

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2025

Item 19, Report No. 1 of the Committee of the Whole which was adopted without amendment by the Council of the City of Vaughan on January 28, 2025.

19. NOTICE OF APPLICATION TO REPEAL THE HERITAGE DESIGNATION BY-LAW OF JAMES DALZIEL HERITAGE HOUSE AT 7230 NASHVILLE ROAD IN KLEINBURG (TRANSMITTAL REPORT)

The Committee of the Whole recommends approval of the recommendations forwarded by the Heritage Vaughan Committee from its meeting of November 27, 2024:

Recommendations

1. The Heritage Vaughan Committee recommended that the following recommendations be forwarded to Council for approval:
 1. That the recommendations contained in the report of the Deputy City Manager, Planning, Growth Management and Housing Delivery, dated November 27, 2024, be approved; and
 2. That the presentation by Vanessa Lio, Heritage Specialist, Cultural Heritage Program, Policy Planning & Special Programs, be received.

Recommendations of the Deputy City Manager, Planning, Growth Management and Housing Delivery dated November 27, 2024:

1. THAT Heritage Vaughan recommend Council approve the application to de-designate the Property at 7230 Nashville Road subject to the following conditions being met to the satisfaction of the City:
 - i. The owner enters into a letter of undertaking to construct a commemorative display along the public frontage of the Property salvaging and reusing some of the existing materials, in a manner that recognizes and carries forward the legacy of the James Dalziel House to the satisfaction of the City;
2. THAT upon the satisfaction of the condition outlined in Recommendation 1 of this report, City staff bring forward a By-law to repeal By-law 139-2024; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2025

Item 19, CW Report 1 – Page 2

3. THAT should Council repeal By-law 139-2024, as outlined in Recommendation 2 of this report, Council direct Staff to publish notice of Council's decision on the City's website and cause the following to be served on the owner of the Property, on any person who objected under subsection 32(4), if applicable, and on the Ontario Heritage Trust, in accordance with the *Ontario Heritage Act*:
 - i. a copy of the repealing By-law; and
 - ii. a notice that any person who objects to the decision may appeal to the Tribunal by giving the Tribunal and the Clerk of the municipality, within 30 days after the date of publication under subparagraph ii, a notice of appeal setting out the objection to the decision and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

Committee of the Whole (1) Report

DATE: Tuesday, January 21, 2025

WARD: 1

TITLE: NOTICE OF APPLICATION TO REPEAL THE HERITAGE DESIGNATION
BY-LAW OF JAMES DALZIEL HERITAGE HOUSE AT 7230 NASHVILLE
ROAD IN KLEINBURG (TRANSMITTAL REPORT)

FROM:

Heritage Vaughan Committee

ACTION: DECISION

Purpose

To forward recommendations from the Heritage Vaughan Committee meeting of November 27, 2024, (Item 1, Report No. 14) with respect to the subject matter, for consideration by Committee of the Whole.

Report Highlights

- This is a transmittal report from the City Clerk, on behalf of the Heritage Vaughan Committee, forwarding recommendations for consideration by Committee of the Whole.

Recommendations

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 - 1) That the recommendations contained in the report of the Deputy City Manager, Planning, Growth Management and Housing Delivery, dated November 27, 2024, be approved; and
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2. THAT upon the satisfaction of the condition outlined in Recommendation 1 of this report, City staff bring forward a By-law to repeal By-law 139-2024; and
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Background

The Property includes one (1½) storey masonry house with metal hip roof. The structure is located approximately 350 meters away from the road having a long driveway leading to the farmhouse. Mature trees surround the property. The frontage of the structure faces Nashville Road. The North, East, South and West are dense with natural regeneration growth that makes access impossible.

The Cultural Heritage value of the Property is related to its design of physical value as a one (1½) storey masonry farmhouse. This is an example of rural architecture in the Colonial/Georgian Revival style. The Property exhibits several defining elements that were normative for homes built in that era including dichromatic brickwork.

The following information is included for information purposes only:

- All the walls around the house are compromised, with noted major cracks on brick façade – this is an indication of major foundation problems.
- The interior is impossible to enter due to the structure's dangerous condition. The structure must be protected by a temporary fence against trespassing.
- Most of the windows and doors are missing.

This report must be reviewed in conjunction with the included structural engineering report (see Attachment 3). The Property is dilapidated and presently uninhabitable due to its dangerous structural condition. Photos are attached (see Attachment 5) indicating evidence of large crevices and the collapsed chimney onto the home.

Previous Reports/Authority

[Heritage Vaughan Committee](#) – 28 February 2024

[Committee of the Whole \(2\)](#) – 19 March 2024

City Council – 26 June 2024 [BY-LAW Number 139-2024](#)

Analysis and Options

The property was designated pursuant to the Ontario Heritage Act on July 3, 2024, through By-law 139-2024.

The City of Vaughan Official Plan 6.2.1.1.

To make full use of the provisions of Provincial legislation, such as the Ontario Heritage Act, Planning Act, Municipal Act and Environmental Assessment Act, to protect and conserve cultural heritage resources in Vaughan.

Initial detailed research was conducted to determine if the property located at 7230 Nashville Road met a minimum two (2) of the nine (9) criteria set out under O.Reg.9/06 to qualify for designation under the Part IV Section 29 of the *Ontario Heritage Act*. Based on the research, staff noted that five (5) out of nine (9) criteria were met for this property, making it a great candidate for designation. As such, a Notice of Intent to Designate was sent to the property owner (and the Ontario Heritage Trust and posted on the City of Vaughan Heritage Notice page), followed by the Council adopted by-law for designation.

The property is no longer structurally safe.

6.2.1.2. That cultural heritage resources in the Heritage register are subject to demolition control as specified under the Ontario Heritage Act. The City may use such controls to support the goals of heritage conservation and may seek additional legislative authority to further protect cultural heritage resources from demolition.

While the City and Cultural Heritage does not support the demolition of heritage resources, the safety of individuals is ultimately most important. After a meeting with the property owner(s) and other connected parties, it was concluded that the building – the main focus of the designation – is no longer structurally safe for habitation, and the property should be de-designated to allow for the lawful demolition of the building.

As stated in the Heritage Report from Arkiform Construction Inc. (see Attachment 2), “this report must be reviewed in conjunction with a structural engineering report. The property is dilapidated and at this stage in time uninhabitable due to its dangerous conditions and safety.”

The Structural Condition Assessment Report prepared by Candevcon Group Inc. (see Attachment 3), provides several observations and concerns, while also noting that interior inspection was not conducted due to the severe damaged condition and structurally unsound state of the building. The report concluded that the structural integrity and stability of the house is compromised beyond repair. The state of the building poses severe risk to public safety and should be demolished.

6.2.2.1. That, pursuant to the Ontario Heritage Act, the city may, through a by-law, protect cultural heritage resources by entering into heritage easement agreements or by designating:

- a. individual properties;*
- b. Heritage Conservation Districts where there is a concentration of cultural heritage resources in accordance with Policy 6.3.2.1;*
- c. Cultural heritage landscapes; and*
- d. archaeological sites.*

6.2.4.4. That, in the event a cultural heritage resource is to be demolished, and this has been demonstrated to the City's satisfaction, the Cultural heritage impact assessment must recommend to the City's satisfaction, mitigation measures (such as the reuse of materials or building elements in the development or in other developments) and archival documentation, as may be defined in the Vaughan Heritage Conservation Guidelines.

While the Heritage Impact Assessment Report does not include mitigation measures, the Owner offered to construct a commemorative display along the frontage of the property to recognize and carry forward the legacy of the James Dalziel House, to the satisfaction of the City.

Ontario Heritage Toolkit

7.5. Repeal of designation bylaws

There are rare instances where a designation bylaw may need to be repealed. As with the amending process, flowcharts outlining the repeal process are provided in the appendix to this guide. In a case where an owner requests a repeal of the bylaw designating the owner's property, it is important to determine the nature of the owner's concerns. It is advisable for the municipality, through the municipal heritage committee or municipal staff, to discuss the matter with the owner. Because properties are designated to protect and conserve them for all generations, the repeal of a designation bylaw is a serious matter that should be given careful consideration. If the property owner decides to proceed with a repeal request, and the request is unsuccessful, the property owner cannot reapply for a repeal until 12 months have passed since the decision.

Staff recommend de-designation of the property, to allow for its demolition.

Due to the irreversible and advanced state of deterioration of the designated property, Cultural Heritage staff support the Heritage Vaughan Committee recommendation to repeal the designation by-law and allow for the demolition of the heritage resource at 7230 Nashville Road.

In compliance with OHA S.32, a notice regarding the request for repeal of the designation at the owner's request has been posted on the City's website as per OHA S.32(2) and no objections from the public have been received. Staff is presenting this request for repeal of designation for review and recommendation to the Heritage Vaughan Committee as per OHA. S.32(5).

Financial Impact

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

Operational Impact

There are no 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 the proposed de-designation conforms to the policies and guidelines within the Vaughan Official Plan and the *Ontario Heritage Act*. Accordingly, staff can support Council approval of the proposed de-designation of the heritage house at 7230 Nashville Road.

Attachments

1. Location Map.
2. Cultural Heritage Impact Assessment.
3. Structural Condition Assessment Report.
4. Survey Plan.
5. Recent Photos.

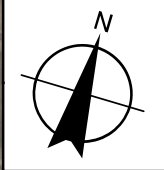
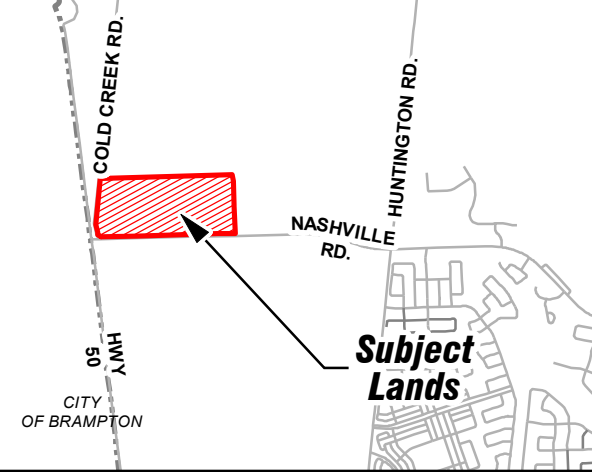
Prepared by

John Britto, Legislative Specialist, Office of the City Clerk, extension 8637.

In consultation with

Vanessa Lio, Heritage Specialist, ext. 8152.

CONTEXT MAP




7230 Nashville Road

HIGHWAY 50

COLD CREEK ROAD

NASHVILLE ROAD

 Subject Lands

0 70 140 280 Metres

Location Map

LOCATION:
7230 Nashville Road
Part of Lot 26, Concession 10



Attachment

1

DATE:
November 27, 2024



Arkiform Construction Inc.

2900 Langstaff Rd Unit 7

Concord, Ontario

L4K 4R9

JULY 8, 2024

HERITAGE REPORT

Inspection done on July 4th, 2024 @ 9:00 am

INTRODUCTION

The property on 7230 Nashville Road, Vaughan Ontario is Listed to the Municipal Heritage Inventory.

Construction date circa 1890s -1940

DESCRIPTION OF PROPERTY

The farmhouse at 7230 Nashville Road. (Nashville Road and HWY 50) in the in City of Vaughan, is a one and a half storey masonry house and metal hip roof. The structure is located away from the road approximately 350 meters having a long road leading to the farmhouse. Mature trees surround the property. The frontage of the house is along Nashville Road. The North, East, South and West is occupied by natural regeneration growth that makes access impossible (**Photo attached**)

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The cultural Heritage value of 7230 Nashville Road is related to its design of physical value as a one and a half storey masonry farmhouse. This is an example of rural Architectural with Colonial/Georgian Revival. The property exhibits several defining elements that were normative for homes build in that era including, a dichromatic brickwork. The front wood porch impossible to analyse due to natural regeneration of growth (**Photo attached**)



(Please note the Family history of the property has not been researched at this time)

DESCRIPTION OF HERITAGE ATTRIBUTES

Unless otherwise indicated, the reason for designation applies generally to all exterior elevations, facades, foundation, roof, and roof trim all doors, windows, other structural openings, and associated trims. All architectural detailing, construction materials of wood, stone, brick, plaster parching, metal and glazing and related building techniques. To ensure that the cultural heritage value of this property is conserved certain heritage attributes that contribute to its value have been specifically identified and this includes:

- Dichromatic brick work
- Wood windowsill
- Mature trees

ALTERATION HISTORY AND HERITAGE INTEGRITY

The following are known Alterations to the subject Property.

- Some windows and doors have been changed.
- All the aluminum cladding and metal roof.
- The **North Elevation** is mostly occupied by a new construction attached to the farmhouse as a brick and block and aluminum siding on the second floor.
- **West Elevation** we have a new window that is not in the context of the house, and the major chimney has fallen and resting on the roof. This created a displacement on the wall having a major hole on the façade. Also, evident vertical cracks on the RH of the house **(Photo attached)**
- The **South Elevation** is evident only the area that is currently visible, on major vertical cracks on the RH. and LH of the house.
- The **East Elevation** brick work pattern has been changed to a common bond due to a large green house on the full length of the house up to the second-floor line .and chimney is completely down on the roof creating a major crater on the roof. **(Photo attached)**
- The Antenna pole and a satellite dish on the roof.



RECOMMENDED RESTORATION MEASURES

The following recommendations for future restoration and conservation are included for information purposes only. They are provided for the benefit of the present and future property owners. These recommendations are not binding, and property owners are under no obligation to restore any lost or missing attributes or features. The recommendations that are made are for Goldpark Group Inc.

- All the walls all around the house are compromised with noted major cracks on brick façade this is an indication of major foundation problems.
- The interior: is impossible to enter due to the house's dangerous condition. The house must be protected by a temporary fence for non-trespassing, this should be addressed immediately.
- Most of the windows and doors that are missing will also require restoration or replacement.

(Please see consulting engineer report)

- **This report must be reviewed in conjunction with a structural engineering report. The property is dilapidated and at this stage in time uninhabitable due to its dangerous conditions and safety. Photos are attached indicating that the walls are evident of large crevices and a photo of the fallen chimney in the home.**

The Building Condition Assessment Heritage Report has been prepared for the intended and exclusive use of the Goldpark Group Inc. Arkiform Construction Inc. (Giuseppe Sportelli) does not assume any liability for the use of this report by other parties.



REFERENCES CITED

City of Vaughan
July 3, 2024, - Office of the City Clerk

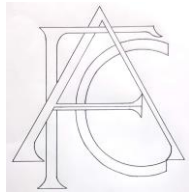
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2003 - Well-preserved The Ontario Heritage foundation's manual of principles and practice for Architectural Conservation

Martin E. Weaver.
1997 - Conserving Buildings A manuel of Techniques and Materials

Marianne Cusato & Ben Pentreath with Richard Sammons & Leon Krier
2007 - Get Your House Right Architectural Elements to Use & Avoid

Francis D.K.Ching and Cassandra Adam Third Edition
Building construction Illustrated

Arkiform Construction Inc.
Giuseppe (Pino) Sportelli, Arch, CAHP



NORTH ELEVATION



WEST ELEVATION





SOUTH ELEVATION



EAST ELEVATION

STRUCTURAL CONDITION ASSESSMENT

Existing House

7230 Nashville Road, Kleinburg, Vaughan



Prepared for
Goldpark Nashville Inc.

July 17, 2024

 **CANDEVCON GROUP INC.**
CONSULTING ENGINEERS AND PLANNERS

9358 GOREWAY DRIVE
BRAMPTON, ONTARIO L6P 0M7
(905) 794-0600

File No. W23119

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4. OBSERVATIONS
5. CONCLUSIONS AND RECOMMENDATIONS

APPENDIX

Appendix "A"

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1. INTRODUCTION

1.1 Purpose of Report

Candevcon Group Inc. was retained by Goldpark Nashville Inc. to assess the existing condition of the structure (house) located at 7230 Nashville Road, Kleinburg, Vaughan, ON.

The site inspection was carried out on July 17, 2024, to determine the structural condition of the house.

The scope of our review was to assess and provide an opinion about the structural condition of the house in its current state.

The review was limited to areas and elements that were determined to be accessible without obstructions. No testing was performed on the areas under investigation, including any materials or components. During the inspection it was deemed too dangerous and unsafe to enter the building/house based on the apparent structural damages and condition of the structure as observed from the exterior.

Recommendations and comments are based on the visual site inspection.

The Structural Condition Assessment report has been prepared for the intended and exclusive use of the Goldpark Nashville Inc. Candevcon Group does not assume any liability for the use of this report, or for the information included herein, or resulting in any damage from the use of this report.

2. BACKGROUND

The subject building (house) is located at 7230 Nashville Rd., east of Highway 50 and west of Huntigton Rd. in the community of Kleinburg in Vaughan. The house is situated on a farm property and approximately 350m from Nashville Road. Access to the house is from Nashville Road and by means of a long driveway located within the property.

Entry to the property was blocked to the public and trespassers by a fence and locked gate, with a warning tape and signage. The structural and architectural drawings for the house were not available at the time of the inspection.

3. BUILDING INFORMATION

The building is a two-storey house, with a low-pitched hip-style roof and multi-layered brick masonry exterior walls. A brick chimney structure extending above the roof level is visible (now has fallen over and rests on the roof). The house features a central entrance with a wooden triangular porch. Windows are placed symmetrically on either side of the entrance. The footprint of the house is rectangular, with the hipped roof intersected by a gable roof of the adjoining one-and-a-half-storey addition on the north side at the rear and a one-storey partly metal with a sunlight roof addition on the east side.

Main Building:

The building (house) is currently vacant, abandoned, damaged, and in a severely deteriorated condition. The west and south exterior walls, including the entrance to the house, are surrounded by dense vegetation and tall bushes. (Pic. 1 to Pic. 5). The projected porch at the house is supported by wooden posts and has a partially glazed main entrance door. The main house features an exterior brick façade, and a green-coloured metal roof. There are two chimneys, one at either end, which are damaged and have fallen over and lying on top of the existing metal roof. The metal roof is damaged in several areas and severely damaged at the location of the previously noted fallen chimneys.

A greenhouse addition appears on the east side for natural sunlight supported on the exterior brick wall. (Pic. 4, Pic. 7, Pic. 8).

Adjoining Building Additions:

East Side Addition - Greenhouse

There is a Greenhouse addition on the east side of the main building. Which is supported by the exterior brick wall. (Pic. 4, Pic. 7 and Pic. 8)

North Side Addition - Adjoining Building

The existing building addition (Pic. 2, Pic. 9) along the north side of the main building (house) has a rectangular footprint and is one-and-a-half-storey with a basement. It has a side-gable roof, a chimney in the center, which is damaged/broken and fallen over onto the existing roof, and a concrete block wall foundation with wooden floors. The building addition has an exterior brick facade on the first floor and wooden siding on the second floor. There are two fully glazed windows on the front and back of the second floor, each with a chajja on top. The first floor has glazed windows on the north and east sides. The building has a one-story front verandah with wood-framed glazed windows and doors at both ends. The shed roof is green metal. Currently, the building addition is abandoned and unoccupied.

4. OBSERVATIONS

The identified structural deficiencies observed during the inspection from the exterior of the building which was visible are listed below. We note that due to the severe damaged condition and structurally unsound state of the building an interior inspection or observation was not undertaken for obvious safety reason.

1. Extensive vertically inclined crack, wide at the bottom and narrow at the top, was observed on the exterior load-bearing masonry wall on the west side from the southwest corner, travelling up from the bottom to the top of the building (Pic. 2, Pic. 3, Pic. 5). Another sizable fissure was also observed on the same wall some distance away from the long crack (Pic. 5).
2. A very large round collapsed area on the load-bearing masonry wall was observed on the west side near the top center of the wall, wide and large cracks surrounding the fallen section. It appears this fallen section caved in towards the inside of the building. (Pic. 3, Pic. 5).
3. A wide vertical crack was noticed on the left side, near the window, from the top of the load-bearing masonry wall on the southside (Pic. 5). Some disintegrated bricks with long vertical cracks were also seen on the same wall on the right side at the southeast corner (Pic. 6).
4. The Chimneys were broken above the roof line and damaged the roof structure, including the metal edge, fascia, and soffit (Pic. 2, Pic. 3, Pic. 7).
5. The metal roof was damaged and lifted in many areas including at the locations of the fallen chimneys (Pic. 2, Pic. 3, Pic. 7). The damaged roof offers no protection to the interior of the building from the elements (rain, snow etc.) resulting in further deterioration of the interior of the building, including flooding, rotting and damage to flooring, walls and ceilings, and environmental issues such as mold.
6. The wooden steps leading up to the entrance porch were observed to be degraded. The windows on the west side appear damaged with shattered panes and a broken shutter hung on the exterior wall (Pic. 3).
7. The brick masonry wall of the greenhouse addition appeared disintegrated, and vegetation growth was observed in the greenhouse with a broken few pane (Pic. 8).
8. Wide and long vertical cracks were also observed in the load-bearing masonry wall at the northeast corner of the house addition on the northside (Pic. 10).

9. The house's crawl space was not inspected due to safety concerns and health hazards; however, the basement of the house addition on the north side is visible from the ground floor and is fully submerged in dirty water up to the windowsill (Pic. 11). That makes it inaccessible to inspect the structure's foundation condition from the basement.

5. CONCLUSIONS AND RECOMMENDATIONS

Based on our observation of the condition of the building (house) during our inspection, we note that the structural integrity and stability of the house is compromised. In particular, the presence of wide, lengthy vertical cracks on the load-bearing masonry walls on exterior sides of the building indicates significant movement of the structure likely from foundation settlement due to submerged water in the basement or some other failure of structural elements within the building.

Furthermore, the damaged roof system, interior water damage to the floors, walls and ceiling, and the broken and fallen chimneys on the roof-top, increases the risk of further structural failures/issues along with additional environmental, health and safety concerns.

In conclusion, the extent of the structural deficiencies are significant, and additional movement and cracking of the bearing wall is likely to continue to a point of complete failure and collapse of the building. The current state of the building is dire, and poses a severe risk of complete collapse resulting in public safety and health concerns. Therefore, with public safety being paramount, we recommend that pro-active safety measures be implemented immediately to secure the building by installing security fencing/hoarding and warning signs around the perimeter building at an appropriate distance or offset from the building to protect the public or trespassers from falling debris and prevent entry into the unsafe building (house). In addition, we strongly recommend that the house be condemned and demolished as soon as possible, with proper demolition permit approvals in place from the City of Vaughan.

Inspection carried out by:

Ashesh Patel, P. Eng.

Report Prepared by:

Ashesh Patel, P. Eng.

Report Reviewed by:

Loreto Tersigni, P. Eng.



APPENDIX “A”



Pic. 1: Southview of the House-Front Entrance



Pic. 2: Westview of the House showing Northside Addition



Pic. 3: Westview showing Cracks on the Masonry Wall, Part Caved In and Broken Chimney



Pic. 4: Southside view showing Greenhouse Addition on Eastside



Pic. 5: Southwest view of the House-Cracks and Damage in the Load-bearing Masonry Wall



Pic. 6: Cracks and Damage on the Southside Masonry Wall of the House



Pic. 7: Eastside View of the House showing Damaged Roof at Broken Chimney and Greenhouse Addition



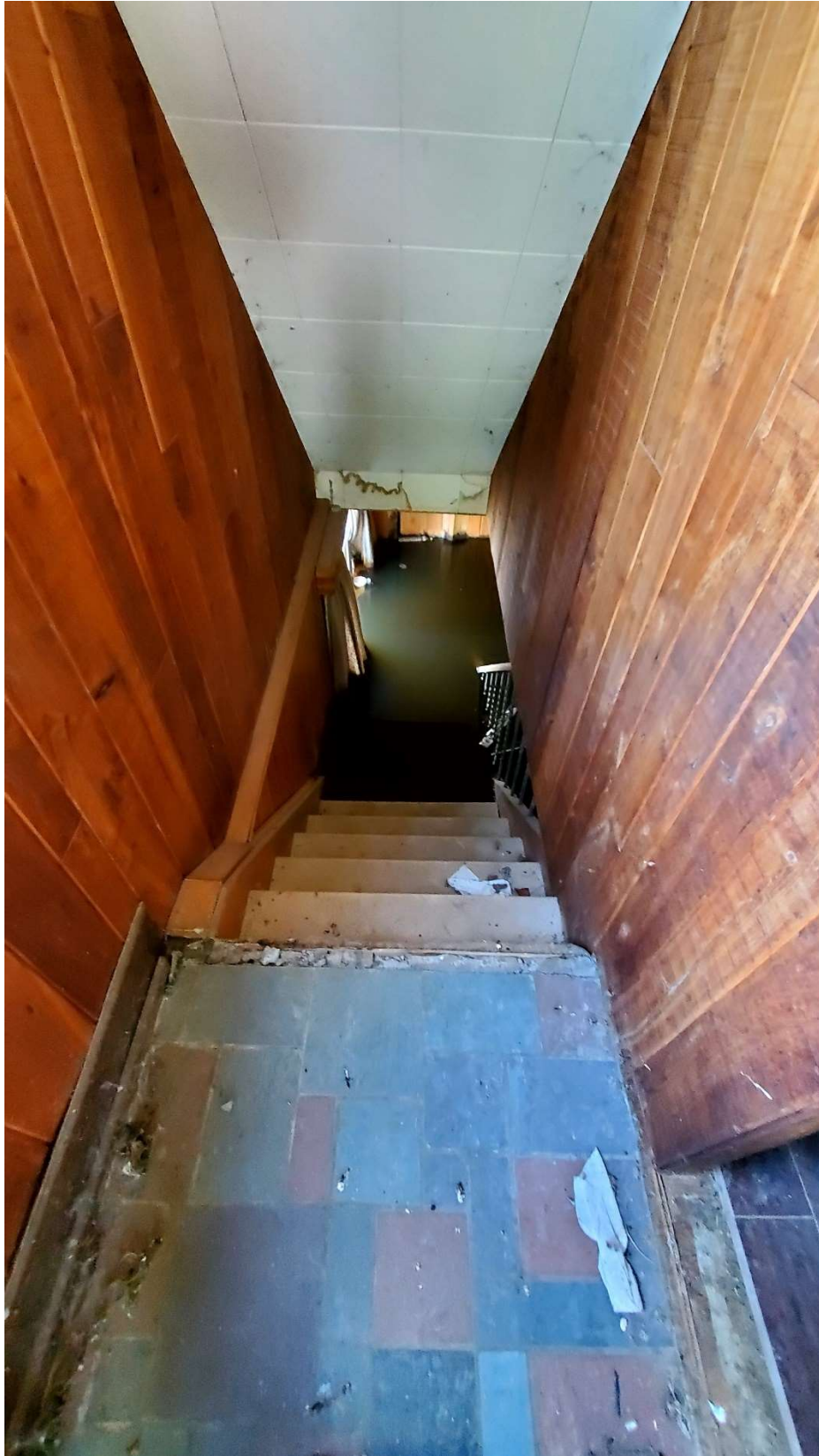
Pic. 8: Eastview showing disintegrated Masonry Wall, Vegetation growth in the Greenhouse with Broken Panes



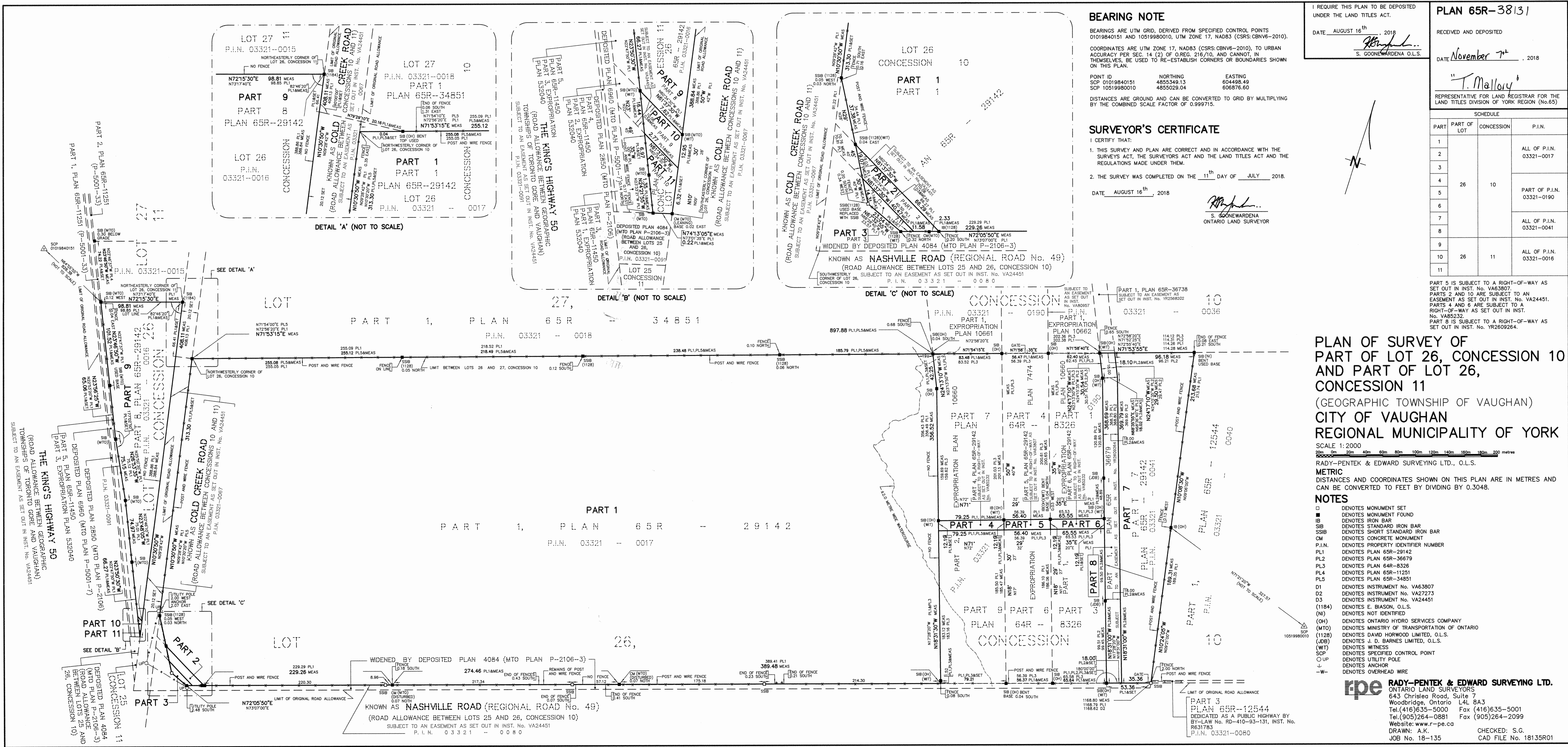
Pic. 9: House Addition on Northside



Pic. 10: Wide and Long Vertical Crack on the Northside House Addition and Water Pool Outside



Pic. 11: Submerged Basement of the House Addition on the Northside



ATTACHMENT 5







