

Committee of the Whole (2) Report

DATE: Tuesday, March 18, 2025

WARD: 2

TITLE: 8811 HUNTINGTON ROAD – DE-LISTING AND
COMMEMORATION OF THE HENRY BURTON HOUSE

FROM:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek Council approval for the proposed de-listing of the property located at 8811 Huntington Road, annulment of the Heritage Easement Agreement between the City of Vaughan and Anatolia Block 59 Developments (Anatolia) and notice to Council on demolition and proposed commemoration of the Henry Burton House located at 8811 Huntington Road (Attachment 1).

Report Highlights

- Anatolia Block 59 Developments (“**Anatolia**”) requests an annulment of the Heritage Easement agreement for the Henry Burton House located at 8811 Huntington Road (the, “**Subject Lands**”) to allow for its demolition due to the unsafe condition of the building.
- The Henry Burton House is a listed structure on the City’s Heritage Register pursuant to section 27 of the *Ontario Heritage Act*, R.S.O. 1990, C. O.18. (the “**OHA**”) and must be de-listed.
- Anatolia provided notice on October 30, 2024, of their intention to demolish the Henry Burton House with a proposal to preserve some of the original components of the log home.
- A commemoration plan utilizing the original logs from the Henry Burton House is proposed, with a financial contribution provided by the owner, Anatolia, to the City to construct the commemoration display in one of the future public parks in the area.

Recommendations

1. THAT Council approve de-listing the property located at 8811 Huntington Road from the Municipal Heritage Register.
2. THAT Council approve an annulment of the Heritage Easement Agreement between the City of Vaughan and Anatolia, subject to the following conditions:
 - a) That Anatolia enters into an agreement with the City to pay for the construction of a commemorative display by the City in a future public park in Block 59 as described in "Option 2: Vertical Log Display" set out in Attachment 4 to this Report, to carry forward the legacy of the Henry Burton House, to the satisfaction of the City, and that the Deputy City Manager, Planning, Growth Management and Housing Delivery or designate, be authorized to execute, amend, renew or terminate the agreement on behalf of the City; and
 - b) That following compliance with Condition 2.a), that the Heritage Easement Agreement with the City of Vaughan and Anatolia be annulled and deleted from title, at Anatolia's sole cost and expense, as a condition of heritage clearance for a demolition permit application for the Henry Burton House.

Background

A report was presented for consideration to the Heritage Vaughan Committee at its meeting on February 19, 2025; however, no decision was made with respect to this matter by Heritage Vaughan Committee.

The report presented to Heritage Vaughan sought a recommendation to be made to Council on annulling the Heritage Easement Agreement to allow for the demolition of the Henry Burton House on the condition of securing commemoration.

While Heritage Vaughan Committee did not make a decision on the report, it was subsequently determined by staff that a report can proceed directly to Council, pursuant to section 27(17) of the OHA, which notes that the council of a municipality does not need to consult with its heritage committee on removing a property from its heritage register.

There is also no statutory basis to consult with a heritage committee to annul a heritage easement agreement.

Background of Subject Lands

The Subject Lands are planned for industrial/employment type development by the City of Vaughan Official Plan, 2010 (VOP 2010) 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).

City of 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.

To facilitate the development of the Block, a site-specific Zoning By-law Amendment was required, which was approved in January 2021 through By-law 006-2021. In this regard, an industrial Draft Plan of Subdivision, 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 Henry Burton House.

The heritage reporting for the Henry Burton House generally achieved four things:

1. 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 on the lands as a result of the industrial subdivisions and evaluated alternative development options.
3. Determined if the heritage buildings were structurally sound in their current location and condition; and
4. Provided recommendations for conservation.

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

- The Owner must submit a reference plan identifying the Henry Burton House and convey specific blocks to the City before plan registration, retaining the house parts until plan assumption.
- The Owner must provide \$1,120,000.00 in financial securities plus the appraised land value for the Henry Burton House before plan registration.

- A heritage professional must certify the Henry Burton House is secured according to the protection plan before registration.
- The Owner will enter a Heritage Easement Agreement for the relocation and restoration of the Henry Burton House.
- The Owner must submit updated heritage plans for the Henry Burton House before plan assumption.
- A heritage professional must certify all conservation work is complete before the release of financial securities.
- The Owner will transfer the Henry Burton House to the City after relocation, prior to the release of securities.

The above Conditions of Approval in the Draft Plan of Subdivision have been cleared.

These conditions and the recommendations of the heritage reporting described above, formed Phase 1 of the heritage and conservation considerations entitled “The Conservation Strategy”.

Between 2022 and 2024, other considerations were discussed with respect to heritage matters, including the potential for the Henry Burton House to be donated to the City for their administration and conservation management.

In general, a great deal of consideration has been given to the conservation of the structure on the Subject Lands, including the registration of the heritage easement agreement on title (Instruments # YR3432717) including \$1,472,739.00 in securities being held by the City.

However, the owner has run into issues as it relates to the next steps, or Phase 2 of the heritage and conservation considerations: “The Implementation of the Conservation Strategy”. Anatolia submitted a letter to the City dated October 30, 2024 (Attachment 2) outlining the issues, which include:

1. The current structural condition of the house in relation to the proposed Conservation Strategy, which involves relocation and rehabilitation of the Henry Burton 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;
4. The extent of the actions required to bring the houses up to safe operational standards, assuming a commercial land use and ensuring compliance with the Ontario Building Code and compatibility with developing land uses; and
5. The financial commitment to carrying out these works in keeping with structural recommendations and the balance of the commitments made through the Conditions of Draft Plan Approval and registered heritage easement agreements, which risks jeopardizing the build out of the employment lands.

Attached to the Anatolia letter is an assessment completed by GEI Consultants Canada Limited (GEI) who were retained to complete a structural engineering assessment of the Henry Burton House (Attachment 2). 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 structures without causing damage, and determined the required actions to bring the structures up to safe operational standards in compliance with the Ontario Building Code (OBC), assuming commercial occupancy.

GEI found that the Henry Burton House has significant structural issues, mainly log or masonry defects, requiring even further investigation by a structural engineer and extensive repairs. For the Henry Burton House, the building will likely require repairs or replacements of some log components once finishes are removed. The roof structure needs review, and the pole rafters may need reinforcement due to potential over spanning.

GEI has also identified that working on a historic log structure is cost prohibitive, as sourcing suitable replacement logs is challenging, and extensive shoring or dismantling will be required to replace deficient members.

GEI concluded that moving the building will require significant reinforcement due to its age, sensitivity to movement, and potentially undersized roof rafters. Key tasks include constructing a new foundation coordinated with moving equipment, creating temporary access routes at both the new and existing sites, removing finishes, reinforcing the roof, replacing damaged logs, and installing temporary bracing and steel supports. The building will need to be jacked up and moved, with additional steps like, demolishing the old foundation, and restoring the original site. This work is extensive and could lead to additional negative heritage impacts.

In GEI's opinion, they believe that the proposed conservation strategy of relocating and rehabilitating the Henry Burton House is neither feasible nor reasonable; therefore, they have recommended that the building be demolished. The Henry Burton House is a

listed property on the City of Vaughan's Heritage Register, and as such, will require de-listing prior to demolition.

Anatolia is requesting that Council consider lifting the heritage easement agreement from title which in turn, allows for Anatolia to apply for a demolition permit of the Henry Burton House. The owner is proposing conservation for the House through documentation, salvaging and repurposing materials for landscaping elements and through commemoration efforts.

Previous Reports/Authority

[Preservation and Rehabilitation of the Henry Burton House – CW October 2020
Plan of Subdivision Site Development – February 2, 2022](#)

[8811 Huntington Road – Commemoration of Henry Burton House – Option 2: Vertical
Log Display – Heritage Vaughan February 19, 2025](#)

Analysis and Options

The OHA requires an owner to provide 60 days' notice to the Council of a municipality of their intention to demolish a building listed in a Heritage Register.

Anatolia provided notice of their intention to demolish the Henry Burton House on October 30, 2024.

The 60 days provides a municipality time with determining whether a property listed on a Heritage Register will be formally designated under Part IV of the OHA or to otherwise de-list a property. The OHA does not contemplate for Council a decision to approve or refuse a notice to demolish a building listed in its municipal Heritage Register.

The Subject Lands are listed on the Heritage Register and not yet designated. Section 27 of the *Ontario Heritage Act* states:

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.

Cultural Heritage Staff are supportive of de-listing the Subject Lands from the municipal Heritage Register.

Based on the letter from Anatolia and the engineering assessment prepared by GEI, staff are supportive of the request to demolish the Henry Burton House as long as there is appropriate commemoration provided and secured.

Section 6.2.1.3 of the VOP 2010 states that it is a policy of Council:

To require a letter of credit or other financial security satisfactory to the City from the owner of a cultural heritage resource, to secure:

- a. protection of the resource during development and/or relocation;*
- b. implementation of conservation measures for the cultural heritage resource approved by the City.*

On November 11, 2024, Anatolia submitted a Commemorations Options Letter, dated November 11, 2024, prepared by The Biglieri Group Ltd. (Attachment 4). Cultural Heritage staff have reviewed these options with City of Vaughan's Park and Open Space Planning, Park Delivery, and Parks, Forestry and Horticulture Operations staff to determine the most appropriate option for the City from a future parks development and maintenance perspective.

As a result, Option 2: Vertical Log Display is being recommended to the Heritage Vaughan Committee as being the most appropriate course of action to recognize and preserve the heritage value of the Henry Burton House.

Option 2 involves selective salvaging of sound, non-rotted logs from the house, which would then be incorporated into an interactive vertical display along the planned future location in one of the City's public parks in the area. The logs could be arranged upright in a way that reflects the house's original structure or design, allowing visitors to engage with the materials in a meaningful way.

Some of the key benefits of this option are that it will be interactive and engaging. By using actual logs from the original structure, this display offers a tactile and visual experience that enhances public connection to the site's history. Children could play around the logs like slalom between poles. Since this arrangement would involve a straightforward display of logs, maintenance requirements would be limited, and the materials could be treated to withstand outdoor conditions.

In addition, with a controlled arrangement and proper installation, liability is minimized, and this approach represents a balance between preservation and commemoration.

A final location for the installation is being confirmed by Parks City staff.

Financial Impact

Through a Memorandum of Understanding, the Owner will provide the City with a financial commitment that will cover all costs of the proposed commemoration.

Operational Impact

Consultation and collaboration with the City of Vaughan Park and Open Space Planning, Park Delivery, and Parks, Forestry and Horticulture Operations staff is required for placement and installation of the logs.

Broader Regional Impacts/Considerations

N/A

Conclusion

Cultural Heritage staff are satisfied that due to the findings of the Structural Engineering Assessment, demolition and commemoration is the best option for the Henry Burton House at 8811 Huntington Road. Prior to demolition, it is being recommended that property be de-listed, and a Memorandum of Understanding be entered into between the landowner and the City for the appropriate commemoration of the Henry Burton House. Following which, an annulment of the Heritage Easement agreement and issuance of a City Heritage Clearance are required to permit demolition.

For more information, please contact - Vanessa Lio, Heritage Specialist, ext. 8152

Attachments

1. Location Map
2. Structural Assessment Report
3. Heritage Easement Agreement
4. Commemoration Options

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