

## **BUDGET COMMITTEE NOVEMBER 23, 2004**

### **VILLAGE OF MAPLE – PROPOSED HERITAGE CONSERVATION DISTRICT STUDY PURSUANT TO PART V OF THE ONTARIO HERITAGE ACT**

#### **Recommendation**

The Commissioner of Planning recommends that:

1. Funds be allocated in the Policy Planning and Urban Design 2005 Operating Budget in the amount of \$21,000 in order to undertake and complete a Heritage Conservation District Study for the Village of Maple (pursuant to Part V of the Ontario Heritage Act).

#### **Purpose**

To allocate funds to the Policy Planning and Urban Design 2005 Operating Budget in order to undertake a Heritage Conservation District Study for the Village of Maple.

#### **Background - Analysis and Options**

At its meeting of October 13, 2004, the Committee of the Whole (Working Session) received a staff presentation entitled "Village of Maple – Proposed Heritage Conservation District Study Pursuant to Part V of the Ontario Heritage Act" and directed staff to bring forward a report with recommendations that would give effect to a Maple Heritage Conservation District Study.

At its meeting of October 18, 2004, the Committee of the Whole gave consideration to the staff report (ratified by Council on October 25, 2004) and adopted a number of recommendations (see Attachment No. 1) including:

That Phillip H. Carter, Architect, be retained on a single-sourced basis in accordance with the City's Purchasing Policies to undertake Phases I, II, and III of the Study, the funds to be paid out of the 2004 Policy Planning and Urban Design Operating Budget in the amount of \$15,000; and

This item be forwarded to the City's Budget Committee for its consideration in allocating funds from the Policy Planning and Urban Design 2005 Operating Budget to complete Phases IV and V of the Study in the amount of \$21,000.

A work program submitted by Phillip Carter identified an upset fee to undertake a Heritage Study for Maple in the amount of \$36,000. The recommended approach to funding this Study is to undertake the Study in phases. Staff are recommending that \$15,000 be allocated for the initial phases of work to be paid from the Policy Planning and Urban Design 2004 Operating Budget (professional fees). For the balance of the Study and completion of the District Plan Heritage Design Guidelines, staff are recommending that \$21,000 be allocated in the Policy Planning and Urban Design 2005 Operating Budget for the purpose of completing the work.

#### **Relationship to Vaughan Vision 2007**

The allocation of additional funds to complete a Heritage Study for Maple is consistent with the priorities previously set by Council related to strong support for heritage preservation and the conservation of Vaughan's 19<sup>th</sup> century rural villages.

#### **Conclusion**

A Heritage Conservation District Study for Maple is in the interest of the municipality and coincides with the objectives set out in the Planning Act, the Maple Community Plan, the Ontario

Heritage Act and Vaughan Vision 2007. Once additional funds are allocated from the Policy Planning and Urban Design 2005 Operating Budget for undertaking the Maple Heritage Study, Council will be in a position to enact the necessary By-laws to establish the Study Area in accordance with Ontario Heritage Act procedures.

**Attachments**

1. Extract from Council Meeting Minutes of October 25, 2004.

**Report prepared by:**

Steven Bell, Urban Design Coordinator, ext. 8661

Respectfully submitted,

John Zipay  
Commissioner of Planning

Diana Birchall  
Director of Policy Planning and Urban Design

## CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004**

Item 28, Report No. 73, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 25, 2004.

**28 VILLAGE OF MAPLE – PROPOSED HERITAGE CONSERVATION DISTRICT STUDY  
PURSUANT TO PART V OF THE ONTARIO HERITAGE ACT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Commissioner of Community Services, dated October 18, 2004:

**Recommendation**

The Commissioner of Planning and the Commissioner of Community Services in consultation with Heritage Vaughan, the Maple Streetscape Committee, and the Director of Purchasing recommends that:

1. A Heritage Conservation District Study be undertaken in order to secure the long-term protection of Maple's historic fabric and to ensure that new development within the core is compatible with the architectural and contextual character of the Village;
2. Phillip H. Carter, Architect, be retained on a single-sourced basis in accordance with the City's Purchasing Policies to undertake Phases I, II and III of the Study, the funds to be paid out of the 2004 Planning Policy and Urban Design Operating Budget in the amount of \$15,000. in accordance with Schedule 'B';
3. This item be forwarded to the City's Budget Committee for its consideration in allocating funds from the Planning Policy and Urban Design 2005 Operating Budget to complete Phase IV and V of the Study in the amount of \$21,000;
4. Council for the City of Vaughan enact a By-law to examine the area shown on Schedule 'A' as a potential Heritage Conservation District in accordance with Section 40, Part V of the *Ontario Heritage Act*, R.S.O. 1990, c.0.18, as amended;
5. Staff report back to Council on amendments to the Site Plan Control By-law to include all properties, generally within the Study area and/or to be specifically defined; and
6. All development applications received by the municipality that fall within the approved Study Area be reviewed for conformance with the direction of the Study as it proceeds.

**Purpose**

Further to a presentation made to the Committee of the Whole Working Session on October 13, 2004, the purpose of this report is to recommend a Heritage Conservation District Study Area for the Village of Maple pursuant to Part V of the *Ontario Heritage Act* and the heritage district policies cited within the Maple Community Plan (OPA 350).

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004

Item 28. CW Report No. 73 – Page 2

#### Background – Analysis and Options

##### Ontario Heritage Act Enables Municipalities to Create Heritage Conservation Districts

Part V of the Ontario Heritage Act (the "Act") governs the creation of Heritage Conservation Districts and is concerned with the protection and enhancement of buildings, streets, and open spaces that collectively give an area a special character, identity or association. Heritage Conservation Districts can either comprise a few buildings or an entire municipality. They may have architectural, historic, scenic, even archaeological aspects worth conserving. District designation under the Act can provide a means to protect and manage that character in the course of change. A municipal council may control alterations, additions and proposed demolitions through the District similar to that for individually designated heritage properties under Part IV of the Act. The compatibility and design of new construction may also be reviewed and managed by Council more rigorously than is permitted under the Planning Act. It should be noted that the intent of a Heritage Conservation District is not to "freeze" a community in time, but to manage its special character through the preparation of a district plan that guides physical change and compatible development. The reward for this care is the conservation of complete environments as attractive, interesting and congenial places to live, work and visit.

##### OPA 350 Maple Community Plan Incorporates Heritage Conservation District Policies

Subsection 41(1) of the Act enables a municipal Council to designate heritage conservation districts where an official plan contains policies relating to the establishment of such districts. The Maple Community Plan (OPA 350), adopted by Vaughan Council on September 17, 1990 (approved by the Ministry of Municipal Affairs on December 3, 1993, with modifications) contains several policies and objectives concerning heritage conservation. Specifically, section 8.0 entitled "Heritage Conservation", Part (C) states that:

In consultation with Heritage Vaughan, Council may, by by-law:

- i) designate individual properties to be of historic or architectural value or interest pursuant to Part IV of the Ontario Heritage Act;
- ii) define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and
- iii) designate the municipality, or any area or areas within the municipality as a heritage conservation district pursuant to Part V of the Ontario Heritage Act.

##### The City of Vaughan Has Two Established Heritage Conservation Districts

The City of Vaughan was one of the first municipalities in Ontario to make use of the Ontario Heritage Act in creating the Thornhill Village Heritage Conservation District in the mid-1980s. In June 2002, Council for the City of Vaughan enacted by-laws to establish the Heritage District for Kleinburg and Nashville along with their natural heritage environs.

#### Comments

##### a) Historical Significance of the Proposed District

The history of Maple can be traced to early occupation by native peoples and settlement by the German Lutherans who arrived in the area during the late 1700s via Pennsylvania (United States). Circa 1825, a large influx of British immigrants arrived in the area and began to shape the character of this unique 19th century community. In 1852, the Town was called Noble's Corner after Joseph Noble and then renamed Rupertsville after Doctor Rupert, a highly respected member of the community.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004**

Item 28, CW Report No. 73 – Page 3

Like other 19<sup>th</sup> century villages in Ontario, the arrival of the railway in Maple gave impetus to rapid economic growth and industry. By the late 1900s, local businesses in the Village included a sawmill, a rope factory, a funeral parlour, a hotel, a hardware store, a pump factory and a harness shop. The Sterling Bank was established after the turn-of-the-century and by 1904, there were 100 homes in Maple, occupied mostly by retired farmers or those operating businesses in the community. In 1928, Maple with a population of 2000 became a self regulating and financing body and was deemed a 'police village'.

Maple features several important 19<sup>th</sup> century landmark buildings: St. Andrew's Presbyterian Church, established in 1832, Maple United Church, built in 1870, and St. Stephen's Anglican Church, built in 1895. Other important sites include the Masonic Lodge, one of the oldest in Upper Canada, founded in 1854, and the Maple Women's Institute established in 1897. William Maxwell Aitken, also known as Lord Beaverbrook served on the British Cabinet and was Britain's Minister of Aircraft Production during WW II. His elegant Georgian inspired family home stands today at the south-west corner of Major Mackenzie Drive and Keele Street. Primarily residential in form, Maple's architecture is stylistically diverse, exemplifying the highest concentration of 19<sup>th</sup> and early 20<sup>th</sup> century vernacular styles in the City of Vaughan. The village character, consisting of modest size buildings related by scale, site-placement and varied setbacks are framed by large mature trees which give this area a distinct village identity and special character worthy of preservation.

b) Community Consultation & Strong Support for Preserving Maple

In the Fall of 2003, staff undertook a number of steps to increase the awareness and appreciation of Maple as an early 19<sup>th</sup> century village rich in architectural character, history and setting through a series of presentations given to the Maple Streetscape Committee, Heritage Vaughan, and a number of key ratepayer groups in the Maple area. There was significant enthusiasm arising from this presentation including strong support for conserving Maple's heritage character and the need to provide much stronger tools to improve the quality of architecture, built-form and recent developments in the core area.

c) Maple Streetscape Committee & Heritage Vaughan Recommends Heritage District Study

Further to these presentations, the Maple Streetscape Committee and Heritage Vaughan recommended that a Heritage Conservation District Study be undertaken in order to secure the long-term protection of Maple's historic fabric and to ensure that new development within the core be in keeping with the architectural and contextual character of the Village. Other recommendations by these committees included:

1. Staff investigate ways to encourage good stewardship of heritage buildings by offering incentives and funding programs to owners of heritage property in Maple;
2. The Zoning By-law be amended to review single-family infill, semi-detached and townhouses through Site Plan approval;
3. Where development has an impact on heritage buildings, developers be encouraged to retain a heritage consultant to advise on conservation issues and contextual aspects;
4. Ongoing workshops, tours and presentations be undertaken by staff and experts;
5. Improved coordination between the Maple Streetscape Committee and Heritage Vaughan with respect to development issues affecting heritage properties; and
6. Heritage Vaughan has also recommended that Council adopt an interim control By-law.

d) Process to Undertake Heritage Study & District Plan

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004**

Item 28, CW Report No. 73 – Page 4

The process to establish a heritage conservation district under Part V of the Ontario Heritage Act generally entails several key steps:

- A policy statement contained within the municipality's Official Plan, encouraging the designation of Heritage Conservation Districts pursuant to the *Ontario Heritage Act* (this has been undertaken with the adoption of the Maple Community Plan - OPA 350, Section 8.0 'Heritage Conservation');
- The enactment of a municipal by-law to examine a particular area as a potential Heritage Conservation District (a.k.a. 'The Study' as recommended by this report);
- The undertaking of a Study consisting of historical research, physical area analysis, the creation of a comprehensive property/building inventory and the delineation of a proposed Heritage District boundary;
- The preparation of a District Plan outlining policies, approval procedures and heritage design guidelines that will guide property owners and decision makers on maintenance, restoration, alteration, demolition, new construction and proposed development occurring within the heritage conservation district. The plan may also contain a number of recommendations required to harmonize existing planning tools and municipal activities with the District Plan; and
- The enactment of a By-law by Council under the Ontario Heritage Act to establish the boundaries of the District and implement the District Plan controls.

e) Study Cost

In early 2003, Phillip H. Carter, Architect, was approached to discuss the merits of a Heritage Conservation District Study for Maple. Through these discussions, it was identified that a significant savings could be provided to the City of Vaughan for Maple, based on the work undertaken for the Kleinburg-Nashville Heritage District Study in 2002 (produced by Mr. Carter). At the request of staff, a work program was submitted by Mr. Carter with an upset fee of \$36,000, broken into discreet, incremental phases of work. The terms of reference provided by Mr. Carter follow a similar format to the Kleinburg-Nashville Heritage Study and is attached with this report (See Schedule 'B').

f) Recommended Approach to Study Funding

The recommended approach to funding this \$36,000 Heritage Study is to undertake the Study in phases. Staff are recommending that \$15,000 be allocated for the initial phases of work to be paid from the Planning Policy and Urban Design 2004 Operating Budget (professional fees). For the balance of the Study and completion of the District Plan Heritage Design Guidelines, staff are recommending that \$21,000 be included in the Planning Policy and Urban Design 2005 Operating Budget in order to complete the work.

g) Recommendation To Retain Heritage Consultant

Staff are recommending that Phillip H. Carter, Architect (Heritage Consultant), the consultant retained by the City of Vaughan in 2002 to complete the Kleinburg-Nashville Heritage Study, be retained on a single-sourced basis. The Director of Purchasing has been consulted and notes that this expenditure is in compliance with the City's Purchasing Policies and Procedures to retain Phillip Carter, Architect, based on the following rationale.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004**

Item 28, CW Report No. 73 – Page 5

- This type of study requires the expertise of a specialized consultant knowledgeable in heritage conservation issues and compatible new development;
- A significant portion of the work undertaken for the Kleinburg-Nashville Heritage Conservation District Study undertaken by Mr. Carter can be transferred and/or adapted to a Study for Maple (i.e. heritage conservation aspects, detailed design guidance and guiding principles, procedural issues, policy and implementation aspects);
- Mr. Carter and his team have already undertaken heritage review work for the City as it relates to the Maple Streetscape Urban Design Guidelines. Using Mr. Carter for this proposed Study ensures a continuum in the understanding of heritage issues particular to Maple, along with consistency in approach and methodology;
- As a result of the above, a significant amount of savings is realized in retaining Mr. Carter to do this work, in contrast with having to go to a full fledged RFP process. Such savings would be in the order of \$50 000 +;
- In dealing with Mr. Carter and his team on the Kleinburg-Nashville Heritage Study, he has made himself accessible, available and flexible to assist staff on extraneous and contentious issues arising from the study, often without additional charge; and
- The approach and content of the Kleinburg/Nashville District Study and Plan was undertaken by Mr. Carter's team in a timely, efficient, and high quality manner.

h) Proposed Study Area To Be Examined as a Heritage Conservation District

The rationale for the Study Area (see Schedule 'A') is based on early historic maps of Maple along with the local concentration of heritage buildings that define the Village's local context and included in the Maple Heritage Inventory of Properties. Other factors shaping the Study Area include landscape character and open spaces, historic roads and block patterns, approaches and gateways to the Village, and to some extent the jurisdictional boundaries that define the 'Maple Streetscape Program and Urban Design Guidelines' policy document.

The Committee of the Whole at its Working Session meeting of October 13, 2004, also recommended that the Study Area be amended to include the residential areas Zoned R1V located below the south-west quadrant of Major Mackenzie Drive and Keele Street.

i) Heritage Vaughan Endorses Study Area

At its meeting of August 18, 2004, Heritage Vaughan gave consideration to a presentation by staff on the proposed Heritage Conservation District (shown in Schedule 'A'). At its meeting of September 15, 2004, Heritage Vaughan endorsed the staff recommendations that Council for the City of Vaughan, enact a by-law to examine the proposed Study Area as a potential Heritage Conservation District in accordance with the heritage policies set out in the Maple Community Plan (OPA 350 - Section 8.0, 'Heritage Conservation') and Section 40, Part V of the Ontario Heritage Act (R.S.O. 1990), as amended.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 25, 2004**

Item 28. CW Report No. 73 – Page 6

j) **Amending the Site Plan Control By-law to Include Properties within the Study Area**

As Maple becomes a stronger focus in the City of Vaughan with the construction of the new Civic Centre, it is anticipated that there will be an increase in the number of new development proposals along with demolition activity in the area. Moreover, to address the concerns related to design issues associated with recent development in the historic core, staff are recommending that amendments to the Site Plan Control By-law include all properties, generally within the Study area and/or to be specifically defined. Moreover, that all development applications received by the municipality falling within the approved Study Area be reviewed for conformance with the direction of the Study as it proceeds.

k) **Presentation to the Committee of the Whole Working Session**

At its meeting of October 13, 2004, the Committee of the Whole (Working Session) gave consideration to a staff presentation entitled 'Maple - Proposed Heritage Conservation District Study' and endorsed the staff recommendation that the presentation be received. Also, that staff bring forward a report with recommendations to the Committee of the Whole's meeting of October 18, 2004, for its consideration. The Committee also recommended that the Study area be expanded to include all R1V lots, and that the funds required to complete the balance of the project be considered in the 2005 budget process.

**Relationship to Vaughan Vision 2007**

The City of Vaughan is supportive of heritage conservation, the retention of its 19<sup>th</sup> century rural villages, and moreover, the potential for tourism and economic development opportunities these communities can provide.

**Conclusion**

A Heritage Conservation District Study for Maple is in the interest of the municipality and coincides with the objectives set out in the Planning Act, the Maple Community Plan, the Ontario Heritage Act and Vaughan Vision 2007. Once council enacts a By-law to establish the Heritage Study Area, staff will coordinate Phases 1 - 3 of the Study with the Phillip H. Carter (The Consultant), including a timetable to establish deliverables and to develop a public consultation program similar to that of the Kleinburg -Nashville Heritage Study that engages the support and input of the local community through a steering committee, workshops, public meetings and meetings of Heritage Vaughan.

**Attachments**

1. Village Of Maple - Proposed Study Area for Heritage Conservation District
2. Heritage Conservation District Study Work Program Proposed By Phillip H. Carter

**Report prepared by:**

Steven Bell, Urban Design Project Coordinator, ext. 8661

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)