

**Subject:** RE: 51 Napier Street, Kleinburg  
**Date:** Tuesday, June 20, 2023 at 5:03:00 PM Eastern Daylight Saving Time  
**From:** Nick Borcescu  
**To:** Frank Basile, Marisa Provenzano, Gina Ciampa, Shahrzad Davoudi-Strike  
**CC:** Jordan Koorring, Giuliano Carota, Lee Salvati, Mike Kichula, Marilyn Iafrate  
**Attachments:** image001.jpg, scan\_tranquam\_2023-06-20-16-11-16.pdf, Ontario Heritage Act penalties.pdf, 51Napier - CHIA excerpt.pdf

Good afternoon all,

Minutes from this afternoon's meeting with Mario Barone (owner/"contractor"), Fausto Cortese (architect) and Soheil Hadian (architect/project manager?) – and with City staff including Frank Basile, Lee Salvati, Michael Tranquada, Alex Yang, and myself – are summarized as follows:

- Mr. Cortese and Mr. Barone agreed that they are at fault, acknowledging error only insofar as not maintaining open and clear communication regarding the extent of works being carried out by Mr. Barone's team on site – without engineering or architectural supervision or direction
- it was stated by the applicants that the architect was on site at least 3 times during the last 1-2 months, and reviewed site conditions but did not instruct his client or site workers to stop work or seek alternative resolutions through engineering advice
- it was stated by the applicants that initial engineering drawings were not reflecting actual site conditions, and only now after complete demolition and removal of all material (except a few joists and 3 rotted logs) is an engineering "report" to be produced and issued
- through site photography, it was evident that the main heritage building was sited on actual foundations (6in concrete block walls with blue Styrofoam insulation) and that structural assembly was substantial enough to sustain and support the existing structure up to the time of complete demolition
- the submitted CHIA – composed by a registered CAHP member who is a practising architect also licensed under OAA, member of the Royal Architecture Institute of Canada, as well as a Fellow of the American Institute of Architects – identifies the building on site as being *"in excellent condition and well-maintained"*
- the submitted CHIA further goes on to note that *"no destruction of any part of significant heritage attributes or feature is proposed"*
- the submitted CHIA concludes that the *"site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. "Conserved" means ... the cultural heritage value or interest is retained under the Ontario Heritage Act."*

Cultural Heritage informed the applicants that the approved drawings – and the supporting report through Heritage Vaughan – approved only the renovation of part of the existing main building, consisting of minor alterations of exterior features at the ground floor, and a renovation of the upper floor to increase ceiling height. It was shown to the applicants in the Heritage Vaughan staff report, that the explanation and submission provided by the applicants identify that the "main building is to be retained".

The applicants responded by saying that it was the owner's personal understanding of "retain" to mean "keep on site and reuse" and it is the architect's own admission of fault for not clarifying that "existing to remain" actually means "do not touch or alter". It was further agreed by the applicants that – despite understanding "retain" to mean "keep on site" – that all demolished material was fully removed from site, with the

exception of several joists and the 3 rotted log beams. No retention of windows, doors, cladding, structure, flooring, ceiling, walls, or any other elements occurred at any time. The foundation itself was exposed and partly removed as well (as seen in photos taken by City staff).

Cultural Heritage further advised that charges and fines, under the *Ontario Heritage Act*, Section 69(1) noting penalties of no more than \$50,000 and 1yr prison, or both, Section 69(3) noting demolition or removal of heritage structure maximum penalty of \$1,000,000 [one million], and Section 69(5.1) noting recovery and restoration costs consisting of reconstruction to previous condition and cost recovery from property owner, may follow from the City By-Laws.

Building Inspections further advised that all work must cease and no work is to be conducted following the current drawings; a new application must be filed as “new construction” subject to all zoning and planning requirements, and a new Heritage Vaughan submission must be made – none of the current approvals are valid. The site is found to be not in compliance with issued permits, and 2 orders were filed: demolition without a permit, and construction without a permit. Until the new application is approved, all work is to stop.

Please see attached excerpt from the CHIA, excerpt from the OHA penalties, and handwritten meeting minute notes.

Cultural Heritage will pursue next steps through Legal and By-Laws.

**Nick R. Borcescu** B.Arch, CAHP, MRAIC  
**Senior Heritage Planner**  
905-832-8585 ext. 8191 | [nick.borcescu@vaughan.ca](mailto:nick.borcescu@vaughan.ca)

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**From:** Nick Borcescu <Nick.Borcescu@vaughan.ca>

**Sent:** June 19, 2023 2:22 PM

**To:** Frank Basile <Frank.Basile@vaughan.ca>; Marisa Provenzano <Marisa.Provenzano@vaughan.ca>; Gina Ciampa <Gina.Ciampa@vaughan.ca>; Shahrzad Davoudi-Strike <Shahrzad.Davoudi-Strike@vaughan.ca>

**Cc:** Jordan Koorring <Jordan.Koorring@vaughan.ca>; Giuliano Carota <Giuliano.Carota@vaughan.ca>; Lee Salvati <Lee.Salvati@vaughan.ca>; Mike Kichula <Mike.Kichula@vaughan.ca>

**Subject:** Re: 51 Napier Street, Kleinburg

Good afternoon all,

I attended to the site this afternoon, and met with Mario Barone – who, I gather, may be the owner but also the contractor (?) and took the following 2 photos of the site conditions, as experienced today. Indeed, the ENTIRE HOUSE was demolished, and they went well below the foundations to what almost appears like 2 storeys below grade (or a really, really high/deep basement).

I can confirm that Heritage did not approve any revisions to the existing main house beyond a front minor cosmetic renovation and a redesign of the upper floor which raised the clear height but then replaced the roof and dormer with identical slopes and aesthetics as the original. The rest was for approved demolition of the non-contributing rear additions, and construction of a much more architecturally-sympathetic addition in place.

The architects called this morning, to say that they were only advised of the complete demolition on Friday (June 16) at 4pm, and until then they were not aware of the extent of the demolition.

Meanwhile, Mario Barone told me on site today that as they tore away layers of construction, they found more and more structural issues and he was “advised by his engineers” that the foundations and footings were entirely unusable and had to be removed – which in turn meant the full removal of all built structures.

They all agreed that nobody reached out to City Hall, or stopped work to inform anyone of their findings and next steps. Furthermore, I was told that “the entire front façade is salvaged on site” but all that remained were a few rotted beams (see attached photo), with all the siding and other construction material including windows and doors permanently removed from site and discarded.

I confirm that no heritage resources remain present on site.

I have booked a meeting in-person for tomorrow, to hear the architects’ side and the owner’s side of the story.

**Nick R. Borcescu** Hons. B.Arch, CAHP, MRAIC | Lean Six Sigma Yellow Belt  
**Senior Heritage Planner**  
905-832-8585 ext. 8191 | [nick.borcescu@vaughan.ca](mailto:nick.borcescu@vaughan.ca)

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**From:** Frank Basile <[Frank.Basile@vaughan.ca](mailto:Frank.Basile@vaughan.ca)>

**Date:** Monday, June 19, 2023 at 12:14 PM

**To:** Marisa Provenzano <[Marisa.Provenzano@vaughan.ca](mailto:Marisa.Provenzano@vaughan.ca)>, Gina Ciampa <[Gina.Ciampa@vaughan.ca](mailto:Gina.Ciampa@vaughan.ca)>

**Cc:** Jordan Kooring <[Jordan.Kooring@vaughan.ca](mailto:Jordan.Kooring@vaughan.ca)>, Giuliano Carota <[Giuliano.Carota@vaughan.ca](mailto:Giuliano.Carota@vaughan.ca)>, Lee Salvati <[Lee.Salvati@vaughan.ca](mailto:Lee.Salvati@vaughan.ca)>, Mike Kichula <[Mike.Kichula@vaughan.ca](mailto:Mike.Kichula@vaughan.ca)>, Nick Borcescu <[Nick.Borcescu@vaughan.ca](mailto:Nick.Borcescu@vaughan.ca)>

**Subject:** RE: 51 Napier Street, Kleinburg

Marisa,

Building Standards was on site last week and we have determined that work is not in accordance with the issued permit drawings, We will be issuing an order to comply and have referred the matter to Heritage for their review.

**Frank Basile**  
**Building Inspections Supervisor**  
905-832-8511 ext. 8706 | [frank.basile@vaughan.ca](mailto:frank.basile@vaughan.ca)  
**Building Standards Department**  
**City of Vaughan**  
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1  
[vaughan.ca](http://vaughan.ca)



**From:** Frank Basile

**Sent:** Friday, June 16, 2023 12:51 PM

**To:** Giuliano Carota <[Giuliano.Carota@vaughan.ca](mailto:Giuliano.Carota@vaughan.ca)>; Building Inspections <[buildinginspections@vaughan.ca](mailto:buildinginspections@vaughan.ca)>; Lee Salvati <[Lee.Salvati@vaughan.ca](mailto:Lee.Salvati@vaughan.ca)>; Gabriella Perri <[Gabriella.Perri@vaughan.ca](mailto:Gabriella.Perri@vaughan.ca)>

**Cc:** Jordan Koorring <[Jordan.Koorring@vaughan.ca](mailto:Jordan.Koorring@vaughan.ca)>

**Subject:** Re: 51 Napier Street, Kleinburg

Please start a CT file for construction not in accordance with issued permit plans.  
Forward to Giuliano...OTC to be issued.

Frank

Sent from my iPhone

On Jun 16, 2023, at 7:56 AM, Frank Basile <[Frank.Basile@vaughan.ca](mailto:Frank.Basile@vaughan.ca)> wrote:

51 Napier, the building permit is for a side and rear addition. The complaint is that they demolished the house.

Frank

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**From:** Giuliano Carota <[Giuliano.Carota@vaughan.ca](mailto:Giuliano.Carota@vaughan.ca)>

**Sent:** Friday, June 16, 2023 7:55 AM

**To:** Frank Basile <[Frank.Basile@vaughan.ca](mailto:Frank.Basile@vaughan.ca)>

**Subject:** Re: Napier Street, Kleinburg

Yes, is there a street number

Sent from my iPhone

On Jun 16, 2023, at 7:21 AM, Frank Basile <[Frank.Basile@vaughan.ca](mailto:Frank.Basile@vaughan.ca)> wrote:

Giuliano, can you please attend and confirm if construction is progressing as per issued permit plans. The complaint is that they demolished the house.

Frank

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**From:** Karen Iaboni <[Karen.Iaboni@vaughan.ca](mailto:Karen.Iaboni@vaughan.ca)> **On Behalf Of** Standards, Building

**Sent:** Thursday, June 15, 2023 12:50 PM

**To:** Frank Basile <[Frank.Basile@vaughan.ca](mailto:Frank.Basile@vaughan.ca)>

**Subject:** FW: Napier Street, Kleinburg

Hello

Please see email below.

Thank you  
karen

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**From:** Marisa Provenzano <[Marisa.Provenzano@vaughan.ca](mailto:Marisa.Provenzano@vaughan.ca)>  
**Sent:** June-15-23 12:46 PM  
**To:** [sanfran@rogers.com](mailto:sanfran@rogers.com)  
**Cc:** Standards, Building <[Buildingstandards@vaughan.ca](mailto:Buildingstandards@vaughan.ca)>; Service Vaughan - VOL <[Service@vaughan.ca](mailto:Service@vaughan.ca)>; [mayor@vaughan.ca](mailto:mayor@vaughan.ca); Anna Venturo <[Anna.Venturo@vaughan.ca](mailto:Anna.Venturo@vaughan.ca)>; Gina Ciampa <[Gina.Ciampa@vaughan.ca](mailto:Gina.Ciampa@vaughan.ca)>; Marilyn lafrate <[Marilyn.lafrate@vaughan.ca](mailto:Marilyn.lafrate@vaughan.ca)>  
**Subject:** RE: Napier Street, Kleinburg

Good Afternoon,

On behalf of Councillor lafrate, I am acknowledging receipt of your email.

Our office will forward your enquiry to staff and an update/response will be provided to you.

Kind regards,

Marisa

**Marisa Provenzano**  
**Council Assistant to Councillor Marilyn lafrate**  
**905-832-8585 ext. 8413** [marisa.provenzano@vaughan.ca](mailto:marisa.provenzano@vaughan.ca)

**City of Vaughan | Office of Councillor, Ward 1- Maple/Kleinburg**  
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1  
[vaughan.ca](http://vaughan.ca)

**Subscribe to Councillor lafrate's [eNewsletter](#).**

<image001.jpg>

**From:** Sandra&Frank Pullano <[sanfran@rogers.com](mailto:sanfran@rogers.com)>  
**Date:** June 15, 2023 at 11:12:13 AM EDT  
**To:** Marilyn lafrate <[Marilyn.lafrate@vaughan.ca](mailto:Marilyn.lafrate@vaughan.ca)>, "Standards, Building" <[Buildingstandards@vaughan.ca](mailto:Buildingstandards@vaughan.ca)>, Service Vaughan - VOL <[Service@vaughan.ca](mailto:Service@vaughan.ca)>  
**Cc:** [mayor@vaughan.ca](mailto:mayor@vaughan.ca)  
**Subject:** [External] Napier Street, Kleinburg

Good morning,

I am writing this letter to inquire about a historical home that has been demolished, at 51 Napier Street, in Kleinburg.

I have been walking every morning through the village of Kleinburg, and particularly enjoy my stroll down Napier Street. I have recently noticed that the historical home that was previously at 51 Napier is no longer there. They are currently building new foundations for a new home, where this historical home once stood. I am just wondering how this happened, or how it was allowed to tear down a historical home?

Thank you for your time in answering my above concern.

Best regards,

Sandy Mastromattei  
416-910-2772