

## COUNCIL JUNE 23, 2003

### KLEINBURG-NASHVILLE AREA HERITAGE CONSERVATION DISTRICT STUDY AND PLAN PURSUANT TO PART V OF THE ONTARIO HERITAGE ACT

#### Recommendation

The Commissioner of Planning in consultation with Cultural Services and Heritage Vaughan recommends that:

- (1) Council for the City of Vaughan enact a By-law to designate the area shown on Attachment No. 1 under Section 41, Part V of the *Ontario Heritage Act*, R.S.O. 1990, c.0.18, as amended, as the Kleinburg-Nashville Area Heritage Conservation District;
- (2) Council enact a by-law to adopt the Kleinburg-Nashville Heritage Conservation District Plan (Attachment No. 2) and Heritage Character Statement (Attachment No. 3) as guidelines for property owners, City staff, advisory committees and Council when making decisions on applications made under Sections 42 and 43 of the *Ontario Heritage Act*; and
- (3) Following the adoption of the District Plan by Council, that staff proceed with a review of Section 7 "Integration with Other Municipal Policies" of the Plan and bring back any further reports for Council's consideration.

#### Purpose

Further to a presentation made on May 27, 2003, at a Committee of the Whole Working Session (ratified by Council on June 9, 2003) and consultation with Heritage Vaughan on May 28, 2003, this report presents the findings of the Kleinburg-Nashville Heritage Conservation District Study which was authorized by Council on November 6, 2001, and the proposal to designate the Kleinburg-Nashville area as a Heritage Conservation District under Part V of the *Ontario Heritage Act*.

#### Background

##### 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 601 Kleinburg-Nashville Community Plan Incorporates Heritage 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

Kleinburg-Nashville Community Plan (OPA 601), adopted by Vaughan Council on September 25, 2000 (approved by the Region of York on March 8, 2001 with subsequent modifications on October 4, 2001), contains several heritage policies and objectives. Specifically, section 4.9 entitled "Heritage Conservation" states that:

"The objective of the Kleinburg-Nashville Community Plan is to preserve and protect the rich cultural heritage and natural resources of the Kleinburg-Nashville Community. The City is committed to preserving this heritage through the application of the Ontario Heritage Act. In particular, the City intends to undertake a study to determine the opportunities to designate areas within the Community Plan Area as a Heritage Conservation District under part V of the Ontario Heritage Act."

#### Kleinburg - Nashville Community is a Heritage Conservation District Study Area

At its meeting of November 26, 2001, Vaughan Council approved that a Heritage Conservation District Study proceed in order to protect and conserve the unique and special heritage of the Kleinburg - Nashville Community. Upon the recommendation of City staff and Heritage Vaughan (Municipal Heritage Committee), Council enacted By-law No. 468-2001 which defined the Study Area (see Attachment No. 4) and set the terms of reference for the Study of the Area for future designation of the whole or any part (or parts) as a Heritage Conservation District in accordance with Part V of the Act.

#### Heritage Consultant Retained to Undertake Heritage Study and District Plan

In May 2001, Council approved the capital funds for the purpose of retaining a consultant to undertake the Study and that staff be directed to initiate the consultant retention process based on a draft terms of reference. In the summer of 2002, the City's Purchasing Department issued a request for proposals to the membership of the Canadian Association of Professional Heritage Consultants (CAPHC). After the evaluation of proposals by a staff team, Phillip H. Carter Architect and Planner (The Consultant) was selected to conduct the Kleinburg-Nashville Heritage Conservation District Study and Plan.

#### Comments

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

Kleinburg is located between two branches of the Humber River. Historically, Highway 27 bounded Kleinburg to the north and west, Major Mackenzie to the south and Kipling Avenue to the east.

Like many 19<sup>th</sup> century villages throughout Southern Ontario, Kleinburg was a community whose economic success was born out of the local milling industry. In 1848, John N. Kline established the first mill to the west of Islington Avenue on the main branch of the Humber River. George Stegman opened a second mill in 1850 on the opposite side of Islington Avenue on the east branch of the Humber River. Land surveys from 1848 illustrate a portion of lands subdivided into smaller lots along Islington Avenue at Nashville Road, indicating the early stages of urbanization and settlement in Kleinburg.

By 1865, Kleinburg was considered to be a thriving village with a population of 350 people. The local business directory at the time included a chemist, cabinet-maker, insurance agent, a butcher, a milliner, a tanner, a shoemaker and a carriage maker, suggesting a prosperous and evolving community.

Just west of Kleinburg, is the historic community of Nashville, extending a short distance along Nashville Road from the existing railway line to Huntington Road. The community developed in

connection with the new railway line and the Kleinburg Station built in 1870. Construction of railway facilities fostered the growth of local businesses and milling operations in the area. By 1890, Nashville had a hotel, a post office and about a dozen buildings. The original Kleinburg Railway Station, located immediately west of the railway line on Nashville Road, was rebuilt in 1907. The station remained open until 1964 at which time Canadian Pacific Railway no longer had use for the station. Because of its significance and landmark quality, concerned local residents raised funds to move the station in 1976 to its present day site, adjacent to Kleinburg Public School.

Today, Kleinburg is home to the McMichael Canadian Art Collection and the Binder Twine Festival held in September. The community's historic and scenic character have contributed to the growth of shopping amenities and a tourism sector that brings thousands of visitors to the area every year. Kleinburg also provides a forum for many community events and neighbours the Kortright Centre Conservation Area and Humber River Inter-Regional trail system.

(b) Property & Inventory Research Undertaken for the Proposed District

In accordance with provincial guidelines and heritage criteria provided by the Ministry of Culture, the Consultant engaged to conduct the study identified a broad range of building types, open spaces, vistas, landscapes, and streetscapes to establish the historic, architectural, scenic and contextual character of the Kleinburg-Nashville area. The inventory provides a comprehensive record of the area's heritage, character defining features and contextual aspects. Specifically, it includes a photograph of each structure and identifies significant features with general guidance on restoration, maintenance and repair. The properties researched and identified amount to 195.

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 inventory 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 Inventory will be made available for viewing in the offices of the Clerk's Department, Cultural Services and the Urban Design Department.

(c) Heritage Character Statement

The District structure and heritage attributes form the rationale for defining the Heritage District. The Heritage Character Statement 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 full Heritage Character Statement forms a part of the Heritage Study and is included in this report as Attachment No. 3.

(d) Public Meetings & Consultation

The Kleinburg-Nashville Area Heritage Conservation District Study has had considerable public input, the meetings and sequence of events are outlined in Attachment No. 5 'Chronology of Events and Public Consultation'. A total of three public meetings were held and property owners were advised of each meeting through mailed notification and advertisements in the local newspapers. Community newsletters such as the 'Kleinburg Spirit' also provided notices on public meetings and regular updates on the Study to local residents, businesses and other organizations in the community. At the request of the Kleinburg BIA, City staff and the Consultant also met with the BIA membership in order to provide information on the scope of the Study and to address the interests of businesses within the Kleinburg Core. Comments voiced at all consultation meetings have been considered in determining the recommended District boundaries and the District Plan.

(e) District Steering Committee Established

A steering committee, composed of the Kleinburg Area Ratepayers Association (KARA), the Kleinburg BIA, the Bindertwine Committee, 'Old Boys Kleinburg', local residents, Heritage Vaughan, the McMichael Canadian Collection, the local Councilor and City staff, was established. The Committee provided input and guidance to the Consultant on historical matters and also identified local concerns related to the proposed District during all phases of the Study. The Committee also assisted by participating at public meetings and liaising with area residents. Established in August 2002, the Steering Committee met four times.

(f) Heritage District Boundary Coincides With Study Area

The recommended District boundaries are shown in Attachment No. 1. The consultant and the steering committee, after receiving comments from three public meetings, concurred with the proposed Heritage Conservation District boundaries. Input was also received from staff of the City, the Regional Municipality of York and the Toronto Region and Conservation Authority. In general, the proposed District boundary coincides with the Study area and demonstrates integrity in historical associations, architectural character through consistent massing and scale, significant examples of Modernist architecture and development in the area, physical setting, and existing patterns of use and movement. Additional areas beyond the Study area were considered at the request of some members of the public but are not recommended for inclusion in the District.

(g) The District Plan (see Attachment No. 2)

The approach of the District Plan is to provide a tool for managing change consistent with recognized heritage conservation principles so as to encourage continued maintenance and sympathetic new construction within the Heritage District. The District Plan is not intended to prevent owners from making alterations or additions to their properties. In itself, the District Plan explains the goals, objectives and policies of the Heritage Conservation District, and contains detailed design guidance on the following aspects:

- Architectural Styles and Heritage Design Details within the District (Section 9.2)
- Design Guidelines for Existing Heritage Buildings (Section 9.3); Existing non-Heritage Buildings (Section 9.4); New Development (Section 9.5); Road Links (9.6); Valley Setting (9.7); Road Allowance Work (Section 9.8); and Village Forests (9.9)
- Construction Materials Checklist (Section 9.10).

Architectural Styles: This section shows the principal 19<sup>th</sup> and 20<sup>th</sup> century building styles and architectural details that appear in the Kleinburg-Nashville community, including examples of the post-war period and Modern Movement of Architecture.

Design Guidelines: This section provides detailed design guidance based on the village character of Kleinburg and accepted conservation principles and practice. Specifically, the design guidelines provide a framework for evaluating changes to heritage structures, building fabric, including maintenance, alterations, additions and new work. Guidance is also provided on new development and for owners of non-heritage buildings when evaluating design aspects related to the broader context of the District.

In addition, the Design Guidelines section provides an overview of the character defining landscape features and encourages property owners to maintain landscaping appropriate to heritage buildings. General design guidance on the valley setting and village forests is also provided in the document including guidance on road allowance work. Also recommended is the need for an overall streetscape design study in the village core to address design issues that have been identified in Section 9. It should be noted that compliance with the landscape conservation guidelines is strictly voluntary and a heritage permit under the *Ontario Heritage Act* is not required.

Construction Materials Checklist: This section provides a reference and framework for alterations to heritage buildings based on recognized conservation approaches.

(h) Integration with Other Municipal Policies and Further Action (Section 7)

In accordance with the Study's terms of reference, the District Plan also includes a discussion on integration with other municipal policies and recommendations on further action by the City. Specifically, the Consultant has recommended a review of the City's planning and development policies to reflect the new Heritage District including environmental aspects; considerations for tracking economic development and tourism; signage issues; demolition control for heritage properties; heritage easement agreements, including grants, loans and tax incentives for heritage conservation. Also presented is a framework for future surrounding development that identifies an approach to compatible forms of development at the periphery of the Heritage District.

Section 7 also outlines the conclusions of a parking study for the Kleinburg Core that was undertaken at the same time of the Heritage Study. Approved by Council in November 2001, the parking study was conducted in accordance with the policies set out in OPA 601 (Kleinburg Core Area: Section 4.4.2) respecting the potential need to establish a municipal parking lot in relation to the Heritage District.

In general, the Study concludes that the parking supply for the Kleinburg core area is more than sufficient. The critical finding is that the combination of on-street and off-street parking spaces (precluding parking in residential areas) is sufficient to meet the peak demands of the core area. Also, that there is no need to convert more land to parking lots or to establish a municipal parking lot facility in the foreseeable future subject to the recommendations outlined in Section 7. The results of the Parking Study were presented to the District Steering Committee and at the last Public Consultation Meeting. At both meetings, ways to deal with perceived parking concerns and recommended strategies were outlined by the transportation consultant (see Section 7).

(i) District Plan Circulated to City Departments and Agencies for Comment

Copies of the Study and District Plan were circulated to City Departments and Agencies for comment including cross-review with other studies such as the Regional Road 27 Study to ensure compatibility with urban design and natural heritage objectives. Comments received were taken into consideration and incorporated into the Study and Plan where appropriate.

(j) Presentation to Committee of Whole Working Session

The Committee of the Whole received a presentation on the Heritage Study at a working session held on May 27, 2003. The staff report recommending that the presentation be received as information and Heritage Vaughan be consulted prior to enacting any necessary By-laws to establish the Heritage District was ratified by Council at its Meeting of June 9, 2003.

(k) Consultation with Heritage Vaughan

Regular updates on the progress of the Study were provided to Heritage Vaughan by staff as outlined in Attachment No. 5. At its meeting of May 28, 2003, Heritage Vaughan received a final presentation by the Consultant on the Heritage Study along with a staff report on the district designation process. Heritage Vaughan endorsed the staff report with the recommendations that Council enact the necessary By-laws to establish the boundaries for the Kleinburg-Nashville Heritage Conservation District in accordance with Part V of the Ontario Heritage Act (R.S.O. 1990) and to adopt the District Plan.

(l) Implementation

The designation of the Kleinburg-Nashville Area Heritage Conservation District and the adoption of the District Plan by Council will enable the City and property owners to better protect and conserve the heritage resources, character and setting of the District. Once designated, applications (heritage permits) that comply with the District Plan may be approved by staff, while proposals that do not comply or result in demolition require review by Heritage Vaughan and approval by Council. In some cases, where the Plan deals with landscaping and natural areas, guidelines are strictly voluntary and a heritage permit under the *Ontario Heritage Act* is not required. Applicants are encouraged to consult with Cultural Services prior to making an application.

(m) Next Steps

In accordance with Section 42 of the Act and subsequent to the enactment of a By-law to establish the Heritage Conservation District, the City is required to serve notice on each property owner within the District, the Ontario Heritage Foundation, and also by publishing notice in a newspaper having general circulation in the municipality. Implementation of the District Plan controls can commence once the appeal period prescribed by the Act has expired, or if one or more appeals are filed for an individual property and have been withdrawn or dealt with by the Ontario Municipal Board.

The day-to-day administration and coordination of the Kleinburg-Nashville Heritage Conservation District will be assumed by Cultural Services, which provides heritage services on a City-wide basis and staff support to Heritage Vaughan. As the City Department responsible for leading the Heritage Study, the Urban Design Department will provide support and assistance to Cultural Services and Heritage Vaughan on complex planning applications, proposed development and site plans within the Heritage District.

### **Conclusion**

The Kleinburg-Nashville area is a unique community in the City of Vaughan and is significant for its historical associations, 19<sup>th</sup> and 20<sup>th</sup> century architecture, natural setting, overall physical context and location. In accordance with OPA 601, Council passed a by-law authorizing a heritage study of the proposed area. Consultants were engaged to conduct the study. The consultants and City staff worked with a Steering Committee throughout the course of the Study which strongly supports the creation of the Heritage District. In addition, three public consultation meetings were held with property owners of the proposed District. These meetings generated a very strong interest in the Study and support for establishing a Heritage Conservation District in the Kleinburg-Nashville Area. Following a presentation made to the Committee of the Whole on May 27, 2003, Heritage Vaughan at its meeting of May 28, 2003, received a presentation on the Heritage Study and endorsed a staff report with recommendations to designate the Heritage District and adopt the District Plan. As such, it is an appropriate time for Council to enact the necessary By-laws to establish the Kleinburg-Nashville Area Heritage Conservation District under Part V of the *Ontario Heritage Act* and to adopt the District Plan.

### **Attachments**

1. Kleinburg - Nashville Area **Heritage Conservation District Boundaries**
2. Kleinburg - Nashville Area **District Study and Plan (Members of Council Only)**
3. Kleinburg - Nashville Area **Heritage Character Statement**
4. Kleinburg - Nashville Heritage Conservation **District Study Area**
5. **Chronology of Events & Public Consultation**

**Report prepared by:**

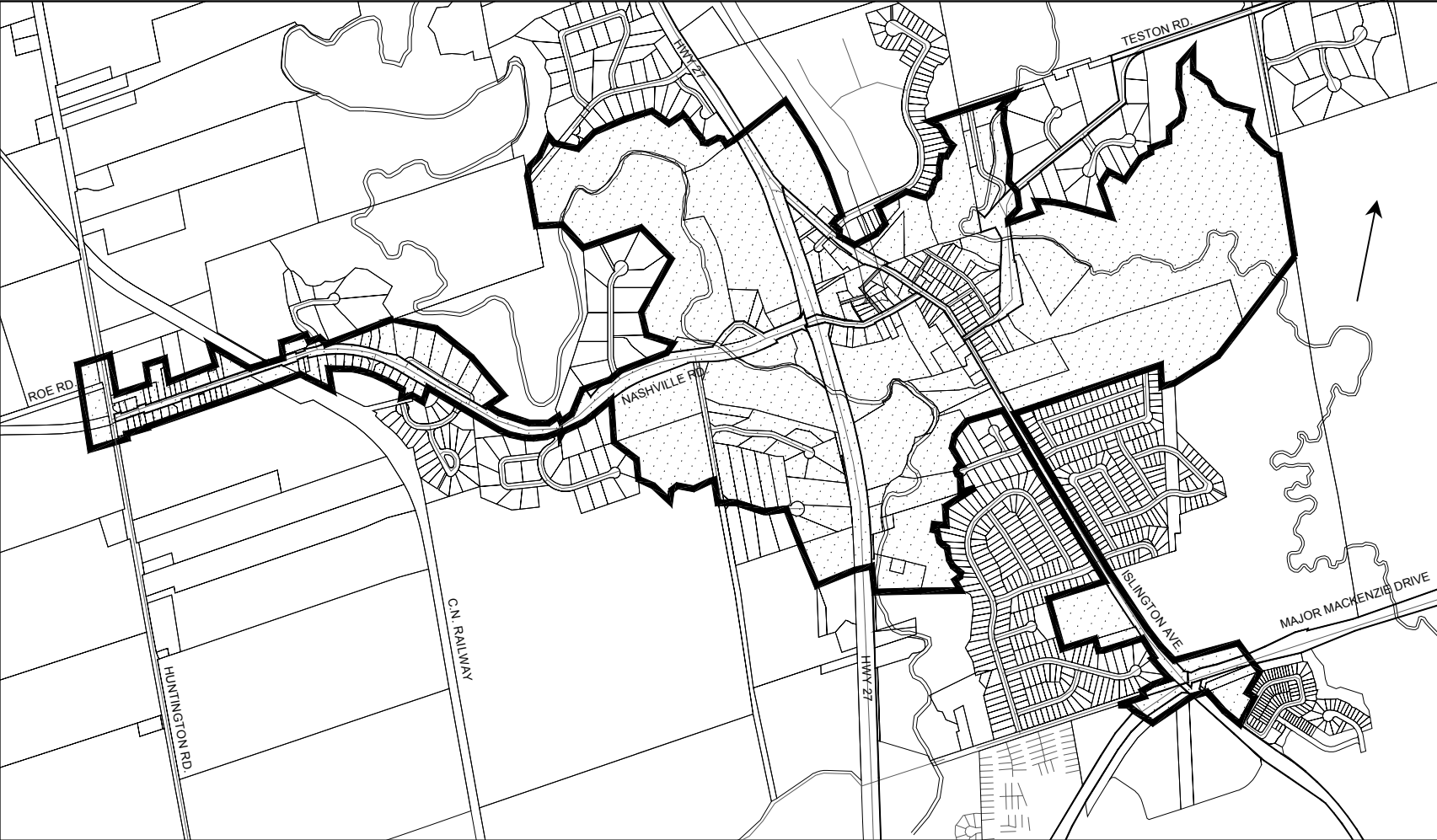
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Respectfully submitted,

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# Kleinburg-Nashville Heritage Conservation District



LANDS DESIGNATED AS A  
HERITAGE CONSERVATION DISTRICT





**KLEINBURG-NASHVILLE HERITAGE CONSERVATION DISTRICT  
STUDY & PLAN**

**(SEE BOUND COPY)**

## **HERITAGE CHARACTER STATEMENT**

Kleinburg is an historic rural village, founded in 1848. It enjoys a dramatic setting on a narrow ridge between the valleys of two branches of the Humber. It is connected by both road and history with Nashville, which grew up around the 1870 'Kleinburg' railroad station. The railroad created Nashville and served Kleinburg mills and industries, and the farms in the surrounding community. Within both Kleinburg and Nashville, the presence of a substantial stock of heritage buildings, and the continuous maintenance of the rural pattern of road profile, variety of building types and ages, streetscape and landscape elements, mature urban forestry, and modest scale of construction combine to preserve a heritage character that is worthy of conservation.

The Humber River has heritage value in its own right, both in pre-historical and historical terms, and it has the status of a Canadian Heritage River. The rivers and their valleys are historically connected to both Kleinburg and Nashville, as the site of the mills that originally brought both villages into being. The valleys have been a main determinant in Kleinburg's form and development. The village road layout, following topography, is unique in not having a single crossroad, only T-intersections. The valleys formed strict growth boundaries to the east and west, preventing the 'edge sprawl' that has overwhelmed the character of other rural villages, such as Maple; and also provided 'rural retreat' sites for the postwar resettlement that kept the village alive. The valleys are worthy of conservation for their historical connections to the villages, their role in determining the patterns of development, and as the defining element of Kleinburg's setting within the larger community.



## Chronology of Events & Public Consultation

- September 25, 2000**                      **Council Adopts OPA 601 Kleinburg-Nashville Community Plan**  
City Council adopted the Kleinburg-Nashville Community Plan and received final approval from the Region of York on March 8, 2001, with a subsequent modification on October 4, 2001. Policies to create Heritage Conservation Districts are cited within Section 4.9 of OPA 601.
- July 10, 2000**                              **Council Endorses Undertaking of Heritage District Study**  
Council resolved that the necessary steps to undertake a Heritage Conservation District Study commence and that the Study be considered in the 2001 budget.
- May 14, 2001**                                **Council Approves Capital Funds to Retain Consultant**  
City Council approved Capital funds to hire a consultant to conduct the Heritage District Study and to create a District Plan.
- May 16, 2001**                                **Heritage Vaughan Recommends Study Area**  
Heritage Vaughan reviewed possible boundary options for the proposed Heritage District Study Area (as determined during the Official Plan Review process), as well as draft goals and objectives for the district study. The Committee concluded that the study area should include the Kleinburg village core, Islington Avenue north from Major Mackenzie; Nashville Road west to Huntington Road; and the valley lands east and west of the village core.
- November 26, 2001**                        **Council Enacts By-law for Heritage District Study Area**  
Council enacted a by-law to define an area to be examined for future designation as a Heritage Conservation District Study under the Ontario Heritage Act and that staff be directed to initiate the consultant retention process for the Heritage Study (in accordance with a draft Terms of Reference).
- June 3, 2002**                                 **Staff Proceed With Consultant Retention Process**  
Purchasing Department Issues Request for Proposal to the Membership of Canadian Association of Professional Heritage Consultants (CAPHC). Proposal calls closed on June 24, 2002 and were then reviewed by a cross-departmental staff team. From several proposals, Phillip H. Carter Architect and Planner was selected to undertake District Study and Plan.
- July 19, 2002**                                **Heritage Consultant Retained**  
Phillip H. Carter Architect and Planner awarded contract to conduct the Heritage Conservation District study and Plan.
- August 1, 2002**                               **Preliminary Work On Heritage Study Begins**  
Work on the Study by the Consultant begins with the collection of information, data and review of historical property files and sources.
- August 29, 2002**                             **Steering Committee Meeting # 1**  
Purpose: Introduction of Steering Committee members, Consultants and City staff; Presentation on work program,

discussion on principles and objectives of Heritage District Designation. Overview of District Study and Plan activities and review of preliminary work undertaken.

**Sept 18, 2002**

**Heritage Vaughan Meeting**

Update provided by staff to Heritage Vaughan on initial work undertaken by the Consultant for the Study

**October 8, 2002**

**Steering Committee Meeting #2**

Discussion: District boundaries, inventory of structures and properties, preservation and development issues in Kleinburg and preparation for first public meeting.

**October 16, 2002**

**Heritage Vaughan Meeting**

Update provided by staff to Heritage Vaughan on progress of the Study and preparation of first public meeting.

**October 17, 2002**

**First Public Meeting**

Purpose: to introduce the Consultants, Steering Committee, Local Councillor and City staff involved in the project.  
Discussion: work plan, explanation on heritage conservation districts, preliminary discussion on boundaries, overview of research and property inventory, natural areas and valley lands.  
Advance notices mailed to all registered property owners in the general Study area, including newspaper advertisements.  
Attendance: 78

**November 20, 2002**

**Heritage Vaughan Meeting**

Update provided by staff to Heritage Vaughan on proceedings of the first public meeting and progress of the Study

**January 15, 2003**

**Heritage Vaughan Meeting**

Update provided by staff to Heritage Vaughan on progress of the Study.

**January 16, 2003**

**Steering Committee Meeting #3**

Purpose: to discuss and achieve consensus on proposed Heritage District Boundary; review work undertaken on the Inventory of Properties and prepare for Second Public Meeting.

**February 4, 2003**

**Second Public Meeting**

Purpose: explanation of what is a heritage conservation district; and review work completed to date. Discussion: proposed district boundary; overview on proposed heritage design guidelines; review of building inventory and research work; heritage permit process and future phases of Study. Attendance: 48

**April 7, 2003**

**Staff Report to Council on Progress of Heritage Study**

Information report to the Committee of the Whole was provided on the progress of the Kleinburg-Nashville Heritage Conservation District Study and Plan.

**April 15, 2004**

**Steering Committee Meeting #4**

Purpose: to present the findings of a Parking Study undertaken for the Kleinburg Core area and to outline the full range of heritage design guidelines and policies contained within the District Plan. Discussion: community involvement and strategies to deal with parking concerns, signage issues, official plan considerations, approach to heritage conservation of buildings, new construction, roads and streetscape. Staff outlined required steps to complete District Designation including presentation of timetable.

**April 16, 2002**

**Heritage Vaughan Meeting**

Update provided by staff to Heritage Vaughan on progress of the District Plan

**May 7, 2003**

**Third Public Meeting**

Purpose: to present the findings of a Parking Study undertaken for the Kleinburg Core area and to outline the full range of heritage design guidelines and policies contained within the District Plan. Discussion: community involvement and strategies to deal with parking concerns, approach to heritage conservation of buildings, new construction, roads and streetscape. Staff outlined required steps to complete District Designation including presentation of timetable. Attendance: 52

**May 22, 2003**

**Special Meeting With Kleinburg BIA**

Purpose: To present information on the Kleinburg Heritage District Study and to address the interests of businesses in the Kleinburg Core in terms of the District Plan.

**May 27, 2003**

**Committee of the Whole Working Session**

Purpose: To present the findings of the Study for the Committee's information.

**May 28, 2003**

**Heritage Vaughan**

Purpose: To present the findings of the Study for the Committee's consideration and to endorse the staff report with recommendations that Council establish the Kleinburg-Nashville Heritage Conservation District and adopt the District Plan through any necessary By-laws.

**June 23, 2003**

**Meeting of Council**

Purpose: To consider the recommendations of staff and Heritage Vaughan respecting the enactment of necessary By-laws to establish the Kleinburg-Nashville Heritage Conservation District Study under Part V of the Ontario Heritage Act and to adopt the District Plan.