

Heritage Vaughan Committee Report

DATE: Wednesday, September 20, 2023

WARD: 1

TITLE: PROPOSED DESIGNATION UNDER PART IV OF THE
ONTARIO HERITAGE ACT OF 6181 MAJOR MACKENZIE
DRIVE WARD 1 – WEST OF HIGHWAY 27.

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 City-owned property municipally known as 6181 Major Mackenzie Drive located west of Highway 27 (as shown on Attachment 1).

Report Highlights

- The report proposes the designation of 6181 Major Mackenzie Drive, 1-1/2 storey brick dwelling.
- The property holds physical, 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:

- a) That the Designation Report for 6181 Major Mackenzie Drive be Received.

- b) That Council approve the recommendation of the Heritage Vaughan Committee to designate 6181 Major Mackenzie Drive in accordance with Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18.
- c) 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.
- d) 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 6181 Major Mackenzie Drive 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

6181 Major Mackenzie Drive was evaluated as having significant architectural, historical and contextual value, and was approved in June 2005 by City of Vaughan Council to be added to the Listing of Significant Heritage Structures. Further research on the subject property has confirmed that the cultural heritage value of 6181 Major Mackenzie Drive 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.

Regarding the insurance of designated heritage properties, the position of the Province of Ontario and the Insurance Bureau of Canada both clarify that heritage designation alone should not restrict access to insurance or cause an increase:

<https://www.ontario.ca/page/heritage-properties-and-insurance>

<http://www.ibc.ca/on/home/heritage-properties>

Following a thorough re-examination of archival documentation, 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

ADDRESS: 6181 Major Mackenzie Drive

LEGAL: Con 9, Lot 20

ROLL: 1928000330642000000

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.

The tables below give an overview of significant cultural heritage value of 6181 Major Mackenzie Drive. The Statement of Cultural Heritage Value (see attachment 2) provides a full description of the property's cultural heritage attributes for evaluation purposes.

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	X
▪ demonstrates high degree of scientific or technical achievement	N/A

6181 Major Mackenzie retains physical heritage value as one of the oldest surviving unaltered buildings from the era of the historic settlers. The house is built of brick in the Georgian style. The light brick accents, particularly the cross pattern along the top of the front elevation at the roof line, makes evident the great amount of fine attention to detail to make 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	X
▪ demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	X

6181 Major Mackenzie Drive demonstrates historical value in various ways. It serves as a link to the McGillivray family, who arriving in the 1830's, were early settlers in Vaughan and contributed to the development of the area. These contributions included Neil McGillivray serving on the building committee for St. Paul's Presbyterian Church, to his grandson Gordon establishing an all-male choir at Knox Presbyterian Church in 1933. The choir became known as the Gordon McGillivray Male Choir. The home would also be used as a place for choir practice, which helps to showcase how it was not only used as a home for the family, but also a place that involved the local community.

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

6181 Major Mackenzie house and lot are significant in establishing and maintaining the cultural heritage aesthetic and the history of the mid-19th century history of Kleinburg. The property holds contextual value as it is a longstanding feature, and historically linked to its surroundings. Neil McGillivray and his family were early settlers in the area, and this building reflects their 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.

Operational Impact

Not applicable.

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 required 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 6181 Major Mackenzie Drive 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 6181 Major Mackenzie Drive under the *Ontario Heritage Act*.

For more information, please contact: Aminata Shaw, Heritage Coordinator, ext. 8813.

Attachments

- Attachment 1 – 6181MMac_Location Map
- Attachment 2 – 6181MMac_Statement of Cultural Heritage Value
- Attachment 3 – 6181MMac_Maps
- Attachment 4 – 6181MMac_Building photos
- Attachment 5 – 6181MMac_aerial maps
- Attachment 6 – 6181MMac_Legal Documents_Income Tax
- Attachment 7 – 6181MMac_McGillivray Choir pamphlet

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