

Heritage Vaughan Committee Report

DATE: Wednesday, March 27, 2024

WARD: 2

**TITLE: PROPOSED DESIGNATION UNDER PART IV OF THE ONTARIO
HERITAGE ACT OF 7365 MARTIN GROVE ROAD**

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 7365 Martin Grove Road located on the east side of Martin Grove Road just north of Highway 407 (as shown on Attachment 1).

Report Highlights

- The report proposes the designation of 7365 Martin Grove Road, a 2-storey Georgian style 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.
- The designation applies to the building-only (as shown on Attachment 4) with a 2m buffer around the built structure for accessibility and easement.

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 7365 Martin Grove Road 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, 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 7365 Martin Grove Road and a copy of the by-law shall be served on the Property Owner and Ontario Heritage Trust and a notice shall be published on the City Website.

Background

Built in 1899, 7365 Martin Grove Road has been recognized as a significant heritage building. It was approved in 2005 by City of Vaughan Council to be added to the City Heritage Inventory of Listed Structures of Heritage Significance ('LSHS'), receiving limited protection under Section 27 of the *Ontario Heritage Act*. The building was relocated and is presently being used as part of a larger medical complex facility – the proposal is to designate the building-only (as shown on Attachment 4) with a 2m buffer around the built structure for accessibility and easement.

Cultural Heritage staff research on the subject property has confirmed that the cultural heritage value of 7365 Martin Grove 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 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: 7365 Martin Grove Road

LEGAL: Lot 3, Concession 8

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. Additional detail is provided in Attachment 2.

1. DESIGN OR PHYSICAL VALUE

The property has design 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

7365 Martin Grove Road is a good example of the Queen Anne style. Known as The Lockwood House (the origin of the name is unknown), this building utilizes asymmetrical details, fish-scale detailing in the gable roof, and incorporates a steeply pitched roof with irregular rooflines. In combination with the large size of the building, these elements work together to create a sense of grandeur within the landscape.

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

7365 Martin Grove Road, built in the 1899, has the potential to yield information that contributes to the understanding of a community. David Johnston arrived in Vaughan from Scotland for a better opportunity, and through hard work not only was able to gain land but also develop a grand residence. The property has the potential to yield an understanding about the perseverance of the early settlers in Vaughan. The Lockwood House served as an early example for innovation in the area, being recorded as the first structure with plumbing.

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 subject property located at 7365 Martin Grove Road holds contextual value through the building's historical connection to the area. Although the structure is no longer in the exact location it was originally built, it still remains on Lot 3 and Concession 8, where it was historically situated. The structure is also a reflection of the agricultural and farming past and is an example of the hard work and dedication of David Johnston in establishing a new life in Vaughan.

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 7365 Martin Grove 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 7365 Martin Grove Road under the *Ontario Heritage Act*.

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

Attachments

- Attachment 1 – 7365MartinGrove_Location Map
- Attachment 2 – 7365MartinGrove_Statement of Cultural Heritage Value
- Attachment 3 – 7365MartinGrove_Building Photos
- Attachment 4 – 7365MartinGrove_Location Map detail
- Attachment 5 - 7365 Martin Grove_Aerial Photos
- Attachment 6 - 7365 Martin Grove_LSHS Info Page

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