streetscape and the history of the pre-20th century history of Maple Village. The property holds contextual value as it is a longstanding feature of the corner of Railway Street and Ontario Street and was one of the first houses built in Maple's first subdivision of Maple Sideroad (now known as Major Mackenzie Drive West). It establishes and maintains the village character of Maple.

Financial Impact

There are no Financial Impacts associated with this report.

Broader Regional Impacts/Considerations

There are no Regional impacts or considerations for this application.

Conclusion

Staff finds that, as examined from archival documentation and a site visit, the subject property holds cultural heritage value and meets the criteria of criteria as set out under the *Ontario Heritage Act* by the Province of Ontario Regulation 9/06 for the categories of design/physical, historical/associative, and contextual value.

The Development Planning Department is satisfied the proposed designation of 12 Ontario Street conforms to the policies of the Vaughan Official Plan and the objectives and criteria of the Ontario Heritage Act.

Accordingly, staff can support a Heritage Vaughan recommendation for Council approval of the proposed designation of 12 Ontario Street under the *Ontario Heritage Act*.

For more information, please contact: Katrina Guy, Heritage Coordinator, ext. 8115.

Attachments

1. 12Ontario_Location Map
2. 12Ontario_Statement of Cultural Heritage Value
3. 12Ontario_Plan M0072 (1853)
4. 12Ontario_1904 photo
5. 12Ontario_Aerial Maps
6. 12Ontario_Site Photos

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