

# Heritage Vaughan Committee Report

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**DATE:** Wednesday, February 28, 2024

**WARD** 4

**TITLE: PROPOSED DESIGNATION UNDER PART IV OF THE ONTARIO HERITAGE ACT OF 8785 DUFFERIN STREET – WARD 4, EAST SIDE OF DUFFERIN STREET AND NORTH OF CONFEDERATION PARKWAY**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**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 8785 Dufferin Street, located on the east side of Dufferin Street and north of Confederation Parkway (as shown on Attachment 1).

**Report Highlights**

- The report proposes the designation of 8785 Dufferin Street, a 1-storey building of Meeting House style built circa 1888.
- The property holds physical, historical, 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 8785 Dufferin 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 Property Owner, the Ontario Heritage Trust, and published on the City Website.

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 8785 Dufferin Street and a copy of the by-law shall be served on the Owner and Ontario Heritage Trust and a notice shall be published on the City Website.

## **Background**

Known as the Cober Dunkard Church, 8785 Dufferin Street 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 8785 Dufferin 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 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: 8785 Dufferin Street

LEGAL: Concession 2, Lot 12

### **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>N/A</b>
▪ demonstrates high degree of scientific or technical achievement	<b>N/A</b>

8785 Dufferin Street consists of a one-storey church building that was built in 1888, with a rear drive shed. This church building is unique as it was built in the plain style of the “Meeting House” and clad in shiplap siding sourced from the local first growth white pine. It is considered the last of its kind in Vaughan. The church is a small structure, with a single door at the center and stone slab steps leading to the entrance of the front elevation, and stone foundation. The north and south walls each contain three windows that are evenly spaced, and they have nine over six panes of glass. Located at back of the structure is a door that is off center. A drive shed intended to shelter horses and buggies is also located on the property and set back from the church and gives insight into the means of transportation of those who attended the church during the time it was built.

## 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>

8785 Dufferin Street is set back from lot boundary and was described as being located by the neighbouring cemetery and the woods. From 1860 to 1878, the property was owned by Peter Cober. Upon completion of the church, the first service was held on October 21, 1888. While the main carpenter was Nicholas Cober junior, he was assisted by neighbouring families. These families included the Bakers, Keffers, Reamans and various others. This helps to showcase the collaborative nature of the community and to signify the importance of religion. Moreover, not only was the church built on the land of the Cober family, but Peter Cober was also involved in the church. An archival record indicates that Peter Cober was a minister around 1830 and became a bishop in 1840. The property is currently owned by the Trustees for The Cober Dunkard Church in Vaughan, and the City of Vaughan owns the neighbouring cemetery.

## 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>X</b>

8785 Dufferin Street has well-documented placement of the church on the hill, describing how it overlooked the surrounding area, and how the location of church amongst the trees was considered to be beautiful and quiet. *A History of Vaughan Township* describes the location of the church as being amongst beautiful pine trees, and almost surrounded by the nearby Vaughan woods. Although the surrounding area has become residential and commercial, both the church and drive shed historically represents a way of life and continue to serve as a connection to the early pioneer living

within Vaughan. These elements support the understanding about the history and development of Vaughan, which is just as important as 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 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 8785 Dufferin 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 8785 Dufferin Street under the *Ontario Heritage Act*.

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

### **Attachments**

- Attachment 1 – 8785Dufferin\_Location Map
- Attachment 2 – 8785Dufferin\_Statement of Cultural Heritage Value
- Attachment 3 – 8785Dufferin\_LSHS info page
- Attachment 4 – 8785Dufferin\_Maps
- Attachment 5 – 8785Dufferin\_Photos

### **Prepared by**

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