



Report to: Development Services Committee

Date Report Authored: June 14, 2011

SUBJECT: Buttonville Heritage Conservation District Designation and District Plan
PREPARED BY: George Duncan, Senior Heritage Planner, ext. 2296

RECOMMENDATION:

- 1) That the Development Services Commission Report entitled "Buttonville Heritage Conservation District Designation and District Plan," dated June 14, 2011, be received;
- 2) That a by-law be enacted by Council to designate the Buttonville Heritage Conservation District boundary and to adopt the Buttonville Heritage Conservation District Plan and District Inventory under Part V of the Ontario Heritage Act;
- 3) That notice of the passing of the by-law be served on each owner of property located within the heritage conservation district and on the Ontario Heritage Trust, and that notice be published in a newspaper having general circulation in the municipality;
- 4) That in the event of an appeal to the by-law in accordance with the provisions of the Ontario Heritage Act, staff be authorized to attend the Ontario Municipal Board in support of the Buttonville Heritage Conservation District boundary and District Plan and Inventory;
- 5) That in the event of no appeal of the by-law or the appeal has been dismissed by the Ontario Municipal Board, the following actions be authorized:
 - a. That Council authorize the calling of a public meeting to amend the Markham Official Plan to add reference to the Buttonville Heritage Conservation District boundary and District Plan and Inventory;
 - b. That a by-law be enacted by Council to amend Site Plan Control By-law 2002-202 to include the Buttonville Heritage Conservation District as a Site Plan Control Area;
 - c. That a by-law be enacted by Council to amend Sign By-law 2002-94 to include the Buttonville Heritage Conservation District as a Special Sign District;
 - d. That the designation by-law be registered on title of all properties in the district so that current and future property owners are aware that the properties are within a heritage conservation district;
 - e. That the Markham Register of Property of Cultural Heritage Value or Interest be amended to reflect the status of the properties within the Buttonville Heritage Conservation District and to remove properties that are within the study area, but not included in the district;
 - f. That staff work with the local residents and prepare a report on the introduction of Buttonville Heritage Conservation District entry signage for Woodbine Avenue and district street name signage to help identify and promote the district.
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

To recommend that Council enact a by-law to designate the Buttonville Heritage Conservation District under Part V of the Ontario Heritage Act and adopt and implement the Buttonville Heritage Conservation District Plan and District Inventory.

BACKGROUND:**Markham has three heritage conservation districts, each with their own District Plan**

The Ontario Heritage Act allows municipalities to designate areas of special cultural heritage value or interest as Heritage Conservation Districts. The purpose of district designation is to protect and enhance areas of heritage significance while providing guidance for appropriate change in those areas. Markham has three heritage conservation districts: Thornhill, Unionville and Markham Village. Each of these has a Council-approved District Plan that provides policies and guidelines with respect to the preservation of cultural and natural heritage resources, and to guide development and other matters so that change contributes to and does not detract from the District's unique character.

Buttonville became a heritage conservation district study area in 1986

In 1986, Council designated Buttonville as a heritage conservation district study area. A Study and draft District Plan were prepared in 1988, but not adopted because of the potential significant negative impact of future widening of Woodbine Avenue on the community and its heritage buildings. However, because the Town was later able to negotiate with the Region of York to achieve a narrower four-lane pavement width through Buttonville, the impact of the road widening was less severe than originally anticipated. As a result, the community has not only survived, but many property owners have invested in improvements and additions to the heritage buildings.

Council authorized a revised heritage conservation district study in 2004

In recognition of Buttonville's historical significance and in consideration of its continued viability as a distinctive neighbourhood in spite of the changes that had occurred around it and to Woodbine Avenue, Council authorized a revised heritage conservation district study in 2004. The updated study was prepared by a consultant team working in cooperation with Town staff and a Council-appointed Advisory Committee. The Advisory Committee consists of local residents, two members of Heritage Markham and the Ward Councillor (see Appendix X).

Public consultation was an important part of this process. Public information and consultation meetings were held on April 27, 2005 and October 27, 2005. Local support was strong for the heritage district, with most public concern focusing on the negative impact of traffic on Woodbine Avenue and the poor maintenance of some properties.

Council has endorsed the boundary for the Buttonville Heritage Conservation District

The study recommended the proposed heritage conservation district be limited to the core of the hamlet and the adjoining valleylands where mills were historically located. The portion of the study area to the north of Millbrook Gate was deemed to have a more suburban character than the historic core, and therefore was not included in the recommended boundaries. Specific heritage properties in the northern portion of the study area were protected by individual designation under Part IV of the Ontario Heritage Act. Council endorsed the boundary for the Buttonville Heritage Conservation District in 2006. Since that time, the project has progressed slowly due to staff workload issues relating to the completion of the revised Thornhill Heritage Conservation District Plan, development applications and other policy and program priorities. Work on the District Plan continued during this time at intervals when time permitted.

Buttonville will be Markham's smallest heritage conservation district

Buttonville contains 31 properties. The focus of the heritage conservation district is the original mill village and adjoining valleylands, encompassing over 200 years of Euro-American history. Of the 31 properties, 20 are considered to have cultural heritage value or interest, and 14 are individually designated under Part IV of the Ontario Heritage Act. Buttonville will be Markham's smallest heritage conservation district, but has the distinction of containing a high percentage of significant heritage buildings.

The District Plan and District Inventory have been prepared and reviewed

Following Council's endorsement of the proposed heritage conservation district boundary, staff was directed to prepare the District Plan, which includes the District Inventory describing the cultural heritage value or interest of each property. The District Plan, modeled on the format of the Unionville and Thornhill District Plans, was started by the consultant team and completed by staff.

The District Plan contains:

- An examination of the area's heritage character and a statement of its heritage value
- District policies for buildings and sites (heritage, non-heritage, new construction, landscape features and commercial properties)
- District policies for streetscape and infrastructure
- District policies to address special areas and projects
- A review of municipal policies affecting the District
- Application review process
- Design guidelines

The District Inventory contains an overview of Buttonville's history and a listing for each individual property as well as a statement of cultural heritage value for each heritage property.

The District Plan and District Inventory have been reviewed by Town departments, Heritage Markham, and the Buttonville Heritage Conservation District Advisory

Committee. A number of modifications were suggested and incorporated into the completed document. A table outlining the comments and changes is attached as Appendix 'A.'

Heritage Markham has recommended designation

The designation process for districts under the Ontario Heritage Act requires a municipal council to consult with its municipal heritage committee. Heritage Markham has recommended the designation of the Buttonville Heritage Conservation District and supported the District Plan and Inventory.

A Public Meeting was held on April 21, 2011

As required by Section 41.1 (6) of the Ontario Heritage Act, a public meeting was held in the Canada Room at the Markham Civic Centre regarding the Buttonville Heritage Conservation District Plan and Designation By-law. Notice was provided to all affected property owners within the prescribed timeframe. Copies of the District Plan and District Inventory were made available prior to, and at the Public Meeting. Several property owners and the Ward Councillor, Alan Ho, were in attendance. The Minutes of the Public Meeting are attached as Appendix 'B.'

Questions were asked of staff about the building classification process and the process for making alterations to heritage and non-heritage buildings. One property owner stated his objection to the proposed boundary on the basis that his house is not a heritage building and in his view should not be subject to additional controls. However, he supports the idea of a heritage conservation district. No written submissions were received.

OPTIONS/ DISCUSSION:**Buttonville is supported as a heritage conservation district**

After many years of study and consultation, it has been demonstrated that Buttonville deserves to become Markham's fourth heritage conservation district. It represents one of Markham's earliest communities and is an integral part of our cultural heritage. Its protection will help further contribute to an understanding and appreciation of our cultural identity. The district offers a concentration of heritage buildings, sites and natural landscapes that are linked by their historical and socio-cultural context as a former mill village. The area has a distinctiveness which is recognized and distinguishable from neighbouring areas and has a sense of visual coherence through elements such as building scale, mass, height, materials, and proportion that conveys a sense of time and place.

Designation complies with municipal and provincial heritage and planning policies

Markham has cultural heritage policies in its Official Plan supporting the examination, preparation and adoption of heritage conservation districts. District plans may contain policies, guidelines and relevant information which will enhance the historical character of the area and provide a framework for renovation and redevelopment (2.5.1.e).

The Ontario Government's Provincial Policy Statement which was issued under Section 3 of the Planning Act and came into effect March 2005 includes cultural heritage

policies. These policies indicate that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection. The policies further indicate that development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the resource will be conserved.

The content of the District Plan and Inventory conforms with the provisions of the Ontario Heritage Act

The Buttonville Heritage Conservation District Plan contains all of the elements required under Section 41.1 (5.) of the Ontario Heritage Act, including:

- (a) a statement of the objectives to be achieved in designating the area as a heritage conservation district;
- (b) a statement explaining the cultural heritage value or interest of the heritage conservation district;
- (c) a description of the heritage attributes of the heritage conservation district and of properties in the district;
- (d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and
- (e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42.2005, c.6, s.31.

A designation by-law must be enacted

A by-law to designate the Buttonville Heritage Conservation District under Part V of the Ontario Heritage Act, conforming to the boundaries previously endorsed by Council, has been prepared and is attached to this report. The by-law also allows Council to adopt the Buttonville Heritage Conservation District Plan and District Inventory. The By-law and Schedule 'A' are attached as Appendix 'C.'

Once the by-law is enacted and notice has been provided as per the Ontario Heritage Act, there is an opportunity for appeal to the Ontario Municipal Board. If the by-law is appealed, staff requests authorization to attend the Ontario Municipal Board in support of the Buttonville Heritage Conservation District boundary and District Plan and Inventory.

A number of actions need to be taken once the by-law comes into force
Official Plan Amendment

Once the Buttonville Heritage Conservation District designation process is complete, the Town of Markham Official Plan must be amended to include references to Buttonville in addition to the Thornhill, Unionville and Markham Village Heritage Conservation Districts. Staff request authorization to proceed with the calling of a public meeting to initiate the amendment.

Site Plan Control and Sign By-law

The Site Plan Control By-law 2002-202 and the Sign By-law 2002-94 must be amended so that they will apply to the new Buttonville Heritage Conservation District.

Registration of the By-law on title

As per the provisions of the Ontario Heritage Act, the designation by-law must be registered on title of all properties in the district so that current and future property owners are aware that the properties are within a heritage conservation district. The Legal Department has undertaken this requirement for all other heritage districts in Markham, and would undertake this task.

Update the Register

It will be necessary to amend the Markham Register of Property of Cultural Heritage Value or Interest to reflect the new status of the properties within the Buttonville Heritage Conservation District and to remove properties that are within the study area, but are not included in the district.

Heritage District Identification Signage

All Markham heritage conservation districts have distinct entry signs as well as street name signs. These signs include a distinct colour and logo reflective of the district. Staff will work with the local residents on this initiative and prepare a report on the introduction of heritage conservation district entry signage for Woodbine Avenue and district street name signage to help identify and promote the district.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

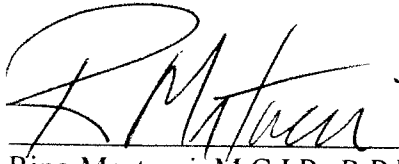
The designation of Buttonville as a Heritage Conservation District, and the adoption of the Buttonville Heritage Conservation District Plan, aligns with the Town's strategic objective of 'Growth Management' by ensuring the area's cultural heritage value and neighbourhood viability are protected within a clear framework for change.

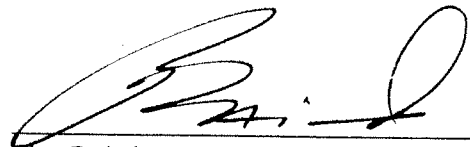
BUSINESS UNITS CONSULTED AND AFFECTED:

Acceptance of this recommendation to designate the Buttonville Heritage Conservation District under Part V of the Ontario Heritage Act will require the Clerk's Department to initiate the following actions:

- publish and serve on each of the property owners, the Ontario Heritage Trust and the public through newspaper advertisement, Council's passing of the heritage conservation district by-law as per the requirements of the Act and to explain the appeal provisions

RECOMMENDED BY:


Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning & Urban Design


Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

FILE PATH:

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ATTACHMENTS:

Appendix 'A': Table of Changes to District Plan and District Inventory

Appendix 'B': Minutes of Public Meeting

Appendix 'C': By-law and Schedule to Designate the District Boundaries and adopt the District Plan and District Inventory

LOCATION MAP:

