

**SUBJECT:** Request for Demolition of the Barn and Designation of the Property  
11091 Warden Avenue  
**PREPARED BY:** Regan Hutcheson, Manager, Heritage Planning, ext. 2080  
**REVIEWED BY:** Ron Blake, Senior Development Manager, ext. 2600

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**RECOMMENDATION:**

- 1) That the staff report titled “Request for Demolition of the Barn and Designation of the Property”, dated May 28, 2018, be received;
- 2) That Heritage Markham Committee’s recommendation “that the demolition be denied by Council and both the existing heritage barn and farmhouse be designated under Part IV of the Ontario Heritage Act”, be received;
- 3) That Council support Option 2 – demolish the existing barn and reclaim/ salvage as much material as possible;
- 4) That as recommended by Heritage Markham, the John Mustard Farmhouse and Milk House be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 5) That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act;
- 6) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption;
- 7) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board;
- 8) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of the report is to secure Council’s approval to demolish the barn on the property and to protect the heritage dwelling and milk house by designating them as per the provisions of the Ontario Heritage Act.

**BACKGROUND:****The property is listed on the Markham Register of Property of Cultural Heritage Value or Interest**

This property contains the John Mustard Farmstead with the dwelling constructed c. 1845 and the barn dating circa 1900 (with a rear extension from an earlier period). A small stone dairy building likely dating from the same period as the house is located immediately behind the dwelling. Another dwelling (circa mid-1980s) on the property has already received approval for demolition and will be removed this fall (2018).

**The property is owned by the City and the barn is in poor condition**

The property (often referred to as the Elson Miles Farm property) was purchased by the City of Markham on April 30, 2010. It is stated in a pre-purchase assessment report of the property (attached) that the barn is 6,000 square feet in size and that the structure is in need of significant repairs in order to restore the barn to a serviceable condition or at minimum stabilize it. Structural integrity of the barn has been compromised due to collapse of eastern foundation and concrete apron slab, and severe cracking/heaving of the slab on grade in the lower level of the barn along the east foundation wall. Over the course of last 8 years the condition of the barn has further deteriorated and has become a liability concern for the city.

Sustainability and Asset Management staff indicated in July 2017 that the City wishes to proceed with the removal of the barn from the property due to safety concerns.

**Heritage Markham has recommended designation**

At its meeting of August 9, 2017, Heritage Markham Committee reviewed the request by Sustainability and Asset Management staff to demolish the barn (See Appendix 'B'). In response, the Committee recommended that the demolition permit be denied by Council and both the existing heritage barn and the farmhouse property be designated under Part IV of the Ontario Heritage Act.

**OPTIONS/ DISCUSSION:****Part 1 - Proposed demolition of the Barn**

Based on a recent review by Sustainability and Asset Management staff, the following options are available for consideration,

Options	Description	Costs	Comments
Option-1 (Status Quo)	Barn remains in the condition as it is now.	\$0	<ul style="list-style-type: none"> <li>• Structure will further deteriorate</li> <li>• Risk of injury and/or death due to structural failure</li> <li>• Not in compliance with applicable bylaws</li> </ul>
Option-2 (Demolish)	Demolish the existing barn and reclaim as much material as possible.	\$26K	<ul style="list-style-type: none"> <li>• With the complete removal of the unsafe barn structure, security and safety risks will be eliminated</li> </ul>
Option-3	Perform extensive repairs that are	\$820K - \$1.275M	<ul style="list-style-type: none"> <li>• Will incur ongoing operating &amp; maintenance expenditures</li> </ul>

(Stabilize Only)	required to stabilize the existing structure to ensure compliance with Heritage By-law and structural integrity.		<ul style="list-style-type: none"> <li>• Will incur long and short term lifecycle expenditures</li> <li>• Safety and security concerns with regards to trespassers</li> <li>• No guarantee of revenue generation</li> </ul>
Option-4 (Re-construct)	Complete restoration of the barn to a serviceable condition. This will ensure compliance to Heritage By-law and permanently stabilize the structure.	\$1.7M	<ul style="list-style-type: none"> <li>• Will incur ongoing operating &amp; maintenance expenditures</li> <li>• Will incur long term lifecycle expenditures</li> <li>• Safety and security concerns with regards to trespassers</li> <li>• No guarantee of revenue generation</li> </ul>

**Note: The given costs are estimated and the actual costs may vary.**

Considering the costs and risks associated with the given options, Sustainability & Asset Management recommend Option-2 (Demolish the barn). The costs associated with this option are minimal and fully eliminates any risks and liabilities associated with this barn.

### **Heritage Considerations**

The barn is comprised of two sections: a large bank barn featuring a gambrel-roofed structure on a rubble foundation built into a natural slope with hewn and sawn timber apparently salvaged from other older barns; and an eastern extension with a saltbox form roof and a frame that contains some recycled 19<sup>th</sup> C timbers on a hollow clay tile foundation. See Appendix 'C' for further information on the barn.

A site visit was undertaken by Heritage Section staff to examine the barn structure in August 2017. It was found to be a heritage structure, but in such poor condition, staff was not able to enter. Given the type of barn complex (typical of rural Ontario barns in the late 19<sup>th</sup> –early 20<sup>th</sup> century), Heritage Section staff are supportive of its removal from the property in conjunction with material salvage. As noted, Heritage Markham Committee does not support the demolition of the barn.

## **Part 2 - Designation of the Property**

### **The John Mustard House is an excellent example of a Georgian style dwelling with Classic Revival influences from the 1840s period**

The simple, symmetrical design of the John G. Mustard house reflects the vernacular Georgian architectural tradition, with a Classic Revival influence seen in the robust treatment of the corner pilasters and bold Classical mouldings of the cornice. The main block of the house is rectangular and one and a half storeys in height, with a single-storey rear kitchen wing creating an overall L-shaped plan.

Immediately behind the kitchen wing is a small, gable-roofed, fieldstone outbuilding that may have originally served as a dairy. The random rubble walls are trimmed with red brick quoins to echo the treatment of the kitchen wing.

The Mustard family were early Scottish immigrants that played roles in the political, religious, educational and agricultural development of old Markham Township.

The Statement of Significance- Reasons for Designation is attached as Appendix 'A'.

**The building has been assessed using the Ministry of Culture's Designation Criteria**

The Government of Ontario on January 25, 2006 passed a regulation (O.Reg. 9/16) which prescribes criteria for determining a property's cultural heritage value or interest for the purpose of designation. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets the prescribed criteria.

The purpose of the regulation is to provide an objective base for the determination and evaluation of resources of cultural heritage value. The prescribed criteria help ensure the effective, comprehensive and consistent determination of value or interest by all Ontario municipalities. The criteria are essentially a test against which properties can be judged; the stronger the characteristics of the property compared to the standard, the greater the property's cultural heritage value. The property may be designated if it meets one or more of the criteria.

The subject property has cultural heritage value or interest as it meets the following criteria:

- The property has design value or physical value because it:
  - Is a rare, unique, representative or early example of a style, type expression, material or construction method (**the building is an excellent, well-preserved example of a mid-19<sup>th</sup> century farmhouse reflecting the vernacular Georgian architectural tradition; the property also has a unique fieldstone milkhouse trimmed with red brick, with a gable roof and gable-end door**),
  - Displays a high degree of craftsmanship or artistic merit (**the building is noteworthy for its 12 over 8 and 6 over 6 windows, its 6 panelled "cross and bible" front door with multi-paned transom light above, and its fieldstone kitchen wing**),
  - Demonstrates a high degree of technical or scientific achievement.
- The property has historical value or associative value because it:
  - Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community (**the house has value as the former farmhouse of John G. Mustard (1810-1883), a son of prominent Scottish immigrant James Mustard, who arrived in Markham Township about 1801**) ;
  - Yields, or has the potential to yield, information that contributes to an understanding of a community or culture (**the quality of the family home, constructed c.1845 on the property purchased in 1839, is an indication of Mustard's success as a farmer and the success of farmers during this period of Markham's development**), or

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- Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community
  - The property has contextual value because it:
    - Is important in defining , maintaining or supporting the character of an area (**the house and milkhouse support the rural character of the area**),
    - Is physically, functionally, visually or historically linked to its surroundings (**the buildings stand on their original site**)
    - Is a landmark

### **The preservation of the heritage resource is consistent with City policies**

The Markham Official Plan 2014 contains Cultural Heritage policies related to the protection and preservation of heritage resources and how they are to be treated. These policies support the protection and conservation of cultural heritage resources on their original site, and the integration into new development proposals. The designation of this resource will ensure that its heritage attributes are addressed and protected in the future.

### **Provincial planning policies support designation**

The Ontario Government's Provincial Policy Statement which was issued under Section 3 of the Planning Act and came into effect in March 2005 includes cultural heritage policies. These policies indicate that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection. The policies further indicate that development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the resource will be conserved.

### **Designation acknowledges the importance of the heritage resource**

Designation signifies to the broader community that the property contains a significant resource that is important to the community. Designation doesn't restrict the use of the property. However, it does require the owner to seek approval for property alterations that are likely to affect the heritage attributes described in the designation by-law. Council can also prevent, rather than just delay, the demolition of a resource on a designated heritage property.

### **FINANCIAL CONSIDERATIONS**

See chart in Options/Discussion section for costs associated with the barn options.

### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable

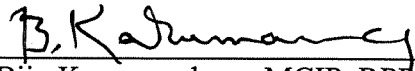
### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The protection and conservation of cultural heritage resources is part of the City's strategic focus on growth management. The City also leads by example when it designates cultural heritage resources in its ownership.

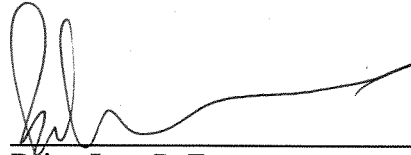
**BUSINESS UNITS CONSULTED AND AFFECTED:**

Asset Management and Sustainability staff, Heritage Markham Committee

**RECOMMENDED BY:**



Biju Karumanchery, MCIP, RPP  
Director, Planning and Urban Design

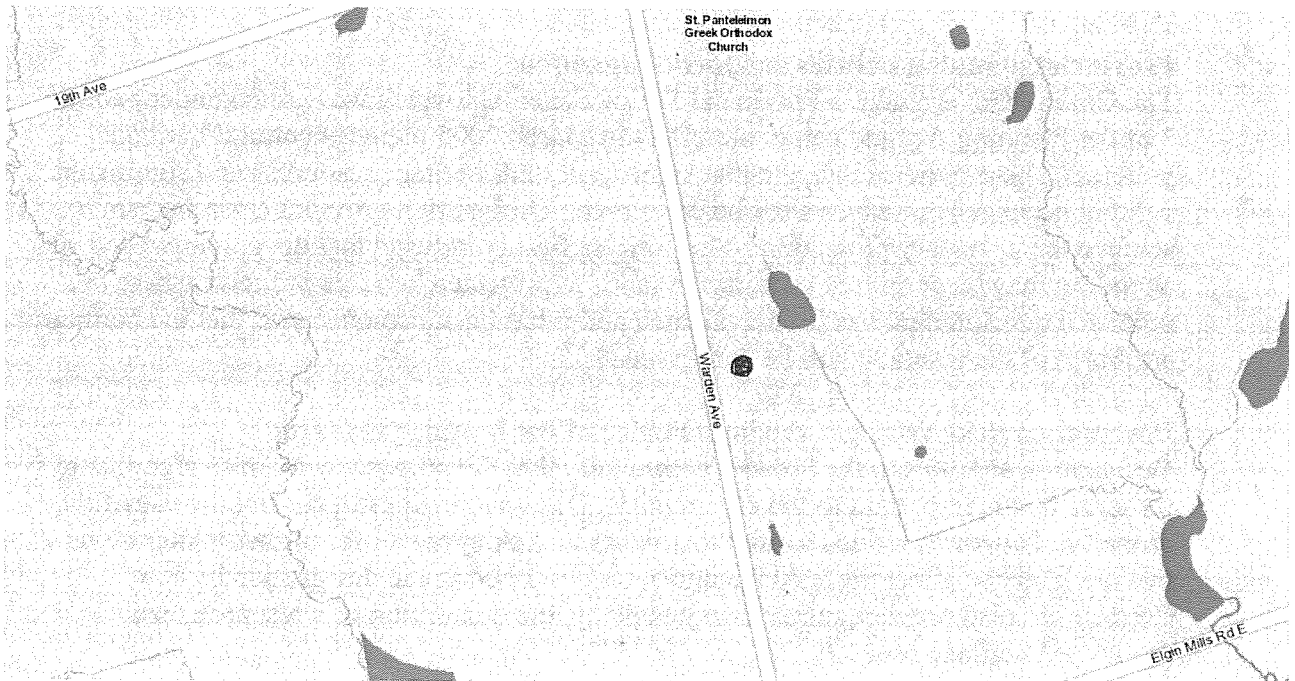


Brian Lee, P. Eng  
Acting Commissioner of  
Development Services

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**ATTACHMENTS:**

Appendix 'A'	Statement of Significance- Reasons for Designation
Appendix 'B'	Heritage Markham Extract, August 9, 2017
Appendix 'C'	Information on the Barn Complex



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**Appendix 'A'****Statement of Significance****John G. Mustard House  
c.1845  
11091 Warden Avenue**

The John G. Mustard House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

**Description of Property**

The John G. Mustard House is located on its original site and foundation on the east side of Warden Avenue, in a rural settling on the west part of Markham Township Lot 28, Concession 5.

**Historical and Associative Value**

The John G. Mustard House is of historical and associative value as the former farmhouse of John G. Mustard (1810-1883), a son of Scottish immigrant James Mustard, who arrived in Markham Township about 1801. James Mustard had a distinguished military career, and served in defense of Upper Canada during the War of 1812. In 1817, while he was captain of the local militia, he reported on the status of mill development on the Rouge River. James Mustard married Elizabeth Gordon. John G. Mustard was one of their four sons. The quality of the family home, constructed c.1845 on the property purchased in 1839, is an indication of his success as a farmer.

**Design and Physical Value**

The John G. Mustard House is an excellent, well-preserved example of a mid-19<sup>th</sup> century farmhouse reflecting the vernacular Georgian architectural tradition, with the influence of the Classic Revival seen in the robust treatment of the brick corner pilasters and the bold Classical mouldings of the cornice. The building is noteworthy for its 12 over 8 and 6 over 6 windows, its 6 panelled “cross and bible” front door with multi-paned transom light above, and its fieldstone kitchen wing. A bellcast roofed veranda supported on wood treillage is a period-appropriate addition of 1980.

**Contextual Value**

The John G. Mustard House is one of three historic farmhouses remaining in the municipality that are connected to the Mustard family of Markham Township. All three are stylistically similar, conservatively-detailed and of solid brick construction. Associated with the former farmhouse is a stone milk house trimmed with red brick,

echoing the detailing of the stone kitchen wing of the dwelling. It likely dates from the same time period.

Significant Architectural Attributes to be Conserved

Exterior, character-defining elements that embody the cultural heritage value of the John G. Mustard House include:

- Overall form of the building, with a one-and-a-half storey main block and one storey rear wing;
- Fieldstone foundation;
- Red brick walls with Flemish bond brickwork on the front façade and common bond brickwork on the other walls;
- Raised, flat corner pilasters in buff brick on the front façade, pendant frieze on the upper portion of the front façade;
- Fieldstone kitchen wing trimmed with red brick;
- Medium-pitched gable roof with wood cornice and eave returns;
- Single-stack gable end chimneys;
- 12 over 8 and 6 over 6 windows;
- Front doorcase with 6 panelled door and multi-paned transom light;
- Reproduction bellcast-roofed front veranda with wood treillage;
- Half-round front window added c.1980;
- Fieldstone milkhouse trimmed with red brick, with a gable roof and gable-end door.



**John G. Mustard House**





**Milk House**

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**Appendix 'B' - Heritage Markham Recommendation****EXTRACT CONTAINING ITEM #22 OF THE EIGHT HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON AUGUST 9, 2017.**

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- 22. Demolition Permit Application,  
11091 Warden Ave,  
Proposed Demolition of Heritage Barn (16.11)**  
File No: DP 17 171281  
Extracts: P. Wokral, Heritage Planner  
S. Shah, Faculty Asset Coordinator  
R. Hutcheson, Manager of Heritage Planning
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The Heritage Planner reviewed an application to demolish the heritage barn located on the property at 11091 Warden Avenue which is listed on the Markham Register of Buildings of Cultural Heritage Value or Interest.

The Heritage Planner advised that the City purchased the property for an unspecified future use, but has no use for the barn buildings. The City's Asset Management Department has indicated that they want to demolish the barn because they believe it is structurally unsafe and part of the floor has already collapsed.

The Senior Heritage Planner further advised that the City has 60 days to respond to a request for a demolition of a heritage property listed on the Register. Preliminary research of the barn building completed by Heritage Section staff dates the gambrel roof section of the barn to circa 1900, while the rear extension appears to be of earlier construction, including some recycled materials on top of a later hollow clay foundation.

**Heritage Markham Recommends:**

That the demolition permit be denied by Council and both the existing heritage barn and the farmhouse be designated under Part IV of the *Ontario Heritage Act*.

CARRIED

The interior is unfinished in the three bays used for equipment storage and the fourth bay, used as the workshop, has gypsum board finish on the walls and ceiling. The floor of the workshop is cast in-place concrete and the floor area of the equipment storage bays is granular material.

The structure of Drive Shed is in good condition.

### **3.4 Barn**

The barn is located east of the original farmhouse and is a timber framed structure with a field stone foundation wall in the main western area and a clay tile foundation wall in the eastern area. A section of the eastern foundation has collapsed and the concrete apron slab at the large, sliding barn doors has also collapsed (Photographs 30 & 31). The barn was reviewed from the floor level just inside of the sliding doors.

The timber framing is made of hand hewn timbers with mortise and tendon joinery. The barn is classic heavy timber framed construction (Photograph 32). The main upper floor used for hay and livestock feed storage is constructed of heavy timber planks supported on hand hewn timber beams.

The original vertical wood siding is visible from the interior (Photograph 33) and sheet metal siding panels have been installed on the exterior of the walls. The roof is clad with sheet metal panels on what appeared to be the original roof deck boards. Sections of the roof panels were missing at the time of the site visit (Photograph 34).

The lower level of the barn is used for livestock shelter (Photograph 35). The concrete slab on grade along the perimeter of the east foundation wall is cracked and has heaved along the entire length of the wall (Photograph 36).

The field stone foundation wall has portions of mortar missing or the voids between the stones were not fully filled during original construction. There are several cracks in the foundation wall, in addition to the damage in the area of the collapsed section of foundation wall. The clay tile foundation has a parged finish on the exterior. The clay tile and parging are damaged at the northwest corner (Photograph 37).

### **3.5 Summary**

Our limited visual review of the structural framing of the main house revealed that it was in generally good condition. We noted the repair of the porch columns and the removal and replacement of the wooden foot bridge.

In our limited visual review of the original farmhouse we noted that brick and foundation repairs were required. These repairs have been carried in the Building Envelope sections of the Report.

The structure of the Drive Shed with workshop is in good condition, and no capital expenditures are anticipated.



Photograph 29: Crack in interior parging



Photograph 30: Collapsed slab



Photograph 31: Collapsed foundation wall





Photograph 32: Timber framed construction



Photograph 33: Interior of barn wall



Photograph 34: Roof panels missing



Photograph 35: Lower barn level





Photograph 36: Damaged floor slab



Photograph 37: Damaged clay tile foundation