



Heritage Vaughan Advisory Committee Report

DATE: Wednesday, March 29, 2023

WARD: 1

TITLE: PROPOSED DESIGNATION UNDER PART IV OF THE ONTARIO HERITAGE ACT OF 439 GLENKINDIE AVENUE – WARD 1, VICINITY OF ONTARIO STREET AND MAJOR MACKENZIE DRIVE WEST NORTH OF MAJOR MACKENZIE DRIVE WEST, BETWEEN MCNAUGHTON AND JANE STREET

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Heritage Vaughan Advisory Committee's support and recommend to the Committee of the Whole approval for the proposed designation of the City-owned property municipally known as 439 Glenkindie Avenue located north of Major Mackenzie Drive and between McNaughton Road and Jane Street (as shown on Attachment 1).

Report Highlights

- The report proposes the designation of 439 Glenkindie Avenue, a 1½ storey, stone 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 following conditions:

1. That the Designation Report for 439 Glenkindie Avenue be Received.
2. That Council approve the recommendation of the Heritage Vaughan Committee to designate 439 Glenkindie Avenue 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 (City of Vaughan), 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 439 Glenkindie Avenue and a copy of the by-law shall be served on the Owner (City of Vaughan) and Ontario Heritage Trust and a notice shall be published in the local newspapers.

Background

439 Glenkindie Avenue was first identified as a potential heritage property in 1990 when ownership was ceded to the Town of Vaughan. The preliminary evaluation of property at the time noted that the primary structure was built circa 1851 and is one of the oldest surviving cultural heritage properties. Between ownership transfer in 1990 and present time, the City has undertaken several property maintenance and upgrades, ensuring the building's sustainability.

Recent staff research on the subject property has confirmed that the cultural heritage value of 439 Glenkindie Avenue 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

Project #5849-0, Tender T99-100 (approved 12 July 1999) for construction of [Craney] House landscape improvements.

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 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 65M-2943 Part of Block 37

ROLL: 1928 000 2713 1600 0000

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

439 Glenkindie Avenue presents physical heritage value as one of the oldest surviving heritage buildings of the historic village of Maple. The granite fieldstone house is built in the vernacular Georgian style, and the great amount of fine attention to detail makes this a classic example.

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

439 Glenkindie Avenue has historical association as the home of well-known settlers registered on title as far back as the 1830s. The Cranny ('Crannie') family were successful farmers, and activities on the property were sustained until as late as 1987. It establishes and maintains the agrarian character 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

439 Glenkindie Avenue house and lot are significant in establishing and maintaining the cultural heritage aesthetic and the history of the mid-19th century history of Maple. The property holds contextual value as it is a longstanding feature of Glenkindie Avenue and this building reflects the success and hard work in the establishment of a homestead. It is here that the merit of the house lies, just as much as in the architectural value.

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, 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 439 Glenkindie Avenue 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 439 Glenkindie Avenue under the *Ontario Heritage Act*.

For more information, please contact: Wendy Whitfield Ferguson, Heritage Coordinator, ext. 8813.

Attachments

1. 439Glenkindie_Location Map
2. 439Glenkindie_Statement of Cultural Heritage Value
3. 439Glenkindie_town acquisition (1990)
4. 439Glenkindie_1904 photo

5. 439Glenkindie_Aerial Maps

Prepared by

Nick Borcescu, Senior Heritage Planner, ext. 8191

Shahrazad Davoudi-Strike, Manager Urban Design and Cultural Services, ext. 8653