



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

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1. Inclusion of Heritage Policies within the Official Plan, in this instance the Woodbridge Community Plan, OPA #240;
2. The designation of the area to be studied;
3. Consultation with Heritage Vaughan;
4. A public meeting; and,
5. Notification of property owners if a Heritage Conservation District is approved.

Based on these requirements, at the Council meeting of May 7, 2007, the following recommendation (in part) was approved:

- “1. A Heritage Conservation District Study be undertaken in order to secure the long-term protection of Woodbridge’s historic built and natural environment to ensure that new development within the area is compatible with the architectural and contextual character of the community;*
- 2. Council enact a By-law to identify the area shown on Attachment 1 as a potential Heritage Conservation District pursuant to Part V, section 40, of the Ontario Heritage Act; and,*
- 3. Council approve the Terms of Reference for the Woodbridge Heritage Conservation District Study and Plan.”*

In accordance with these recommendations “By-law 139-2007” a by-law to define an area to be examined for future designation of the whole or part of the area as a Heritage Conservation District” was adopted at the May 7, 2007 meeting of Council.

#### Terms of Reference

The key tasks outlined in the Terms of Reference for the Heritage District Study and approved by Council on May 7, 2007 are outlined below:

1. To review the building stock and natural heritage landscape within the study area to determine if a Heritage Conservation District is an appropriate tool to manage change within the community.
2. To provide a suggested boundary for a Heritage Conservation District, if it is determined to be warranted.
3. To highlight key development issues that should be addressed in a Heritage Conservation District Plan.
4. To identify and provide appropriate policies for the preservation and enhancement of built and natural heritage in Woodbridge.
5. To provide appropriate design guidelines and standards for development in Woodbridge.

#### Public Hearing of January 13, 2009

The Woodbridge Heritage Conservation District Study/Plan was presented to members of Council and residents at the statutory public hearing of January 13, 2009, for their consideration and comment.

On February 3, 2009, Council approved the recommendation to receive the Study Report and proposed Woodbridge Heritage Conservation District Plan; that issues identified be addressed in a comprehensive report to a future meeting of the committee of the Whole; and, that prior to the matter returning to a Committee of the Whole, a further public consultation meeting be held with members of the community to fully explain the implications of the proposed Plan.

A number of residents spoke at the hearing or submitted written comments. Their comments and those of Council are summarized as follows:

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(1) Comment

*“It is too late to preserve the heritage character of Woodbridge, as most of the historical buildings have been lost to redevelopment.”*

Response

There are over 130 Heritage buildings, and a number of significant landscapes, monuments and bridges still remaining within the proposed Woodbridge Heritage District. It is interesting to note that the proposed Woodbridge Heritage District has the greatest number of Contributing buildings (buildings of heritage significance), and also the second highest ratio of Contributing buildings to non-Contributing buildings, relative to the established Heritage Districts of Thornhill, Maple, and Kleinburg-Nashville. Given the significant concentration of heritage buildings remaining in the Woodbridge core, it is important to protect and encourage the evolution of the heritage character of this area through the establishment of a Heritage District.

(2) Comment

*A few residents questioned why their homes were noted as having heritage significance, given that the structures have been altered, or were built within the last 60 years.*

Response

The Heritage Architect for the study has surveyed each property within the proposed District boundary with respect to the “Heritage Character Statement” contained in the Heritage Plan and also the Heritage Character Area in which the structures are situated, to determine whether a structure is contributing to the historical significance of that particular area. Structures that have been altered may still contain heritage attributes that continue to contribute to the spirit of the District. The Heritage Architect has determined that some properties built within the last 60 years have cultural value as part of the more recent history and heritage character of the District.

(3) Comment

*A few residents expressed concerns that should the Woodbridge Heritage Conservation District Plan be approved, they would be unable to renovate/make additions to their homes.*

Response

Renovations/additions are permitted within a Heritage District, provided they are appropriate to the heritage character of the existing building, and in compliance with the Heritage District Guidelines. Proposals for renovation/additions to any structure within a Heritage District will be reviewed by City of Vaughan Cultural Services Division.

(4) Comment

*A resident asked whether there are any regulations within the proposed District Plan respecting non-Contributing buildings (buildings which are not noted as having heritage significance) located next door to a heritage property.*

Response

New buildings/renovations to non-Contributing buildings within the Heritage District are also addressed within the proposed guidelines of the Heritage District Plan (Section 6.3). Proposed development must adhere to the design guidelines provided in the Plan respecting the Character Area in which they are located. In addition, when located adjacent to a heritage structure, new

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development must not detract, hide from view, overwhelm, or impose in a negative way on existing heritage resources. Transitional Design Guidelines are provided in the District Plan and are specifically included to ensure that new structures and landscapes harmonize with Contributing properties. These guidelines regulate building heights, yard setbacks and landscape continuity adjacent to Contributing properties. However, the Transitional Design Guidelines offer more leeway in terms of the building materials, and architectural style of the new building.

#### (5) Comment

*A few members of the community attending the Public Hearing, expressed confusion with respect to the proposed boundary line of the District.*

#### Response

It should be noted that the study area included a larger area, while the proposed District boundary has left out pockets which were not considered to add to the heritage character of the area. Attachment #3 to this report outlines the study area, the proposed District boundary, and the Character Areas.

#### (6) Comment

*A number of residents at the Public Hearing spoke in support of the proposed Heritage District Plan as an effective and necessary approach for preserving the valuable heritage character of Woodbridge.*

#### Additional Public Consultation Meeting Held March 4, 2009

Over 60 residents attended the public consultation meeting on March 4, 2009. The City's Consultants for the Heritage Conservation District Study provided a presentation specifically geared to addressing questions and issues raised at the Public Hearing on January 13, 2009. The remainder of the evening was devoted to a question and answer period to allow any additional questions from residents to be addressed by the Heritage Architect, and City Staff.

While some residents expressed opposition to the creation of a Heritage District in Woodbridge, others were optimistic that a Heritage District would have a positive influence on the quality of their community. A number of residents suggested that a Heritage District would be more successful in achieving its objectives, if Council would recognize it as a special area in the City worthy of public funding to improve the streetscape, roads, and other public spaces within its boundary.

#### Additional Comments Received at the Public Consultation Meeting of March 4, 2009, and Since the Public Hearing Date

#### (1) Comment

*At the March 4, 2009 meeting, the owner of a smaller heritage home within the proposed District expressed concerned that he would not be permitted to demolish his home to re-build a larger structure for his growing family, if the District were established. In addition, he stated that the home is in need of costly repairs which he does not feel are justified in view of the fact that he needs a larger building.*

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##### Response

It can be less costly to repair and add onto the existing house than it would be to demolish the structure and build anew. The proposed Heritage Plan details how additions may be made to existing structures using appropriate materials, and maintaining the architectural integrity of the building. Cultural Services Staff are available to discuss the potential for renovating, restoring and adding onto a building.

##### (2) Comment

*A letter was received by the City on March 3, 2009, signed by 16 homeowners residing in the section of Kipling Avenue north of Meeting House road, and south of Chavender Place, requesting the exclusion of their properties from the Woodbridge Heritage Conservation District Plan.*

##### Response

These properties form part of the Kipling Avenue Character Area, and represent a concentration of heritage homes, over half of which are listed as “Contributing” in the Study inventory. Staff are of the opinion that the properties should be included in the District as per the recommendations of the Study’s Heritage Architect.

##### (3) Comment

*Two additional letters were received from home owners residing on Kipling Avenue, opposing the District Plan because of concerns respecting (i) de-valuation of property values, and (ii) perceived restrictions (particularly with respect to Section 8.3.1.1 Exemptions). Questions were also raised respecting the (iii) City’s responsibility in improving the public streets/streetscape.*

##### Response

- (i) With respect to the question of property values, studies have shown that property values of heritage buildings in Ontario performed very well in the real estate market. In addition, designated Heritage properties are more resistant to negative fluctuations in the market. A study conducted in 2000 on property values of designated heritage buildings in different parts of Ontario found that 74% of properties were valued above the average sale prices in their particular area. (The Lazarus Effect, Robert Shipley, Heritage Resource Centre, University of Waterloo, [www.fes.uwaterloo.ca/research/hrc/documents/lazarus-jan20-verA.pdf](http://www.fes.uwaterloo.ca/research/hrc/documents/lazarus-jan20-verA.pdf)). Please see study references for further articles on this topic.
- (ii) Section 8.3.1.1 Exemptions, respecting building projects which do not require a Heritage Permit, has been revised to clarify that a Heritage Clearance Approval is not required for this class of projects. It is however, encouraged that residents confirm verbally with Cultural Services Staff that the work they are planning to undertake is in an exempted class.
- (iii) Regarding improvements to roadways and to the public realm, the City of Vaughan is undertaking re-construction of Kipling Avenue from Hwy # 7 to Woodbridge Avenue this summer (2009). Streetscaping is also projected for Kipling Avenue (from Hwy # 7 north to Langstaff Road), and Woodbridge Avenue Commercial Core for 2015; and, will be designed in accordance with the recommendations of Draft OPA 695 (Kipling Avenue Study), and the recommendations of the Woodbridge Heritage Conservation Plan. Any new streetscaping policies arising from the Woodbridge Focused Area Study will also be considered.

In conclusion to this section on comments received, it should be noted that the total number of property owners who have notified the City of their opposition to the proposed District Plan is 27. This represents about 9% of the 295 lots situated within the proposed Heritage District.

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#### Proposed Heritage Conservation District Boundary

By-law 139-2007 defined the area subject to the study (See Attachment 1). Based on the review of existing conditions by the consultant, the proposed boundary of the Heritage Conservation District was modified to better reflect the location of the heritage resources (See Attachment 2). A final adjustment was made to the Heritage District boundary as a result of further review following the Public Hearing, to exclude the property at 8142 Islington Avenue from the District boundary. It was decided that because this was the only property within the district fronting onto Islington Avenue, the continuity of the District could be maintained and the “Modern” Church located on the lot could be protected through a Part 1V Designation based on further review by the City.

Once the Heritage Conservation District Plan is approved, the Official Plan will need to be revised to reflect the contents of the Heritage Conservation District Plan. These amendments will address items such as built form and policies to preserve and enhance the heritage landscape of Woodbridge. It should be noted that the concurrent Kipling Avenue Corridor Study includes the information and policies pertaining to heritage for the portion of the Heritage Conservation District Study which falls into the Kipling Avenue study area.

#### Next Steps

Policy Planning Staff will proceed to complete the comprehensive report for the Woodbridge Heritage Conservation District Plan, incorporating any new information, or direction received at this Working Session. The report will be prepared for a future Committee of the Whole as quickly as possible.

#### Relationship to Vaughan Vision 2020/Strategic Plan

Section 4.6 of Vaughan Vision outlines the City’s commitment to preserving “significant historical buildings and communities”. The proposed Woodbridge Heritage Conservation District Study/Plan is consistent with the policies of Vaughan Vision 2007.

#### Regional Implications

While the Region does not have a direct interest in the creation of municipal Heritage Conservation Districts, their creation does help implement various policies contained within Section 4.2 “Cultural Heritage” of the Region’s Official Plan. As previously noted, the Region has and been informed of all meetings pertaining to this Study, and will continue to be advised of all progress on the proposed Heritage District Plan.

#### Conclusion

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 1980’s. Subsequently, studies and plans were prepared for Kleinburg-Nashville (2002) and Maple (2007), and the Thornhill HCD policies were updated in 2007. The creation of a Heritage Conservation District in Woodbridge would recognize the importance of this community as one of the founding villages in the City. Staff recommend that we proceed with the “next steps” towards the creation of a Woodbridge Heritage Conservation District.

#### Attachments

1. Study Boundary as identified on By-law #139-2007
2. Proposed Woodbridge Heritage Conservation District Plan Boundary
3. Character Areas within the proposed Conservation District Plan

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**Report prepared by:**

Anna Sicilia, Planner – Ext. 8063  
Wayne McEachern, Manger – Ext. 8026

(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.)





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Public Notice will provide other interested parties with the ability to comment on the proposed amendments.

**Purpose**

This report proposes changes to the City of Vaughan Sign By-law, as it applies to mobile signs, as well as modification to the sign permit process and more proactive enforcement.

**Background - Analysis and Options**

Council, at its meeting of December 8, 2008, Report 60, Item 3, approved the following recommendation:

*“...provide a further report addressing the comments made by the deputant, including opportunities to bring the Sign Bylaw more in line with neighbouring municipalities and consistent and efficient methodology of enforcement.”*

As a result of the direction from Council, staff convened a meeting with the mobile sign industry on January 23, 2009. Invitations were sent to all licensed and unlicensed mobile sign companies known to be operating in Vaughan. A total of 15 companies attended the meeting to share their opinions of what changes are required to the mobile sign provisions of the City of Vaughan Sign By-law.

Following a review of the City of Vaughan Sign By-law, by-laws from other municipalities, and the comments and suggestions from the industry, staff subsequently circulated a draft of the proposed amendments to those who were in attendance at the January meeting and received their comments.

<b><i>Sign Industry Comment/Suggestion</i></b>	<b><i>Staff's Recommendation</i></b>
Hold the store owners accountable for illegally placed signs	Agree with proposal
Change the permit times to 14 and 21 days	Agree, all permits to be 21 days in duration
More opportunity for not for profit signs	Do not agree, status quo, or tighter restrictions should apply
Allow multiple colour signs;	Do not agree, status quo should be maintained
Enable application for permits by fax or mail	Do not agree, current resources do not allow this process at this time
Allow permits to be processed well in advance of the effective date of a permit	Agree, permits could be made available up to 7 days before the erection date

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Allow more than one sign per lot	Agree, with limitations
Remove moratorium – 30 days on, 30 days off;	Do not agree, however, moratorium to be modified to match 21 day permits.
More consistent enforcement of the By-law	Agree with proposal, new processes have been implemented

The current City of Vaughan Sign By-law restricts the use of Mobile Signs in the city of Vaughan to:

- one sign per lot at any given time;
- maximum 30 days on followed by 30 days off;
- Single coloured letters;
- Must be located entirely on private property ;
- Not in a parking space;
- Not in or within 8 metres of a driveway;
- Must display a valid permit issued by the Building Standards Department, that must be applied for in person at the Civic Centre no sooner than 24 hours prior to the effective date of the permit.

Staff have also reviewed other area by-laws. A synopsis of other by-laws is included as Attachment #1.

As a result of the review of the comments and requests by the industry, in conjunction with the comparator bylaw review, staff are recommending several amendments to the City of Vaughan Sign By-law. They are as follows:

a) More Than One Sign Per Lot

As indicated in Attachment #1 other municipalities provide for more than one sign per lot based on such factors as lot frontage, number of businesses on the lot, and a prescribed distance between signs.

Many municipalities allow one sign per lot frontage.

Staff could support one mobile sign be permitted per lot frontage, providing that no sign is permitted on a lot frontage directly facing a residential property, excluding mixed use properties.

This amendment would bring the Vaughan Bylaw closer to the comparators, without impacting residential areas.

b) Terms of Permits

Staff heard from the industry that the lengths of time that permits are valid should be changed to 21 days from the 15 and 30 day permits currently in place.

The industry also requested no more moratorium on sign placement (30 days on, 30 days off).

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Staff could support modifying the time length of permits to 21 days, while maintaining the current fee of \$100. per permit

A change in the moratorium to 21 days on, 21 days off to coincide with the new length of permits would allow for an increase in the number of occasions a business could display signs during a year from 6 to 8 per year per allowable lot frontage.

#### c) Increased Control Over Not For Profit Signs

The industry recommended that the provisions surrounding not for profit signs be reviewed with the intention of permitting more signs.

Staff are recommending that the definition of charitable/not for profit signs be amended to include only those signs that are directly associated to charitable fundraising organizations. Such organizations must provide proof of its status.

Staff recommend that the not for profit signs be subject to the permit process and be required to obtain a permit, albeit at no cost, to provide control over sign placement and increased effectiveness of enforcement.

Placement of the not for profit sign must be on the property of the agency, or the location of the fundraising event.

City information signs should be placed in a manner as to minimize any duplication or redundancy, and in compliance with the By-law.

#### d) Business Owner's Responsibility

The industry indicated that they are pressured by business owners to erect illegal signs and therefore business owners should be held equally accountable for illegally placed signs, as the stores are purchasing the services of the sign companies and providing direction on the sign content, and location.

There appears to be some joint level of accountability for the illegal placement of mobile signs. Should a sign be erected without a permit, both the business owner and sign company bear responsibility and will be notified of the infraction.

The By-law could be amended to require the business owner to provide the sign company with signed authorization to erect a sign. Currently the By-law states that permission to post a sign must be obtained from the property owner. This authorization must be presented to the City at the time the sign permit is applied for. The application could be made downloadable from the City's website for ease of use.

#### Enforcement

The sign industry has demanded more consistent and proactive enforcement of the Sign By-law.

Although the industry complains of inconsistent enforcement, the industry itself has not taken any steps to curtail illegal activities. In fact, since the meeting in January, there has been a proliferation of illegal signs that have been erected by the sign companies, including those that have made deputations before Council. The majority of these illegal signs are from licensed companies, contrary to the assertions of the deputants.

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A more proactive approach to enforcement is being undertaken, including:

- a) Those companies or individuals found to be operating without a license will be charged under the Licensing By-law, in addition to the Sign By-law;
- b) Companies charged for violating the Sign Bylaw in excess of five times in any 12 month period will be recommended for a license revocation to the Licensing Committee. This includes both the business establishments and the sign companies that violate the By-law provisions.
- c) Staff are also recommending an amendment to the definition of a sign to include not only the structure, but also the letters that make up the content of the message. This will allow staff to remove the lettering from the sign faces to eliminate the advantage of having illegal advertising in scenarios where the entire sign cannot be readily impounded.
- d) Staff will patrol proactively for illegal signs in addition to responding to complaints;
- e) The businesses, whose services are being advertised by the illegal sign will be notified by enforcement staff that the sign is illegal and must be removed immediately.
- f) The sign companies will be contacted about their illegal signs and given 24 hours notice to remove the signs before confiscation.
- g) Staff will be scheduled as required to increase sign enforcement effectiveness.

#### Sign Permit Administration Process

Staff could modify the application and permitting process to include the following steps:

- a) 7 day advance application/permitting could be implemented. The permit must be paid for at the time the application is submitted and the fee would be non-refundable.
- b) The sign application form must be signed by both the sign company and the business contracting the sign.

The above constitutes the only changes requested by the industry which staff are able to support at this time.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the Vaughan Vision in respect to the pursuit of service excellence and providing a safe environment.

#### Regional Implications

This By-law would be enforced on Region Road allowed by City staff. As such the Region will be supplied with a copy of the amended By-law and advised of the enforcement action by City staff.

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**Conclusion**

The Sign industry has requested amendments to the Sign By-law, and increased enforcement. Staff are recommending amendments to the By-law, which brings Vaughan's sign regulation more in line with comparable and neighbouring municipalities.

**Attachments**

Attachment #1 – Sign Bylaw Comparison  
Attachment #2 – Sign Permit Application

**Report prepared by:**

Tony Thompson, Director, Enforcement Services  
John Studdy, Manager of Customer and Administrative Services

(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.)