

Committee of the Whole (1) Report

DATE: Tuesday, October 08, 2024

WARD: 2

TITLE: TEMPORARY RELOCATION OF THE JOHN FLEMING HOUSE,
LISTED UNDER PART IV, LOCATED AT 9151 HUNTINGTON
ROAD, WOODBRIDGE (REFERRED) (TRANSMITTAL REPORT)

FROM:

Heritage Vaughan Committee

ACTION: DECISION

Purpose

To forward recommendations from the Heritage Vaughan Committee meeting of September 26, 2024, (Item 7, Report No. 12) with respect to the subject matter, for consideration by Committee of the Whole.

Report Highlights

- This matter was initially considered by the Heritage Vaughan Committee on July 24, 2024, and a Transmittal Report, with recommendations from that meeting, was forwarded for consideration by Committee of the Whole (1) at its meeting on September 10, 2024.
- Committee of the Whole (1), on September 10, 2024, recommended that consideration of this matter be deferred to the October 8, Committee of the Whole (1) meeting to provide Development Planning staff the opportunity to respond to new information received.
- Council at its meeting on September 24, 2024, recommended that this matter be referred to the Heritage Vaughan Committee meeting of September 26, 2024.
- Recommendations from the September 26, 2024, Heritage Vaughan Committee meeting are now forwarded for consideration by Committee of the Whole.

Recommendations

- 1) That Council annul the heritage easement agreement to permit demolition of the John Fleming House located at 9151 Huntington Road under Section 27 of the *Ontario Heritage Act*, and release the Letter of Credit Security in the amount of \$980,595.00;

- 2) That Council approve a commemorative display, and material salvage and reuse, in a manner that recognizes and carries forward the legacy of the John Fleming House to the satisfaction of the City, to be finalized through the site plan agreement;
- 3) That Council approve the delisting of the John Fleming House located at 9151 Huntington Road from the Municipal Register Listing of Significant Heritage Structures (LSHS);
- 4) That the report of the Deputy City Manager, Planning and Growth Management, dated July 24, 2024, be received;
- 5) That comments from the following Speakers be received:
 1. Josh Berry, Senior Development Manager, Anatolia Block 59 Developments Limited, Huntington Road, Vaughan; and
 2. Evan Sugden, Professional Heritage Consultant, representing Anatolia Block 59 Developments Limited, Huntington Road, Vaughan; and
- 6) That Communication C2., Memorandum from the Deputy City Manager, Planning and Growth Management, dated September 25, 2024, be received.

Background

Anatolia Block 59 Developments Limited is in the building phase of a new industrial development on the property at 9151 Huntington Road in Vaughan, Ontario [Attachment 1]. The remaining original farmhouse on the property – the John Fleming House (c.1850) – has been assessed to contain Cultural Heritage Value and Interest to the City by a Cultural Heritage Impact Assessment done by Golder and Associates Ltd (March 2020) [Attachment 2]. As a condition of Plan of Subdivision approval, Anatolia Block 59 Developments Limited registered a Heritage Easement on the property with an undertaking to conserve the John Fleming House by moving it to a suitable location elsewhere on the property, and to rehabilitate it for re-use.

Upon re-location and rehabilitation, the John Fleming House was to be designated under Part IV of the *Ontario Heritage Act*. In 2016, Council of the City of Vaughan approved the listing of 9151 Huntington Road on the City of Vaughan's Listing of Significant Heritage Structures (LSHS).

A report was considered by the Heritage Vaughan Committee on July 24, 2024, and subsequently by Committee of the Whole on September 10, 2024, for the temporary relocation of the John Fleming house. Council at its meeting on September 24, 2024, deferred this matter to the Committee of the Whole meeting of October 8, 2024.

On September 13, 2024, Anatolia Block 59 Developments Limited submitted a Structural Engineering Assessment by GEI Consultants [Attachment 5], which states that the proposed conservation strategy of relocating and rehabilitating the John Fleming House is neither feasible nor reasonable, thus recommending that the building be demolished.

Previous Reports/Authority

[Heritage Vaughan Committee Report](#) – July 24, 2024.

Heritage Easement Agreement (9 May 2022) – [Attachment 6].

Analysis and Options

All new development must conform to the policies and guidelines within the City of Vaughan Official Plan. The following is an analysis of the proposed development according to the *Ontario Heritage Act* and the City of Vaughan Official Plan 2010.

Ontario Heritage Act - Section 27:

Restriction on demolition, etc.

(9) If a property that has not been designated under this Part has been included in the register under subsection (3), the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days' notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure. 2019, c. 9, Sched. 11, s. 6.

Anatolia Block 59 Developments Limited is requesting demolition and has submitted a Structural Engineering Assessment to support this request based on feasibility and reasonability.

Feasibility:

Based on the Structural Engineering Assessment by GEI Consultants, there is evidence of exterior deterioration with large vertical cracking, especially on the east side, patched with incompatible materials. This would require removal of the incompatible Portland cement mortars, replacement of cracked bricks and repointing of all mortar joints.

Most of the first-floor joists also appear to have significant deterioration and would require to be sistered with new joists.

The work requires a specialized heritage masonry restoration specialist and a contractor with proven experience in this type of restoration work.

Reasonability:

The Structural Engineering Assessment by GEI Consultants argues that moving costs will be significant, especially when the costs of servicing the building with driveway access,

electricity, etc. are added. Also, some features of the original building will be impacted, i.e., the chimneys.

Vaughan Official Plan 2010

6.1.3.2. To promote recognition and use of heritage resources by:

- d. recognizing and commemorating lost heritage resources, including areas where major events occurred, important buildings, settlements and significant landscape features that no longer exist;*
- e. encouraging the use of heritage resources as a means to promote education and awareness of Vaughan's past;*
- f. and engaging the public in the appreciation of cultural heritage resources through programs, services, commemoration and ongoing communication.*

Anatolia Block 59 Developments Limited has agreed to pursue a degree of conservation of the house through documentation, salvaging and repurposing materials for landscaping elements or donations to salvage companies, and/or through commemoration efforts. City of Vaughan staff agree with commemoration at a prominent location, both visually and physically accessible to the public. This can be achieved through the site plan agreement, with an amendment of the site plan drawings.

Anatolia Block 59 Developments Limited provides the example that some materials could be salvaged and reused in a manner that recognizes and carries forward the legacy of the John Fleming House, including the idea of constructing a small structure to house an interpretive display, recognizing the history of the building and property.

6.2.2.2. That if development is proposed on any property listed in the Heritage register, that the property, or portions of the property, may be considered for heritage designation or entering into a heritage easement agreement to secure conservation of significant heritage resources.

Anatolia Block 59 Developments Limited entered into a Heritage Easement Agreement with the City of Vaughan on May 9, 2022. The John Fleming House was registered on the Listing of Significant Heritage Structures (LSHS) with the City in 2016 and was recognized as having cultural heritage significance. Following the relocation of the house, it was to be designated under Part IV of the *Ontario Heritage Act*.

6.2.3.1. That when development is proposed on a property that is not designated under the Ontario Heritage Act but is listed on the Heritage register, recognized as a Cultural heritage character area or identified as having potential cultural heritage value, the applicant shall submit a Cultural heritage impact assessment when:

- a. the proposal requires an Official Plan amendment, a zoning by-law amendment, a plan of subdivision, a plan of condominium, a minor variance or a site plan application;*

- b. *the proposal involves the demolition of a building or the removal of a building or part thereof or a heritage landscape feature;*
- c. *or there is potential for adverse impact to a cultural heritage resource from the proposed development activities.*

The development on the subject property has a plan of subdivision and site plan.

Based on the Structural Engineering Assessment by GEI Consultants, Anatolia Block 59 Developments Limited believes that the Phase 2 work required to implement the initial conservation strategy is excessive and unreasonable. It will result in more alterations to the original structure to accommodate the relocation and adaptive reuses. As well, there is a risk of damage or destruction during relocation, even with their previously recommended precautions.

Two goals that were set out in the Assessment would also need to be considered:

- (1) The building has structural issues that need to be addressed prior to being occupied again. Due to the challenges of working on historic masonry and wood framing, the costs associated with these repairs are expected to be quite high and unreasonable.
- (2) The extent of the reinforcement required to move the building will be significant due to its weight and sensitivity to differential movements.

Financial Impact

There are no requirements for new funding associated with this report.

Operational Impact

There are no broader operational impacts or considerations.

Broader Regional Impacts/Considerations

There are no broader regional impacts or considerations.

Conclusion

The Urban Design and Cultural Heritage Division of the Development Planning Department is satisfied with the proposed work which conforms to the policies and guidelines within the Vaughan Official Plan and the *Ontario Heritage Act*. Accordingly, staff can support Council's approval of the proposed **demolition of the John Fleming House** located at **9151 Huntington Road, Woodbridge**, under the *Ontario Heritage Act*, subject to commemoration and salvage, to the satisfaction of the City.

For more information, please contact: Nick Borcescu, Senior Heritage Planner, ext. 8191.

Attachments

1. Location Map.
2. Cultural Heritage Impact Assessment (2020).
3. Temporary Location Map.
4. Photographs of House and Site.
5. GEI Structural Engineering Assessment.
6. Heritage Easement Agreement (9 May 2022).

Prepared by

John Britto, Legislative Specialist, Office of the City Clerk.

In consultation with

Vanessa Lio, Heritage Specialist, ext. 8152.

Nick Borcescu, Senior Heritage Planner, ext. 8191.

Shahrazad Davoudi-Strike, Manager, Urban Design and Cultural Heritage, ext. 8653.