

COMMITTEE OF THE WHOLE MAY 28, 2007

DESIGNATION OF THE VILLAGE OF MAPLE AS A HERITAGE CONSERVATION DISTRICT PURSUANT TO PART V OF THE ONTARIO HERITAGE ACT File 15.94

Recommendation

The Commissioner of Planning, in consultation with the Commissioner of Community Services and the Directors of Policy Planning Department and Recreation & Culture Department recommend approval of the following:

- 1) A by-law be enacted to designate the area shown on Attachment No. 2 as the Village of Maple Heritage Conservation District pursuant to subsection 41(1) of the Ontario Heritage Act;
- 2) A by-law be enacted to adopt the Village of Maple Heritage Conservation District Plan – Volume 3 (Attachment 4) as guidelines for property owners, City staff, advisory committees and Council when making decisions on matters referred to in Sections 41.2 and 42 of the Ontario Heritage Act;
- 3) That following the adoption of the Heritage Conservation District Plan by Council, the Policy Planning Department, in consultation with the Development Planning Department and the Cultural Services Department, proceed with a review of OPA No. 350 – Maple Community Plan, By-law 1-88 and the City's Sign By-law and bring back a further report(s) on required amendments to reflect the approved Heritage Conservation District for Council's consideration;
- 4) That staff prepare a report for Council's review on any required amendments to the Site Plan Control By-law and associated OPA's to include all properties within the Village of Maple Heritage Conservation District or within the area identified during the review of OPA 200 (Site Plan Control) as amended, for Council's consideration.

Economic Impact

There are no immediate requirements for new funding associated with this report. Resources may be required from time to time to fully implement the programs recommended in the Plan, such as producing educational material and re-examining the City's grant and loan program.

Communications Plan

Upon enactment of the By-laws to designate the Heritage Conservation District and adopt the Village of Maple Heritage Conservation District Plan, the Ontario Heritage Act requires that a notice be published in a local newspaper and that each property owner within the Heritage Conservation District be notified by mail. Pursuant to the Heritage Act, the enactment of the Heritage Conservation District will also be registered on the Title of each property within the District.

Background – Past Council Action

On December 11, 2006, the Committee of the Whole recommended approval of the recommendation contained in the report from the Commissioner of Planning regarding the proposed Village of Maple Heritage Conservation District and Study.

On December 18, 2006, Council adopted the following regarding the item (Item 42, Report 46):

"That this matter be referred to the Committee of the Whole meeting of January 22, 2007, and;

That the written submission from Ms Vania Ottoborgo, History Hill Group, 8700 Dufferin Street, Vaughan, L4K 4S6, dated December 13, 2006, be received."

History Hill Group owns a number of properties within the proposed Maple Heritage Conservation District. In their letter, the landowner requested a deferral of the above-noted item to provide an opportunity to meet with staff to review the concerns they have with the proposed District Plan.

On January 10, 2007, staff met with the landowner. However, a number of issues remained outstanding that required further discussion.

On January 22, 2007, the Committee of the Whole recommended the following regarding this matter (Item 26, Report No. 1), which was adopted by Council at its meeting on January 29, 2007:

"That this matter be deferred to a future Committee of the Whole meeting to allow for the discussion between staff and a landowner on issues related to the proposed Heritage Conservation District and Plan, in accordance with the memorandum of the Commissioner of Planning, dated January 11, 2007; and

That the written submission of Ms. Vania Ottoborgo, History Hill Group, 8700 Dufferin Street, Vaughan, L4K 4S6, dated January 11, 2007, be received."

History Hill Group submitted a letter, dated February 16, 2007, identifying a number of concerns and questions regarding the District Plan (Attachment No. 5). On March 15, 2007, Policy Planning Staff met again with representatives from History Hill. A description of their concerns and staff's response to their concerns is outlined in this report under the heading "History Hill Group", following "Public Meetings and Consultation".

Purpose

The purpose of this report is to outline of the actions taken during the preparation of the Village of Maple Heritage Conservation District Study - Volume 2 (Attachment 3) and subsequent development of the Village of Maple Heritage Conservation District Plan – Volume 3 (Attachment 4). This report provides an overview of the contents of each of the aforementioned documents and provides a recommendation to enact a by-law to designate a Heritage Conservation District comprising the lands of the Village of Maple (Attachment 2) and a by-law to adopt the Village of Maple Heritage Conservation District Plan. This report also identifies other actions that will be required to be undertaken by City staff in order to ensure the successful implementation of the Village of Maple Heritage Conservation District Plan.

Background - Analysis and Options

Ontario Heritage Act

The Ontario Heritage Act, R.S.O. 1990, c.O. 18, as amended, (the "Act"), Part V enables municipalities to establish or designate Heritage Conservation Districts. The Act governs the establishment 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, a large area or even an entire municipality. They may have cultural, architectural, historic, scenic or archaeological aspects worth conserving. The designation of a District under Part V of the Act can provide a means to protect and manage that character in the course of change over time.

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 outcome is the conservation of complete environments as attractive, interesting and congenial places to live, work and visit.

Recent revisions to the Ontario Heritage Act change the relationship between Heritage Conservation District Plans and Official Plans and Zoning By-laws. Pursuant to Part V, Section 41(2) of the Ontario Heritage Act, the development policies and guidelines contained within the Heritage Conservation District Plan will supersede existing policies contained within OPA No. 350 (The Maple Community Plan) and the City's Comprehensive Zoning By-law 1-88. As a result of this change to the Act, it will be necessary to review these documents to ensure they conform to the policies and guidelines contained within the Heritage Conservation District Plan.

OPA No. 350 – Maple Community Plan

Subsection 41(1) of the Ontario Heritage Act enables a municipal council to designate heritage conservation districts where an Official Plan (Amendment) contains policies relating to the establishment of such districts. Section 8.0 "Heritage Conservation" of OPA No. 350 fulfills this requirement by outlining Council's intent to undertake a study to determine if a Heritage Conservation District is warranted for Maple. Specifically, subsection 8.0(c) states:

"In Consultation with Heritage Vaughan, Council may, by by-law:

- 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;"

Should Council decide to designate the Heritage Conservation District and adopt the Heritage Conservation District Plan, this Section of OPA No. 350 will need to be revised to reflect the contents of the Heritage Conservation District Plan. These amendments will address items such as appropriate uses, built form and policies to preserve and enhance the heritage landscape of Maple.

Village of Maple Heritage Conservation District Study Area

At its meeting of October 25, 2004, Vaughan Council approved 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.O.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."

Based on this recommendation, and other items presented in the Staff Report, Council enacted By-law 366-2004, which defined an area to be examined for future designation of the whole or any part of the study area as a Heritage Conservation District pursuant to subsection 40(1) of the Ontario Heritage Act. The selected consultant reviewed and commented on development applications during the preparation of the Study and Plan. By-law 366-2004 allowed the City to undertake the following tasks:

1. To complete an inventory and evaluation of streetscapes, buildings, landmarks and open spaces within the Study Area as input into evaluating the heritage character of the area.
2. To establish the heritage character of the Study Area, and consider the need, suitability and justification for designating the whole or part of the Study Area as a Heritage Conservation District.
3. To make appropriate recommendations related to the specific determinants and rationale for the proposed boundaries of the Heritage Conservation District and the subsequent designation of the proposed Heritage Conservation District under Part V of the Ontario Heritage Act.
4. To prepare a Heritage Conservation District Plan that includes goals and objectives, policies, design concepts and design guidelines aimed at preserving and enhancing the defined character of the District and provides the basis for considering future development proposals for any lands, buildings or structures within the District.
5. To review the results of the Maple Heritage Study and identify the need to incorporate any related policies into the Maple Community Plan by way of an amendment to OPA 350 or the need for any amendments to the Zoning By-law.
6. To encourage and ensure the participation and input of local residents and local interest groups in all phases of the Heritage Conservation District Study and any appropriate District Plan preparation process.

These items have been completed, except for Item 5 - the review of OPA 350 and associated planning tools. This review will be undertaken by Policy Planning staff in consultation with Development Planning and Cultural Services staff.

Heritage Consultant Retained to Undertake Heritage Study and District Plan

Phillip H. Carter, Architect was retained to undertake the study based on a submitted proposal and similar work he has completed for the City, including the Kleinburg-Nashville Heritage Conservation District Plan and Study and the Maple Streetscape and Urban Design Guidelines Study: Heritage Review.

Analysis and Options

The Boundary of the Proposed District

In defining the boundary of the Study it was the intention of the City to review the area adjacent to Keele Street and Major Mackenzie Drive (Attachment 1). The study area was large enough to allow the consultant to capture the development history of Maple and determine an appropriate boundary for a Heritage Conservation District. Based on the review of architectural styles and landscapes, which are presented in the Assessment and Study (Attachment 3), combined with public input, the boundary of the Village of Maple Heritage Conservation District presented on Attachment 2 has been determined. The proposed boundary encompasses 56 buildings that were previously identified by the City through its "Inventory of Buildings of Architectural Interest. Of these 56 buildings, 27 are on the City's Register or "Listing of Significant Heritage Structures" (approved by Council, October 2005) and 5 are designated pursuant to Part IV of the Ontario Heritage Act. The area that has been excluded from the proposed Heritage Conservation District contains buildings and landscapes that are more contemporary in terms of architectural styles and neighbourhood design.

Based on the findings contained within the Study, the proposed Heritage Conservation District boundary excludes neighbourhoods built at a later date. However, properties located just outside the study area on Keele Street have been included within the proposed District due to their location and potential to act as gateways to both the District and the "downtown" of the Village of Maple.

Historical Significance of the Proposed District

The core area of the Village of Maple is located at the intersection of Major Mackenzie Drive and Keele Street. Maple was settled in the early to mid 1800's by the Noble and Rupert families. During the 1800's and into the early 1900's Maple acted as a local service centre and contained businesses such as sawmills, a rope factory, a funeral home, a hotel and a harness repair shop. The evidence of some of these businesses and the community they serviced can still be seen today.

In addition to buildings of architectural merit that are worthy of preservation Maple has been home to many important Canadians. Two of note include Lord Beaverbrook (Max Aitken), newspaper magnate, and Dr. Frederic William Routley, founder of the Blue Cross Medical Plan.

The Village of Maple has had many names, including Noble Corner and Rupertsville. Local folklore traces the current name to the large number of maple trees. These trees continue to form an integral part of the landscape. Due to their importance in defining the Village of Maple as a special place, special policies and guidelines to preserve and protect this integral landscape feature have been included in various sections of the Village of Maple Heritage Conservation District Plan.

Property and Assessment Research Undertaken for the Proposed District

In accordance with provincial guidelines and heritage criteria provided by the Ministry of Culture, a range of building types, open spaces, vistas, landscapes, and streetscapes that establish the historic, architectural, scenic and contextual character of the Village of Maple were identified. The assessment provides a comprehensive record of the area's heritage-character defining features and contextual aspects. Specifically, it includes photographs of many of the structures and identifies significant features with general guidance on restoration, maintenance and repair. The assessment consists of entries for the vast majority of buildings within the Study area and all buildings within the proposed Heritage Conservation District.

As a research document, the inventory provides the necessary information in developing the Heritage Character Statement and the District Plan. As a conservation and planning tool, the

assessment will be of assistance for City Officials, property owners, and local businesses in the future when reviewing proposed building alterations and new development in the District. The Assessment will be made available through the Cultural Services Department and the Policy Planning Department.

Statement of Heritage Value

The District's structure and heritage attributes form the rationale for defining the Heritage District. The Statement of Heritage Value provides a general description of the District's significance, built-form characteristics, architectural styles, streetscape, natural setting, character of roads, open spaces and aspects of contemporary construction. The Statement of Heritage Value was developed based upon the aforementioned Property Assessment and a review of the landscape. A detailed examination and description of the landscape is included in the Section 4 of the Study (Attachment 3). Based on these items, it is proposed that the Statement of Heritage Value for the Village of Maple be as follows:

"The Village of Maple is one of four 19th century settlements in the City of Vaughan that could have been considered more than a hamlet. (Two of these, Thornhill and Kleinburg-Nashville, have been made Heritage Conservation Districts.) The Ontario Huron and Simcoe Railway, the first in Canada, provided the opportunity for its modest prosperity. The core of the village was always small, with some outlying houses and businesses spaced out along the main roads on the outskirts. Today, Maple has many newer buildings, which have filled in the spaces between earlier ones, and in some cases replaced them. Nonetheless, there is a wealth of 19th and early 20th- century buildings, and the character of a village remains evident. Newer development has tended to make design reference to heritage styles, with mixed success. To ensure that existing heritage resources are preserved, and that new development authentically enhances the village character, a Maple Village Heritage Conservation District is proposed. The proposed District consists of the historic block of Church and Jackson Streets, and properties along the two main roads, roughly to the extent of the old Police Village.

The Maple Village Heritage Conservation District is a distinct area in the City of Vaughan, characterized by a wealth of heritage buildings, and with many newer building that respect the scale and site-plan characteristics of a historic village. The heritage character, shown in sections 4.1 through 4.8 of this Study, is worthy of preservation."

Public Meetings and Consultation

In preparing the Village of Maple Heritage Conservation District Study and Plan the community was consulted throughout the process and this input was considered and is reflected in the contents of the Plan.

In preparing the Study portion of the project there were three community meetings. These meetings were held June 15, 2005, September 29, 2005 and March 30 2006 at the Maple Public Library. During the preparation of the Plan there was one community meeting held on June 12, 2006. The public was notified of these meetings through mailings to all property owners and advertisements in local newspapers.

Issues raised at the various "Community Meetings" included:

- a) Defining a suitable boundary for the Heritage Conservation District;
- b) Heritage Permits and what the design guidelines would cover and what impact they would have on people looking to renovate or rebuild existing buildings and on new construction;
- c) What programs, grants or incentives might be available to promote heritage conservation;

- d) Property owners not wanting their property included within the proposed Heritage Conservation District; and
- e) Property owners concerned with the Heritage Conservation District effecting property values.

Generally, the concerns raised by the public at the public consultation meetings can be addressed through information contained in the proposed Plan and consultation with City staff before they finalize proposals/construction plans.

The District boundary was based on the location and landscape related by the heritage assets along Keele Street and Major Mackenzie Drive. The boundary was presented at a meeting early in the consultation process and was generally supported by the members of the community in attendance.

Section 8.3.1 of the Plan (Attachment 4) outlines the type of work that is either exempt or requires a Heritage Permit pursuant to the Ontario Heritage Act. For the most part minor work, items considered temporary and work not visible from the public realm will not require a Heritage Permit. Work that will require a Heritage Permit will, depending on its scale, either be addressed by Cultural Services staff or Heritage Vaughan. In either case the issuance of a Heritage Permit will not significantly delay the issuance of a building permit if the work conforms to the guidelines contained within the Plan (Attachment 4). In all cases the best way for a property owner to minimize delay is to contact the City early in the development process to discuss the requirements within the Village of Maple.

With respect to concerns of costs associated with maintaining and renovating existing buildings and increasing the cost of new construction, the Design Guidelines do outline a distinct philosophy of what materials and construction types should be used for existing and new buildings. The costs associated with the use of higher quality materials and finishes, while marginally higher at the time of construction/renovation, should increase the value of buildings in the long term. Therefore, they should be seen as an investment in the building and the community.

Based on the potential costs associated with maintaining heritage buildings, it is recognized that additional programs, grants and incentives may have to be developed for the City of Vaughan. Examples of these are presented in Sections 6.1.2 Education and 7.10 Grants and Loans of the Plan (Attachment 4).

With respect to property owners not wanting their properties included in the District, it is the intent of a Heritage Conservation District that the entire district is greater than the sum of its parts and that if you remove some of its parts you weaken the integrity of the district as a whole. The boundary, as proposed, was developed through public consultation, general community agreement and an analysis of the landscape that considered and described the relationship of buildings to the streets and to one another.

With respect to property values, the consultant advises that studies have shown that the designation of an area as a Heritage Conservation District does not have a negative impact on property values. Studies show that in many instances property values in Heritage Conservation Districts actually increase at a higher rate than other neighborhoods within a community.

The Ontario Heritage Act requires that where a municipality has a municipal heritage committee that they be consulted on the Study and Plan. On August 23, 2006 the District Study and Plan were presented to Heritage Vaughan Committee. The Maple Streetscape Committee was also invited and attended this meeting. Although a quorum was not attained, Heritage Vaughan members and Maple Streetscape Committee members were all distributed the Study and Plan for review and to provide comments to staff. In addition to the presentation to these two committees, Cultural Services staff was involved throughout the preparation and review of the Study and Plan and this report.

Items discussed at the joint meeting of Heritage Vaughan and the Maple Streetscape Committee included:

- a) How the boundary for the Heritage Conservation District was decided upon.
- b) How to integrate the Design Guidelines contained within the Heritage Conservation District Plan and the Maple Streetscape and Urban Design Guidelines.
- c) How will exemptions from Heritage Permit will be addressed.

As previously noted, the district boundary was determined through the public consultation process and in relation to the location of heritage resources within the Village of Maple.

With respect to how the Guidelines contained within Part D of the Plan will be integrated with those contained within the Maple Streetscape and Urban Design Guidelines, the consultant indicated that in preparing the Design Guidelines for the Plan the existing streetscape and urban design guidelines were considered and are reflected in the Plan. It should be noted that if Council adopts the Plan it will take precedence over the existing Maple Streetscape and Urban Design Guidelines.

The final item that was discussed in detail was how exemptions from requiring a Heritage Permit will be identified and implemented. It is staff's intention that the exemption process will be handled in a manner similar to that of Kleinburg where a property owner contacts Cultural Services staff and is issued a letter stating that no permit is required for the proposed work. The Heritage Vaughan Committee and the Maple Streetscape Committee are supportive of the Plan.

On September 5, 2006 the statutory "Public Meeting" required pursuant to the Ontario Heritage Act occurred. The purpose of this meeting was to allow property owners within the area under consideration for designation as a Heritage Conservation District the ability to express their concerns formally to Council. Notices were mailed to all property owners within the Study area and advertisements were placed in the newspaper on August 9 and August 17 2006. The Ontario Heritage Act requires that the Plan be available for public review prior to this "Public Meeting". The Plan was available by request from the Policy Planning Department. Copies of the Study and Plan were also available prior to and at the Public Meeting.

At the September 5, 2006 Public Meeting, there was one resident/owner who addressed Council regarding the proposal. The owner of 10122 Keele Street expressed concern of the proposed Heritage District restricting his ability to sever his lands in the future. Policy Planning Staff have since met with this property owner and advised that the potential to sever his land would only be minimally effected by a Heritage designation. A severance proposal would primarily be assessed against planning and planning-related regulations, such as the official plan and severance policies and the requirements of the zoning by-law.

History Hill Group

As previously noted, on December 13, 2007, the History Hill Group submitted a letter to the Clerk's Department requesting that Council defer Item 42, Report 46 at the December 18, 2006 Council Meeting. Based on this request, Council directed staff to meet with the land owner and report to the January 22, 2007 meeting of the Committee of the Whole.

City staff met with representatives of History Hill Group on January 10, 2007. Based on the outcomes of this meeting, it was determined that another meeting would be required. In order to facilitate the required meeting History Hill was requested to provide an outline of their concerns to City staff (Attachment 5). A subsequent meeting was held on March 15, 2007. The following provides an outline of History Hill Group's concerns:

- 1) Boundary of the District and why some properties have been identified as being of historic importance while other properties have been excluded from the district.
- 2) Use of language related to scale, massing and building height throughout the policies and design guidelines contained within the proposed Heritage Conservation District Plan.
- 3) Relationship of the proposed Village of Maple Heritage Conservation District Plan to the Ontario Heritage Act, Provincial Policy Statement, Provincial Growth Plan and York Region's Official Plan.
- 4) Notification of meetings and availability of documents for review.

The following provides an overview of the responses provided to History Hill and outlines the actions staff have taken.

History Hill group requested that the property located at 9589 Keele Street not be shown on the maps within the District Plan document as having a "Building of Architectural and Historical Value" (Map 4, pages 8 and 94). Staff has no objection to this request since there is no longer a building located on this site. As such, the maps have been revised accordingly.

With respect to the boundary, it is based on the recommendation of the consultant and is in keeping with the Statement of Heritage Value contained within the Plan. Another question raised was why were the lands associated with the Civic Centre excluded from the Heritage Conservation District. The reason for this exclusion is the design of the new Civic Centre had been approved prior to the commencement of the Study. In recognition of this, and in order to provide History Hill a level of comfort in this regard, a letter stating that the Leopard Lane development located at 9973 Keele Street (east side of Keele Street, just south of Major MacKenzie Drive) would similarly be exempt from the requirements of the Heritage Conservation District Plan as Council had previously approved the design of the development prior to a Heritage Conservation District being in effect.

The recurring theme throughout History Hill's letter and the meeting held on March 15, 2007 was how scale and massing are referenced and defined throughout the Village of Maple Heritage Conservation District Plan. History Hill has suggested that references to scale and massing be either removed or rephrased so as to limit the amount of consideration that should be provided to the size, architectural style and landscaping of existing development on adjacent properties. The use of language within the Plan related to existing scale and massing of buildings within the Heritage Conservation District is of paramount importance as they are primary tools used to define the character of a community.

While the language directing new developments to respect or consider existing scale and massing has not been changed, the references to the height of buildings has been modified based on comments received. In previous versions of the policies, Section 4.6 for Commercial Core development limited the maximum height of a building to 11 metres and three storeys. Having reviewed existing development along Major Mackenzie Drive, the maximum building height has been increased to 11.8 metres and clarified to permit a building façade height of three storeys. These values are consistent with the standards established by the Maple Streetscape Guidelines. The Commercial Core policies and guidelines (Sections 4.6 and 9.5.3, respectively) have been amended to include commercial sites (e.g. local commercial) outside of the Commercial Core area within the District. Further, reference to the word "commercial" identified in the policies under Section 4.6.1 "Design Approach", has been deleted in order to allow the policies to apply to all permitted uses/development within its given commercial designation (e.g. would include mixed use in the Commercial Core, institutional, etc.)

In addition to the height of buildings permitted in the Commercial Core, there is concern expressed related to the provisions of Section 4.4.1 "Design Approach" for new residential buildings. This section previously identified that the height of new residential buildings should not

be less than 80% or more than 120% of the average height of residential buildings on adjacent properties. In recognition that there are many single-storey buildings within the proposed district and that the Plan recognizes a historical pattern of 1½ to 2 storeys, Staff has amended this section to allow a difference in façade height between buildings on adjacent properties to generally be no more than 1 storey. In all instances the height of new buildings shall conform to the provisions of the City's Zoning By-law 1-88. This clause is intended to provide consistency in height in the residential area of the District. In addition to clarifying how the height of new buildings will be determined, contradictory language was amended with respect to defining the massing of new buildings.

History Hill Group has also expressed concern with respect to the Plan's relationship to existing planning legislation. Having reviewed the contents of the Village of Maple Heritage Conservation District Plan for conformity to the Provincial Policy Statement, the Provincial Growth Plan, the Regional Official Plan, OPA 350 Maple Community Plan as amended by OPA 533 and the requirements of the Heritage Act, staff is able to confirm that these documents have been considered during the preparation of the Village of Maple Heritage Conservation District Plan and that the contents of the Plan are in keeping with the general intent and provisions of these documents.

The final concern of the History Hill Group was with respect to receiving notice of public meetings and the availability of documents. In reviewing the mailing labels, provided by the Clerk's Department, for the public consultation process and public hearing process, at least three different companies associated with the History Hill Group (Sharewell Investments Inc., Maple-Jane Developers Inc. and Leopard Lane Development Inc.) were sent notices and invitations to an address shared by History Hill Group. Additionally, staff provided copies of all documents requested by History Hill Group throughout the process in a timely manner.

The District Plan (Attachment 4)

The approach of the District Plan is to provide a tool for managing change consistent with recognized heritage conservation principles. The Plan encourages the continued maintenance of the built and natural environment and guides new construction within the Heritage District. The District Plan is not intended to prevent owners from making alterations or additions to their properties, but to provide guidance with respect to what is appropriate in terms of form, scale and massing.

The Plan consists of four sections. These sections include Part A - District Overview, Part B - District Policies, Part C - Implementing the District and Part D - Design Guidelines.

"Part A – District Overview" of the Plan provides a statement of intent for the Plan and establishes the context in which heritage conservation within the Village of Maple should be considered. This is accomplished through the "Statement of Heritage Value" and the identification of existing heritage resources within the community. For a detailed inventory of heritage resources and description of the built form and landscape within the study area see Volume 1 – The Inventory and Volume 2 the Study (Attachment 3). Part A also establishes the objectives of the Plan that will be addressed through the Policies contained within Part B of the Plan.

"Part B – District Policies" of the Plan establishes the framework in which the preservation of the heritage landscape, both built and natural, will be preserved. This includes a range of policies that includes topics such as the conservation of existing heritage buildings, land uses, infrastructure, vegetation and raising public awareness.

"Part C – Implementing the District" of the Plan provides a detailed review of how the objectives of the Plan will be accomplished and outlines the roles and responsibilities of various City Departments and Committees. The key implementation tool for ensuring the policies of the Heritage Conservation District Plan is the Heritage Permit. The Plan includes provisions for work that is exempt from requiring a permit and work that requires permits. In cases of large scale

developments that require site plan approval there is a requirement for the development to be reviewed by a qualified heritage architect prior to application for a Heritage Permit. It should be noted that a Heritage Permit is required prior to the issuance of a building permit and does not replace a building permit.

Finally, "Part D – Design Guidelines" provides the standards for development within the Heritage Conservation District. Part D includes detailed pictures and descriptions of all typical building styles within the district and how each of these buildings should be maintained and what materials and processes are appropriate for use within the district. This section includes guidelines for all types of buildings and expected development within the proposed District.

Implementation and Next Steps

There are various programs and actions described throughout the Plan that will be required in order to ensure the preservation of the built and natural environments in the proposed Village of Maple Heritage Conservation District. The underlying theme of all of the programs, policies and guidelines within the Plan is communication between the City and property owners within the proposed District. This required communication has been demonstrated by the City, through the consultation process and will continue should the proposed Village of Maple Heritage Conservation District Plan be designated and the Heritage Conservation District Plan be adopted.

Recent amendments to the Ontario Heritage Act strengthen the relationship between the Heritage Conservation District Plan, the Official Plan Amendment (OPA No. 350) and the Comprehensive Zoning By-law 1-88 by requiring that where a conflict between the documents exists, the Heritage Conservation District Plan takes precedence. Therefore, reviews of OPA No. 350 (The Maple Community Plan) and the City's Comprehensive Zoning By-law 1-88 and the Sign By-law to ensure that the policies and development standards contained within these documents match and implement the intent of the Village of Maple Heritage Conservation District Plan are required. Specific items to be considered during this review should include, scale, massing, permitted land uses, signage and site development standards including yard setbacks, parking and landscaping.

In addition to the development policies contained within OPA 350 and the City's Comprehensive Zoning By-law 1-88, there are other planning tools that can be used to protect the heritage character of the community. An important tool available is Site Plan Control Agreements. Therefore, it is recommended that OPA 200 (Site Plan Control), as amended, and the associated Site Plan Control By-law be reviewed and amended to include all properties within the Village of Maple Heritage Conservation District or an area otherwise identified.

During the preparation of the Study and Plan, residents provided comments and questions with respect to the cost of owning and maintaining a heritage building. Possible solutions to offsetting some of the costs associated with maintaining and improving these buildings are grants and low interest loans. As noted in the Plan (Attachment 4), due to currently low interest rates the City's current loan and grant programs are outdated and under funded. The Cultural Services Department will need to review the City's current loan and grant programs and investigate the potential for revised programs.

Subsection 41(10.1) and clause 41(5)(b) of the Ontario Heritage Act requires that "the clerk shall ensure that a copy of the by-law is registered against properties affected by the bylaw". This registration on title ensures that property owners and potential property owners are advised of the Heritage Conservation District. Within the proposed District there are approximately 200 properties. The Legal Services Department advises that the total cost to register the by-law on title for all of the properties within the District is \$70.70 plus staff time. This work will be done by Legal Services as a next step in the implementation process once the by-laws are adopted and in effect.

In addition to actions required by the Policy Planning Department to implement the Heritage Conservation District Plan there are recommendations included in the Study and Plan that require

action by the Cultural Services Department. This includes reviewing the City's Inventory of Buildings of Architectural Interest and the Register or Listing of Significant Heritage Structures. All properties included within the boundary of the proposed Village of Maple Heritage Conservation District will automatically be designated under Part V of the Act with the passing of the designation by-law and some of the buildings will also be included in the City's Register or Listing of Significant Heritage Structures.

The Department of Recreation and Culture will be administering the Heritage Permit approval process related to the implementation of the Maple Heritage Conservation District in addition to existing Heritage Districts of Thornhill and Kleinburg-Nashville. The total number of properties now designated under Part V as a result of a third District will be approximately 467 properties. The requirements of a Part V or District Designation under the Ontario Heritage Act necessitates that all properties, heritage or contemporary, within a District require application and approval under the Heritage Permit process for any changes or additions to the exterior of these properties. Culture staff are required to undertake a review of all changes to properties to assess whether they conform to the Heritage District Design Guidelines and issue Heritage Permit approvals either via Heritage Vaughan, Council or at the staff level (for minor changes) to property owners.

Relationship to Vaughan Vision 2007

Section 4.6 of Vaughan Vision outlines the City's commitment to preserving "significant historical buildings and communities". The recommendation to designate the lands shown on Attachment 2 as a Heritage Conservation District pursuant to Part V of the Ontario Heritage Act is consistent with the policies contained within Vaughan Vision 2007.

Regional Implications

The creation of Heritage Conservation Districts complies with the provisions contained within the Region of York's Official Plan.

Conclusion

The Village of Maple is a unique community in the City of Vaughan and is significant for its historical associations and its 19th and 20th century architecture. As demonstrated through the study, it is appropriate for Council to enact the necessary By-laws to designate the Village of Maple Heritage Conservation District pursuant to Part V of the Ontario Heritage Act and to adopt the Village of Maple Heritage Conservation District Plan.

By creating the Village of Maple Heritage Conservation District, pursuant to Part V of the Ontario Heritage Act, staff recognizes that additional work will be required to further reinforce and implement the policies and guidelines contained therein. Therefore, it is recommended that, in addition to bringing forward a by-law to designate a Heritage District and adopt its related Plan, Council direct staff to undertake additional actions, including:

- a) A review and update of OPA No. 350 – Maple Community Plan, including all amendments, in order to reflect the Village of Maple Heritage Conservation District Plan and a review of the City of Vaughan Comprehensive Zoning By-law 1-88 and the Sign By-law with specific attention being paid to creating development standards that are consistent with the design guidelines and policies contained within the Village of Maple Heritage Conservation District Plan;
- b) A review of OPA No. 200, as amended, and the associated By-law, to define the types of development within the Village of Maple Heritage Conservation District that will be subject to Site Plan Control; and

Legal Services will pursue fulfilling the Ontario Heritage Act requirement of registering the by-law adopting the Village of Maple Heritage Conservation District on title for every property within the District advising of its Heritage District Designation.

Staff have met with representatives of History Hill Group and incorporated, where appropriate, comments received with respect to clarifying the language of the provisions contained within the Plan to improve its readability and interpretation. Staff does not agree to modify the defined District Area boundary or to the language of provisions related to scale and massing.

Attachments

- 1) Village of Maple Heritage Conservation District Study Boundary
- 2) Village of Maple Heritage Conservation District Boundary
- 3) Village of Maple Heritage Conservation District Plan – Volume 2 (Study) (Members of Council ONLY)
- 4) REVISED May 2007 Village of Maple Heritage Conservation District Plan – Volume 3 (Members of Council ONLY)
- 5) Letter from Ms Vania Ottoborgo, History Hill Group, dated February 16, 2007.

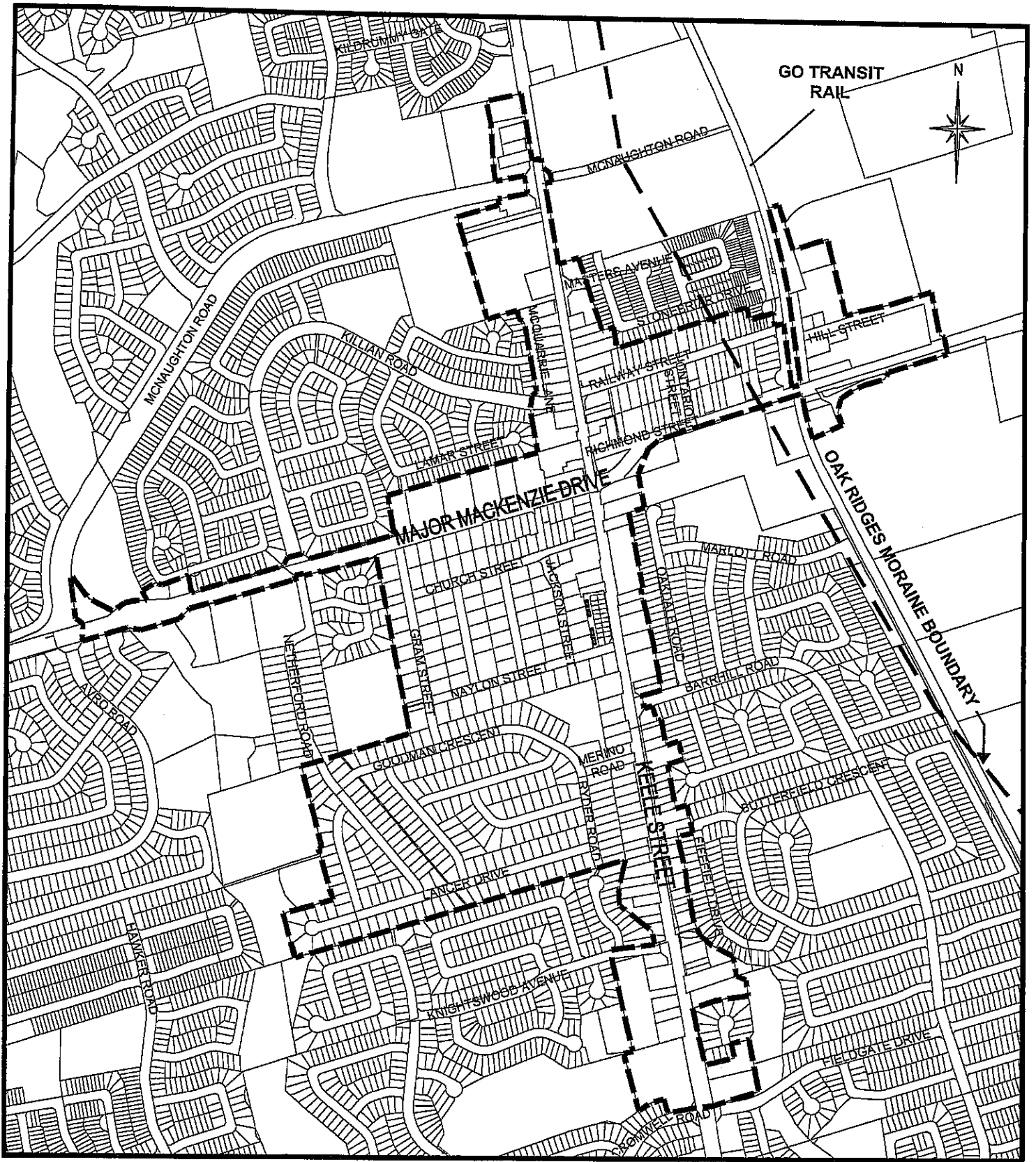
Report prepared by:

Aaron Hershoff, Planner 1, ext 8320
Duncan MacAskill, Senior Planner, ext 8017
Wayne McEachern, Manager, ext 8026

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning Department



Not to Scale

City of Vaughan

Policy Planning Department

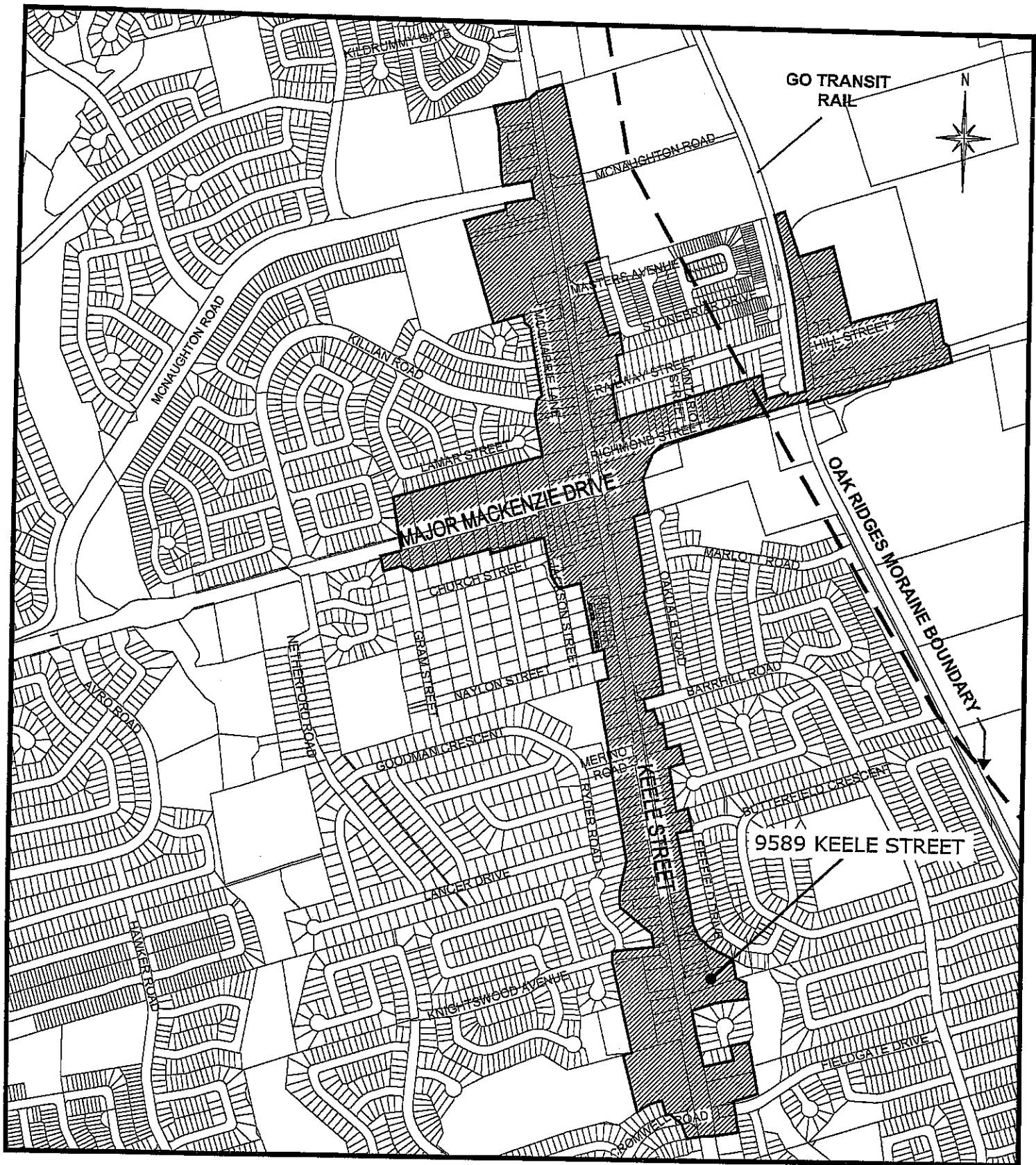
VILLAGE OF MAPLE HERITAGE CONSERVATION DISTRICT STUDY AREA

Attachment

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1

STUDY AREA
BOUNDARY



Not to Scale

City of Vaughan

Policy Planning Department **PROPOSED VILLAGE OF MAPLE HERITAGE CONSERVATION DISTRICT**

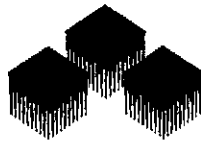
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2



**PROPOSED HERITAGE
 CONSERVATION
 DISTRICT**



HISTORY HILL GROUP

The City of Vaughan
Planning Department
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

February 16, 2007

Attn: Aaron Hershoff
Policy Planning

Dear Sir:

RE: MAPLE HERITAGE CONSERVATION DISTRICT PLAN 2006

Further to our numerous discussions regarding our concerns with the above referenced plan, we are providing an outline for further discussion and have included some amendments for your consideration.

Section 2.1 Heritage Resources

Please provide a copy of the city's "Listing of Buildings of Architectural and Historical Value" and the City of Vaughan "Listing of Significant Heritage Structures".

Delete on the map the identification of 9589 Keele Street as this property is vacant.

Why are the lands located at 2141 Major Mackenzie not included in the Conservation District?

Section 2.4.2 Objectives for Heritage Buildings

To retain and conserve the heritage building identified in the District Plan on Map 4. → add "or façade" to the statement.

Would like to review the "Record of the District's Built Form".

Section 3.2 Contexts for Interpretation

How does the District Plan relate or comply with policies contained within the Provincial Policy Statement ?

How does the District Plan relate or comply with policies contained within the Growth Plan ?



Any comments from the Region of York?

How does the plan relate to existing City of Vaughan Official Plan policies?

How does the plan relate to the existing Maple Streetscape Guidelines? Perhaps this document should be incorporated into the District Plan.

Is there conflict between the District Plan and the above referenced documents?

If so, where? It is imperative that this be identified as the District Plan policies prevail, as per section 41.2 of the Ontario Heritage Act.

What are the overall objectives and goals of Council?

Section 4.3.3 Demolition of Non-Heritage Buildings

Demolition of a Non-Heritage building is not supported. *Delete this section as the statement is not required.*

Section 4.4 New Residential Buildings

"Designs for new residential buildings will be based on the "Patterns and Proportions" of 19th century and early 20th Century building stock..." This statement should be revised as it does not promote multi-unit buildings. Revised to read " *Designs for new residential builds shall have regard for the design elements of 19th century and early 20th Century building stock...*"

Section 4.4.1 b) This statement should only read as "*New residential buildings will complement the streetscape.*"

Section 4.4.1 d) "Larger new residential buildings will have varied massing, to reflect the small and varied scale of the historical village." *Delete this statement.*

Section 4.4.1 e) "The height of new residential buildings should not be less than 80% or more than 120% of the average height for the residential building on immediately adjacent properties. Historically appropriate heights for new residential buildings are considered to be 1 ½ - 2 storeys. *Delete this statement*

Section 4.6 Commercial Core – Design Approach

4.6.1 d) "New commercial projects will not be taller than 3 stories, with a maximum height of 11 metres." *Delete this statement.*

Section 6.1 Public Awareness

Section 6.1.1 b) Registration of by-law on title. *We would like an opportunity to review the by-law and associated documentation.*

Section 6.1.1 c) *Add the "Listing of Buildings of Architectural and Historical Value" and the City of Vaughan "Listing of Significant Heritage Structures" to the web site.*

Section 7.7 Demolition Control

"Properties within a heritage conservation district are considered to be designated." *We would like clarification on this matter.*

Section 7.11 Preservation and Protection of Trees

Requirement of a tree preservation plan is currently contained in the approval process. *Why is this section part of the Heritage District Plan?*

Section 8.3.1.2 Heritage Permit Process

Where and how does the Maple Streetscape Committee fit into the approval process? Can the review and committees be consolidated?

Section 9.3 Existing Heritage Buildings:

The map identifies our property at 9589 Keele Street as a heritage property. Please note that the site is vacant and we are proceeding to obtain approval for a residential development. *Please delete identification of this property on the map.*

Section 9.5 New Development

Section 9.5.1 Overview Guidelines

The term "scale" should not be included as it implies that all new forms of development will be single detached. *Delete the word "scale"*

Section 9.5.2 Residential Area

Section 9.5.2.3 Scale and Massing

Please clarify the proposed amendments to the zoning by-law.

Define the area as the guidelines refer to height restrictions to being the same as adjacent lots.

"New houses should be no higher than the highest building on the same block and no lower than the lowest building on the same block." Please provide clarification on this matter.

Section 9.5.3 Commercial Core

There are sites that have redevelopment potential for Intensification. Please clarify and define intensification.

Please provide a copy of Appendix B

Section 9.5.3.5 Site Plan Guidelines w/out Heritage buildings

"... Intensification will mean larger redevelopment projects. It is important that these projects respect the overall character of village and rhythm and scale are integrated with smaller scale of the historic village."

Should read as "...these projects respect the design elements of the village character."

Section 9.5.3.6 Scale and Massing

Maximum façade height of 3 storeys. *Delete*

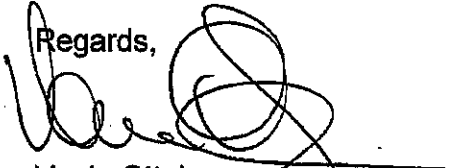
Height and Massing should respect the 1 – 2 storey residential properties where they are adjacent. *Delete this statement as all properties abut single detached homes.*

Section 9.5.3.7 Architectural Style Guidelines

New Buildings should reflect a suitable local heritage style. Use of a style should be consistent in materials, scale, detail and ornament. *Delete the word 'scale'.*

We would also like to recommend that the boundary of the conservation district be reviewed in an attempt to condense the area. It would be beneficial to review the items listed above at a meeting. Please advise on a time that is appropriate for you and your team. Should you have any questions, please feel free to contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Vania Ottoborgo', written over a horizontal line.

Vania Ottoborgo, B.A.A.
Development Planner