

# Heritage Vaughan Committee Report

---

**DATE:** Wednesday, January 31, 2024

**WARD:** 1

**TITLE:** PROPOSED DESIGNATION UNDER PART IV OF THE ONTARIO HERITAGE ACT OF 7961 JANE STREET, WARD 1 – EAST SIDE OF JANE STREET AND NORTH OF HIGHWAY 7

**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 7961 Jane Street located on the east side of Jane Street and north of Highway 7 (as shown on Attachment 1).

**Report Highlights**

- The report proposes the designation of 7961 Jane Street, a red brick building of Foursquare style (a subtype of Edwardian), built circa 1879.
- 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 designation as presented, subject to following conditions:

1. That Council approve the recommendation of the Heritage Vaughan Committee to designate 7961 Jane Street in accordance with Part IV, Section 29 of the *Ontario Heritage Act* R.S.O. 1990, c. O.18.

2. 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.
3. 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 7961 Jane 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**

7961 Jane Street 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 7961 Jane 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 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: 7961 Jane Street

LEGAL: Lot 7, Concession 4

### **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		<b>X</b>
▪ displays high degree of craftsmanship or artistic merit		<b>X</b>
▪ demonstrates high degree of scientific or technical achievement		<b>N/A</b>

7961 Jane Street is an example of the Foursquare style, also known as American Foursquare, considered a subtype of the Edwardian style. The two-storey red brick structure is set back from the road, and the front elevation faces Jane Street. The entrance to the structure is offset, and also contains a window on the ground floor. There is a porch that spans the width of the building, and there are three columns. The bases of the columns are brick, and are evenly spaced, a column on either end, and a column at the center. The second level has two 1-over-1 windows, and the hipped roof has a central dormer window. The south elevation contains windows on both levels of the structure, including a 2-storey bay window.

## 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		<b>X</b>
▪ yields, or has the potential to yield, information that contributes to an understanding of a community or culture		<b>X</b>
▪ demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community		<b>N/A</b>

7961 Jane Street is associated with the Smith family, who were early settlers in Vaughan around 1799. The property remained in the family for 165 years. When the Smith family ownership came to an end in 1966, it was then taken over by the Canadian National Railway which used the property as part of their large marshalling yard. Originally called the Toronto Yard, it was later renamed in 1975 as the MacMillan Yard, after former president Norman J. MacMillan. This yard resulted in a change of how freight trains moved around the GTA: with a reduced use in the freight yards in Danforth and Mimico, the MacMillan Yard would vastly contribute to Vaughan's industrial core.

## 3. CONTEXTUAL VALUE

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

The contextual value of the subject property relates to the building's historical link and physical location on the property. Located on the west half of Lot 7, Concession 4, and set back from the road, the property historically represents a way of life during the time

period it was built and connects to the Smith family. The Smith family not only made contributions that supported the development of Vaughan, but they were also early settlers in the area. 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**

There are no Operational 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 7961 Jane 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 7961 Jane Street under the *Ontario Heritage Act*.

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

### **Attachments**

- Attachment 1 – 7961Jane\_Location Map
- Attachment 2 – 7961Jane\_Statement of Cultural Heritage Value
- Attachment 3 – 7961Jane\_Historic Maps
- Attachment 4 – 7961Jane\_LSHS Info
- Attachment 5 – 7961Jane\_Building Photos

### **Prepared by**

Katrina Guy, Cultural Heritage Coordinator, ext. 8115.

Nick Borcescu, Senior Heritage Planner, ext. 8191.

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

Nancy Tuckett, Director of Development Planning, ext. 8529.

