

Heritage Vaughan Committee Report

DATE: Wednesday, November 22, 2023

WARD: 1

TITLE: PROPOSED DESIGNATION UNDER PART IV OF THE ONTARIO HERITAGE ACT OF 11151 WESTON ROAD – WARD 1, SOUTH OF KIRBY ROAD AND WEST OF HWY 400

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek Heritage Vaughan Committee's support and recommend to Committee of the Whole approval for the proposed designation of the property municipally known as 11151 Weston Road located in the south of Kirby Road and west of Highway 400 (as shown on Attachment 1).

Report Highlights

- The report proposes the designation of 11151 Weston Road, an unaltered Victorian building.
- 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:

- a) That Council approve the recommendation of the Heritage Vaughan Committee to designate 11151 Weston Road in accordance with Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18;

- b) 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; and
- c) If no objection is served on the City Clerk within 30 days of the date of publication of the Notice of Intention, Council pass a by-law designating 11151 Weston Road and a copy of the by-law be served on the Owner (City of Vaughan) and Ontario Heritage Trust and a notice be published in the local newspapers.

Background

11151 Weston Road was evaluated as having significant architectural, historical and contextual value, and was approved in 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 11151 Weston Road 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 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.

1. DESIGN OR PHYSICAL VALUE

▪ 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

The property at 11151 Weston Road is built in the Victorian Style. The notion of Victorian style developed during the reign of Queen Victoria, and within Canada there are variations on this style. Victorian buildings were built between 1840 and 1900 in Ontario, and could be constructed using brick, stone, or timber. The style is also known to incorporate Classical and Gothic motifs. The subject property is made of red brick, and the roof is red-brown. The elevations facing the driveway and Weston Road, have undecorated gables which contain rectangular windows. The elevation facing Weston Road, appears to have a porch with posts with intricate detailing, and has been painted

white. The east facing elevation has a brick chimney with two rectangular windows located on either side, on the second floor of the building.

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	N/A

While maps have indicated that the subject property has had various owners, they each have been involved in the Vaughan community. A structure appears on the 1878 map, at which time Neil Malloy Senior is shown to be owner of the property. He is listed as one of the trustees for St. Andrew’s Presbyterian Church in Maple, and the Bryson School. A map from 1918 indicates the owner of the lot was N.W Malloy (Neil William Malloy). He was a member of the Vaughan Lodge no. 54 G.R.C in Maple. The community participation of each owner allows for an understanding about how people within Vaughan lived during this time-period, and gives insight into what was deemed valuable based upon their activities and involvement.

3. CONTEXTUAL VALUE

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

The contextual value of the home relates to the building’s historical link and physical location on the property. With the placement of the house near the end of a long driveway, it reflects the traces of the farming economy during the 19th and early 20th century farm cultural landscape. The property holds contextual value as it is a longstanding feature and is historically linked to its surroundings within the community. This building reflects the hard work of its farming owners in Vaughan, as it historically represents a way of life during that time period. 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 11151 Weston Road 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 11151 Weston Road under the *Ontario Heritage Act*.

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

Attachments

- Attachment 1 – 11151 Weston_Location Map
- Attachment 2 – 11151 Weston_Statement of Cultural Heritage Value
- Attachment 3 – 11151 Weston_LSHS information page
- Attachment 4 – 11151 Weston_Maps
- Attachment 5 – 11151 Weston_Aerial Photos
- Attachment 6 – 11151 Weston_building photos
- Attachment 7 – 11151 Weston_Lodge registry - Neil William Malloy

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