

# Heritage Vaughan Committee Report

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**DATE:** Wednesday, May 29, 2024

**WARD:** 1

**TITLE: PROPOSED DESIGNATION OF 12195 HIGHWAY 27 UNDER  
PART IV OF THE ONTARIO HERITAGE ACT**

**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 12195 Highway 27, located on the south-east corner of Highway 27 and King-Vaughan Road (as shown on Attachment 1).

**Report Highlights**

- The report proposes the designation of 12195 Highway 27, a 1-1/2 storey brick-clad late-Victorian hybrid style building, built between 1850-1890.
- 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 12195 Highway 27 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 12195 Highway 27 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**

12195 Highway 27 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 ('LSHS'), receiving limited protection under Section 27 of the *Ontario Heritage Act*. Recent staff research on the subject property has confirmed that the cultural heritage value of 12195 Highway 27 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: 12195 Highway 27

LEGAL: Plan 65R-5216 Part 1-5, Lot 35 Con 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.

## 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 | N/A |
| ▪ displays high degree of craftsmanship or artistic merit  | X   |
| ▪ demonstrates high degree of scientific or technical achievement  | N/A |

Built between 1850-1890, the structure at 12195 Highway 27 is a hybrid-style home showcasing a Late-Victorian architecture that welcomes details of Classical and Georgian motifs. It is clad in a dichromatic orange/red brick with buff/yellow motif along the upper level and quoining down the edges, as well as around the windows and doors of the house. It features multiple L-plans and harmoniously mixes a clipped and cross-gabled roof and steeply pitched gables. The most easterly portion of the house seems to be a newer addition and is clad in board and batten.

## 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 | N/A |
| ▪ 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 |

12195 Highway 27 was part of a 200-acre swath on Lot 35 Concession 8 and was bought by Patrick McCutcheon in 1851. Tax Assessments and Personal Census documents indicate an increase in the property value in 1859 and by 1861 three separate structures are identified on this property – of which at least one predates 1850. At the time of the Listing, the building is dated as 1890 construction, but it is likely that the brick was added to an already-existing structure – which signifies that the McCutcheons were successful enough to elevate their dwelling standards. The property was farmed continuously until 1964, thus ending the 110+ years of the property staying within the same family.

## 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 |

12195 Highway 27 is historically linked to its setting and location: its siting offered a clear and pleasant view of its surroundings in every direction. For over a century the property was used as a farm and contextually relates to the agricultural history and colonial settlement of Vaughan. Knowing the history of who lived in the house helps to

generate an understanding of the life this property lived and memories to the people who lived there.

### **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 12195 Highway 27 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 12195 Highway 27 under the *Ontario Heritage Act*.

**For more information**, please contact: Vanessa Lio, Heritage Specialist, ext. 8152.

### **Attachments**

- Attachment 1 - 12195Hwy27\_Location Map
- Attachment 2 - 12195Hwy27\_Statement of Cultural Heritage Value
- Attachment 3 - 12195Hwy27\_Site Photographs
- Attachment 4 - 12195Hwy27\_LSHS

### **Prepared by**

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