

September 13, 2024

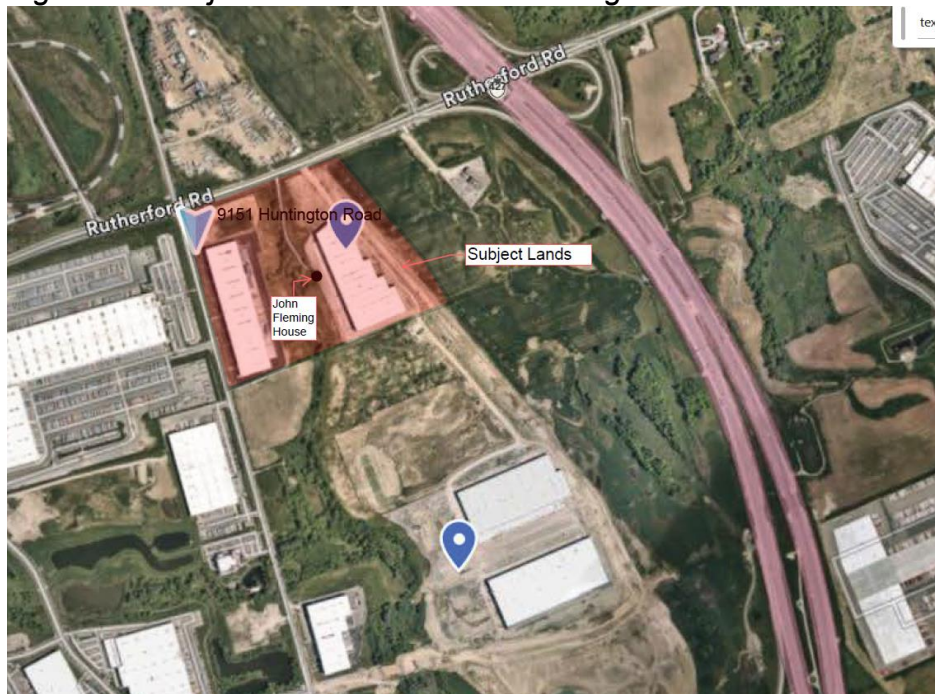
Attn: Haiqing Xu, Ph.D., MCIP, RPP
Deputy City Manager, Planning and Growth Management
2141 Major Mackenzie Dr.
Vaughan, ON, L6A 1T1

Dear Deputy City Manager Xu,

**Re: Request for Consideration to Lift Conservation Easement and Demolition
9151 Huntington Road, Vaughan, Ontario
John Fleming House**

Anatolia Block 59 Developments Limited is the owner of the property located at 9151 Huntington Road in Vaughan, Ontario (“subject lands” or “lands”). The subject lands contain an old brick house known as the John Fleming House. The property is included on Vaughan’s Municipal Heritage Register (the “Register”) but is not a designated property under Part IV or V of the *Ontario Heritage Act*, nor is the property within a defined Cultural Heritage Landscape or along an identified heritage view corridor. There is, however, a heritage conservation easement registered on title against the property which is administered by the City of Vaughan. This easement effectively provides protections to the subject lands as it relates to the conservation of the John Fleming House. A map of the subject lands showing the locations of the structure is provided below.

Figure 1 - Subject Lands with John Fleming House



Source: NearMap, 2024

REQUEST OF COUNCIL

We request that Council consider lifting and removing the heritage easement agreement (Instrument #YR3434241) from the title, and grant permission for the demolition of the John Fleming House.

The following explains the reasoning for our request.

BACKGROUND AND PLANNING FRAMEWORK

The subject lands are planned and have been developed for industrial / employment type development in the City of Vaughan Official Plan, as amended, and as per the final Block Plan for the Block 59 Area. The subject lands are designated “Prestige Employment” (west of the valley), “General Employment” (east of the valley), and “Natural Areas” (valley and Rainbow Creek) under the West Vaughan Employment Area Secondary Plan (WVEASP). The property also contains a portion of land designated "Utility" under the West Vaughan Employment Area Secondary Plan (WVEASP).

- The “Prestige Employment” designation allows for industrial uses such as manufacturing, warehousing (not retail), processing, and distribution within enclosed buildings, without outside storage. Offices, limited retail, and gas stations are also permitted under certain conditions.
- The “General Employment” designation allows for a broader range of industrial uses, including outdoor storage, with accessory office and retail uses, and gas stations.
- The “Natural Areas” designation covers the valley and Rainbow Creek, part of the Natural Heritage Network, which is to be protected and enhanced.
- The "Utility" designation covers lands used for infrastructure, such as utility corridors and stormwater ponds.

In addition, Vaughan Council approved the Block 59 Plan on June 29, 2020, and again with updates on January 19, 2021, and July 19, 2021, subject to conditions. The plan designates the Subject Lands for “Prestige Employment,” “General Employment,” “Natural Heritage Feature,” and includes buffer zones and road extensions. The property at 9151 Huntington Road also has a portion designated as “Hydro Easement,” and features a 10m buffer, and a public road (“Street F”) as per Block 59.

In order to facilitate the industrial subdivision a site-specific Zoning By-law Amendment was required, which was approved in January 2021 through By-law 008-2021.

Accordingly, the lands have been developed for industrial / employment type land uses. In this regard, an industrial Draft Plans of Subdivision (19T-18V011), in conformity with the Official Plan and Block 59 Plan, was approved in April 2022 for the subject lands

As part of the planning applications for the subject lands several cultural heritage reports and structural assessments were prepared and filed which related to matters of built heritage significance for the John Fleming House on the subject lands. The heritage reporting for the John Fleming House generally achieved four things, among others: 1) the work evaluated the properties for their cultural heritage value or interest under O.Reg 9/06 of the *Ontario Heritage Act* and determined sufficient criteria had been met to warrant some degree of conservation; 2) assessed the potential heritage impacts to the house on the lands as a result of the industrial subdivisions and evaluated alternative development options; 3) determined if the house was structurally sound in its current location and as is; and 4) provided recommendations for conservation.

With respect to the John Fleming House, many of the conservation recommendations were captured in the Conditions of Draft Plan Approval, as follows:

- The Owner must register a plan for the John Fleming House and convey certain blocks to the City, retaining the house part until plan assumption.
- The Owner must provide \$719,910.00 in securities plus the appraised land value before registration.
- The Owner will enter a Heritage Easement Agreement for the house's relocation and restoration.
- A heritage professional must certify the house is secured as per the protection plan.
- Updated heritage plans must be submitted before plan assumption.
- Conservation work must be certified complete before releasing securities.
- The house must be transferred to the City after relocation, free of costs.

These Conditions of Draft Plan Approval and the recommendations of the heritage reporting described above, formed Phase 1 of the heritage and conservation considerations: "The Conservation Strategy".

Between 2022 and 2024, other considerations were discussed with respect to heritage matters, including the temporary relocation of the John Fleming House until such time as the building could be permanently relocated and rehabilitated for a new compatible use at a later date, which was endorsed at a July 24, 2024 Heritage Vaughan Committee meeting.

In general, a great deal of consideration has been given to the conservation of the house on the subject lands, with the most binding agreement, being the registration of the heritage easement agreement on title (Instrument #YR3434241). As we had agreed to these easements and conditions above, we are tied to them. Specifically, **\$980,595.00** in securities was posted to secure the John Fleming House.

However, we are now running into issues as it relates to the next steps, or Phase 2 of the heritage and conservation considerations: "The Implementation of the Conservation Strategy". These problems come down to the following:

1. the current structural condition of the house in relation to the proposed conservation strategy, which involves relocation and rehabilitation of the John Fleming house;
2. the extent of the interventions required to safely relocate the house without causing damage;
3. the appropriate land use for a former residential house in an area planned and approved for industrial type uses; and
4. the extent of the actions required to bring the house up to safe operational standards, assuming a commercial land use and ensuring compliance with the Ontario Building Code and compatibility with developing land uses;
5. the financial commitment to carrying out these aforementioned works in keeping with structural recommendations and the balance of the commitments made through the Conditions of Draft Plan Approval and registered heritage easement agreement, which risk jeopardizing the build out of our employment lands.

RATIONALE FOR REQUEST

Structural Condition and Proposed Conservation Strategy for Relocation and Rehabilitation

Now that we have started coordinating the conservation plan for the John Fleming houses, we have had to start understanding the work required to carry out the relocations and rehabilitation in detail. In this regard, we retained GEI Consultants Canada Limited (GEI) – professional structural engineers) to complete a structural assessment of the John Fleming House. GEI assessed the current structural condition of the house in relation to their proposed conservation strategy (i.e., relocation and rehabilitation), identified and documented the necessary interventions for safely relocating the structure without causing damage, and determined the required actions to bring the structure up to safe operational standards in compliance with the Ontario Building Code (OBC), assuming commercial occupancy.

A copy of the GEI assessments is enclosed with this letter as **Attachment 1**.

GEI found that the John Fleming House has structural issues, mainly masonry defects, requiring even further investigation by a structural engineer and extensive repairs. For the John Fleming House, chimneys must be removed before relocation, and key repairs include replacing cracked bricks, repointing mortar, reinforcing cracks, and reinforcing deteriorated floor joists. Mechanical systems in the John Fleming House may need replacement. GEI has also recommended that a heritage masonry specialist and experienced contractor be use; all of which they estimate to be at a prohibitive cost.

We did not realize the extent of these interventions when we agreed to the conservation.

Required Interventions for Safe Relocation

With respect to the John Fleming House, GEI concluded that moving the building will require significant reinforcement due to its weight and sensitivity to movement. Raising the structure to the level of the adjacent parking lot can be done using a crane or by jacking it onto a temporary platform, with the latter being more cost-effective. The process involves constructing a new foundation, creating temporary access routes, removing finishes and chimneys, installing bracing and steel supports, and jacking the building to the necessary height. The building will then need to be moved to an area so that repairs can be made to masonry and floor joists, and interior finishes reinstated. Additional tasks include decommissioning the sewage system, demolishing the old foundation, and restoring the site.

Moving costs for the John Fleming House will also be substantial, especially with added services like driveway access, electricity, and water, and some original features, such as chimneys and wood framing, will be impacted by the move. Again, this work is extensive, and we believe will lend to additional heritage impacts.

Appropriate Land Use for Former Residential Houses in Industrial Areas

We believe relocating the John Fleming House within the draft-approved industrial subdivision, in an area specifically planned and approved for industrial uses, renders its continued residential use inappropriate for several reasons.

First, residential use in a predominantly industrial zone creates potential conflicts in terms of land use compatibility which could negatively impact both the residential occupants and nearby industrial operations. The industrial nature of the surrounding environment is not conducive to residential living, as it may lack necessary amenities and expose residents to conditions not suited for habitation, such as proximity to heavy machinery and constant industrial activity.

Furthermore, maintaining the structure as a residential building would run counter to the approved planning framework, which has designated the area for industrial purposes. This means the only reasonable solution is converting the heritage house into an industrial, compatible commercial, or ancillary industrial/commercial use, so that the houses can contribute more effectively to the surrounding industrial landscape, aligning with the broader economic and functional goals of the subdivision. This conversion would help avoid creating a disruptive, incongruous residential presence that could hinder industrial operations or create future land use conflicts.

However, this conversion will lend to further alterations and interventions to the house, further impacting its heritage integrity. The adaptive reuse of the house into an industrial, compatible commercial, or ancillary industrial/commercial use, will likely also require extensive alterations to meet the Ontario Building Code standards for industrial or

commercial buildings. Residential structures are not designed to support the heavier loads or fire safety requirements typical of industrial or commercial operations. Therefore, we believe significant modifications, including structural reinforcements and updates to insulation, fire separation, and other building systems, will be essential to ensure the house can function safely and effectively within its new industrial context as those new uses. These changes will alter the original structure.

Actions Needed to Meet Operational and Building Code Standards

Based on the assumption that the house would need to be converted into an industrial, compatible commercial, or ancillary industrial/commercial use to avoid land use compatibility issues, we also requested GEI to evaluate the requirements to bring the house into conformity with the Ontario Building Code (OBC).

With respect to the John Fleming House, GEI concluded that if the building is moved and its use changes to commercial occupancy, it must comply with current OBC standards, including change of use requirements, as the current use is residential. At a minimum, the following work is expected: the exterior walls likely do not meet OBC standards for insulation and vapour barriers, requiring the interior finishes to be replaced; the deteriorating floor structure must be reinforced, and a structural engineer will need to verify the floors can support the heavier live load required for commercial use, especially on the main floor; and interior finishes must comply with the fire separation requirements of the OBC.

Financial Commitment and Impact on Employment Land Development

We have growing concerns regarding the scope and financial implications of the work required to implement the conservation strategy. While we initially anticipated costs primarily related to relocation, it has become clear that the full extent of the necessary work—including site and house preparation, the relocations themselves, construction of new foundations, and critical rehabilitation—will involve significant financial commitments far beyond what was originally projected.

The earlier assessments did not account for the extent of structural upgrades, compliance with new building codes, and the extensive rehabilitation that will be required to adapt the houses for their new use. Given the magnitude of these challenges, we believe the costs will likely be unreasonable and exceptional compared to our initial expectations.

CONCLUSIONS

Based on the above, we believe 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 in order to accommodate the relocations and adaptive reuses. Furthermore, as noted in the GEI assessment, there is a real risk of damage or destruction during relocation, even with the recommended precautions. Since industrial development

has already been completed in these areas, there is no option to retain the structure in the current location.

Moreover, the scale of the work and associated costs is considerable. Discussions with the ownership group have made it clear that these extensive costs pose a serious risk to the viability of the project, and even with the expense, there is no guarantee that the building can safely be relocated without further damage.

In GEI's opinion (our structural engineer), they believe that the proposed conservation strategy of relocating and rehabilitating the John Fleming House is neither feasible nor reasonable. Therefore, they have recommended that the building be demolished.

In light of these concerns, we respectfully request that Council consider lifting the heritage easement agreement from title and grant permission for the demolition of the John Fleming House.

That said, we are willing to pursue a degree of conservation for the house through documentation, salvaging and repurposing materials for landscaping elements or donations to salvage companies, and/or through commemoration efforts. We are open to working with a professional heritage consultant to ensure this is done appropriately.

Yours truly



Josh Berry, M.PI, MCIP, RPP
Senior Manager- Land Development
Anatolia Block 59 Developments Limited

September 13, 2024

Project No. 2406581

VIA EMAIL: josh.berry@anatolia.com

Josh Berry
Anatolia Investments Corp.
8300 Huntington Road
Vaughan, Ontario L4H 4Z6

**Re: Building Relocation Review
Existing Heritage Building – John Fleming House
9151 Huntington Road, Vaughan, Ontario**

Dear Mr. Berry:

As per your request, GEI Consultants Canada Limited (GEI) was retained by Anatolia Investments Corp. (Anatolia) to attend the above-noted site to meet with Behnaz Bahrefar of Anatolia on August 29, 2024. The purpose of the site visit was to review the John Fleming House, with three goals in mind:

- 1) to assess the current structural condition of the house in relation to its proposed conservation strategy,
- 2) to identify and document the necessary interventions for safely relocating the structure without causing damage, and
- 3) to determine the required actions to bring the structure up to safe operational standards in compliance with the Ontario Building Code (OBC), assuming commercial occupancy.

The review was carried out by Brent Willis, P.Eng. and Drew Dietrich, P.Eng. This report provides conclusions and opinions on the proposed conservation strategy, which is relocation and rehabilitation, building on earlier structural and heritage reports (Phase 1). It also offers insight into the feasibility and reasonableness of relocation efforts as part of Phase 2 (implementing the suggested conservation strategy of relocating and rehabilitating the building). Finally, it gives an independent professional opinion while reflecting on the evolution of previous consultants' findings from earlier phases.

1.0 Description of Building

The building is known as the John Flemming House and is located on the west half of Lot 15 Concession 9 in the former Township of Vaughan, Ontario. This building is a two-storey masonry house founded on a stone rubble foundation with an unfinished basement. Refer to Photo 1 for an overall view of the house. There is also a small wood frame addition on the south side of the building and an enclosed wood framed porch on the west side of the building. The building exterior consists of exposed brick, except for the southern addition and western porch where the exterior is vinyl and wood siding. At the time of the site visit all the openings on the building were covered with plywood, except for a door used for entrance on the south addition.

2.0 Background

This building has had various site reviews and associated reports completed by others prior to the current assignment. The main reports which are relevant to this letter are the two reports prepared by Tacoma Engineers, “Condition Assessment” dated February 21, 2023 and “Moving Summary Report” dated July 19, 2024. As such, the purpose of this report is not to compare our findings against these past reports, or repeat findings, but rather to expand on the discussion directly relating to the feasibility of moving this building.

3.0 Observations

A visual, non-destructive review was completed, with the following observations noted:

3.1 Exterior Deterioration

The masonry walls were not visible from the inside of the structure, thus the only review of them that could be completed was on the exterior of the building. There are also two masonry chimneys on this building, which will be discussed below based on the information gathered from the ground.

The walls have significant cracking throughout, especially on the east side, highlighted by a large vertical crack running all the way from the foundation up to the window (refer to Photo 2). These cracks have been previously patched, but these patches appear to have been made with modern mortars which are incompatible with older masonry and may cause further damage as the materials expand and contract at different rates.

It was also noted that there are two steel rods with plates on the ends running through the second-floor structure in the north-south direction of the east wing. These steel rods were likely installed to support the north and south walls of this area, as they may have been bowing out. The cracking around these steel rods also supports this conclusion (refer to Photo 3).

The chimneys have been parged, likely due to deterioration of the masonry. That parging is now cracking and disintegrating throughout (refer to photo 4).

It appears that large portions of the masonry walls have been replaced with different bricks and newer mortars, especially notable on the south wall, as shown in Photo 4. The newer mortars, again, are a concern as they may be incompatible with the older masonry.

Overall, the masonry appears to be in poor condition.

The roof is clad with asphalt shingles throughout, and they appear to be in fair to poor condition.

3.2 Wood Framing Deterioration

The first-floor framing was visible from below in the basement and as such was visually examined. A penetration test with an awl was completed in various locations. Most of the first-floor joists appear to have significant deterioration, likely caused by high moisture levels in the basement. Overall, the floor joists are in fair to poor condition.

The second-floor framing was not visible and could not be examined. There were no obvious signs of weak areas from walking on the second-floor framing. The roof, attic, and interior wall framing were not available for review due to the architectural finishes.

3.3 Interior Finishes Deterioration

The interior finishes in this building were in fair condition with some water and graffiti damage throughout. The finishes appear to be lath and plaster which does not match current building standards and would most likely be damaged in any moving operations due to its brittle nature. The fixtures throughout, including doorways, windows, light fixtures, etc. all appear to be in poor condition and would at the very least need to be remediated, but most likely replaced in most situations.

3.4 Small Additions

There are two “small” additions on this building, on the south and on the west sides. These additions are wood framed and therefore were not included in the review as they are not believed to be heritage aspects of this building and would be removed prior to any relocation.

3.4 Site Grading

While the grade to the west slopes away from the building towards the nearby creek, the main floor of the building is now situated below the adjacent parking lot that was recently constructed to service the large warehouse to the east. To move the building, it will first have to be raised to suit the parking lot elevation before it can be moved laterally.

4.0 Discussion

We are of the opinion that demolition is the recommended course of action. Some of the materials can be salvaged and reused in a manner that recognizes and carries forward the legacy of the John Flemming House. One example of a potential material reuse application would be the construction of a small structure to house an interpretive display, recognizing the history of the building.

The following discussion is broken down in keeping with the three goals set out in the introduction.

4.1 Structural Condition

The building has structural issues that need to be addressed prior to being occupied again. The main issues are in relation to the numerous masonry defects. The walls and chimney would require a full investigation by a structural engineer to ensure structural adequacy and suggest proper remediation measures. Prior to the building being moved, the chimneys will need to be removed down to the roof elevation. Even if they are heavily braced, we expect that they would be compromised further when the building is moved. The floor joists require reinforcement, due to the deterioration that was observed.

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 would include the following:

1. Routing of mortar joints to remove the Portland cement mortars that have been used in recent repairs.
2. Reinforcement of mortar joints at crack locations with helical ties.
3. Replacement of cracked brick units.
4. Repointing of all mortar joints with appropriate mortar for the brick units.
5. Deteriorated floor joists may have to be sistered with new material. Existing mechanical, electrical, and plumbing services will have to be removed and reinstalled in affected areas (these systems will likely have to be replaced anyways).

This list is not exhaustive, but is intended to highlight the major items. A specialized heritage masonry restoration specialist should be engaged to develop a detailed work plan, and a contractor with proven experience in this type of work should be retained.

4.2 Interventions Required for Relocation

The extent of the reinforcement required to move this building will be significant due to its weight and sensitivity to differential movements.

One of the challenges with moving the building is to raise it out up to the level of the adjacent parking lot. Either a large crane can be employed, or the building can be slowly jacked, and moved to the parking lot on a temporary platform. We expect that the use of a crane will be much more costly, so the latter system will be preferable.

As a minimum, the following work would be required to jack and move the building:

1. Construct the new foundation, which must be coordinated with the moving equipment and related shoring.
2. Construct a temporary access route at the new site to allow the moving equipment to reach the new foundation, anticipated to be a granular pad constructed as engineered fill.
3. Remove existing interior and exterior finishes.
4. Remove the chimneys down to the roof line.
5. Install temporary bracing and shoring in the existing building to prevent differential lateral displacement, and to resist lateral loads induced by dynamic forces related to the move (significant bracing will be necessary due to the brittle nature of masonry and the overall size of the house). This must be designed by a structural engineer.
6. Install temporary foundations to support the jacking and moving processes.
7. Install a system of steel girders and beams to support the structure, designed by a structural engineer after further investigation into the condition of the building once the interior finishes are removed.
8. Jack the structure to a sufficient height to facilitate moving the building to the adjacent parking lot.
9. Construct a temporary platform to facilitate moving the building to the adjacent parking lot.
10. Move the building to its new location.
11. Repair the numerous masonry deficiencies and reinforce the first floor to address the joist deterioration.
12. Reinststate the interior finishes to meet current OBC standards.

13. Decommission the well and sewage system.
14. Demolish the existing foundation and restore the site with topsoil and seed, or as a continuation of the parking area.
15. Remove the temporary access described in Item 2.

Moving costs will be significant, especially when the costs of servicing the building with driveway access, electricity, sewers and water are included. These costs will vary considerably depending on the site that is chosen. Also, some features of the original building will be impacted by the move, such as the removal of the chimneys and the south and west wood frame portions of the building.

4.3 OBC Compliance

It is understood that if this building is moved its use will change to a commercial occupancy, which means that current OBC standards for commercial buildings must be met, including change of use requirements, since the current use is residential. As a minimum, we anticipate the following work will be required:

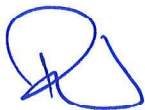
1. The exterior walls most likely do not meet current OBC standards for insulation and vapour barrier, so the interior finishes would need to be completely replaced with the appropriate components.
2. The floor structure is deteriorating, and will have to be reinforced to compensate. As well, the floors would have to be checked by a structural engineer, given that the proposed commercial use will require a heavier live load than the existing residential use (at least for the main floor).
3. Ensure that interior finishes address fire separation requirements of the OBC.

5.0 Conclusion

It is our opinion that the suggested conservation strategy (relocation and rehabilitation) is not feasible or reasonable for the John Fleming House. Therefore, we recommend that the building be demolished.

Sincerely,

GEI Consultants Canada Ltd.



Brent Willis, P.Eng.
Senior Project Manager, Vice President

BW:clw

Encl:

cc: Behnaz Bahrefar (Anatolia Investments Corp.) via email: Behnaz.Bahrefar@anatolia.com
Scott Cole (GEI) via email: scole@geiconsultants.com

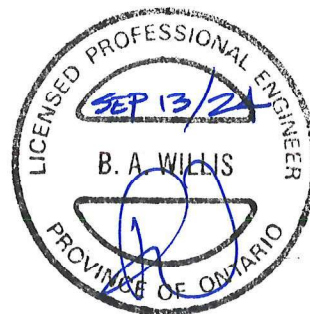


Photo 1 – View of House from Northeast



Photo 2 - View of East side showing large vertical cracks between foundation and window



Photo 3 - View of North side showing steel plates and ends of steel cross ties at second floor, also cracking



Photo 4 - View of South side showing cracking and evidence of repairs

