



Report to: Development Services Committee

Meeting Date: February 12, 2018

SUBJECT: Eligibility of Reverend Jenkins House for Relocation
to Markham Heritage Estates
11022 Kennedy Road, Wards 4 and 6

PREPARED BY: Peter Wokral, Heritage Planner, ext. 7955

REVIEWED BY: Regan Hutcheson, Manager, Heritage Planning, ext. 2080

RECOMMENDATION:

- 1) THAT the staff report entitled “Eligibility of Reverend Jenkins House for Relocation to Markham Heritage Estates”, dated February 12, 2018, be received;
- 2) THAT notwithstanding the Markham Heritage Estates Administrative Guidelines and the Markham Official Plan 2014 cultural heritage policies, the Reverend Jenkins House be permitted to be disassembled and replicated at Markham Heritage Estates, utilizing a new post and beam structure provided that all salvageable exterior and interior elements from the original structure are incorporated into the project based on measured drawings of the existing house, to the satisfaction of Heritage Section staff;
- 3) AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable

PURPOSE:

To recommend to Council that the Reverend Jenkins House (the “House”) at 11022 Kennedy Road be considered eligible for disassembly and replication at Markham Heritage Estates employing a new post and beam structure and incorporating all salvageable exterior and interior heritage elements based on measured drawings of the original house to the satisfaction of Heritage Section staff, despite Council’s original recommendation that the Jenkins House be moved intact as a complete structure.

BACKGROUND:

The Reverend Jenkins House is a significant, protected heritage resource

The Reverend Jenkins House is located at 11022 Kennedy Road north of Elgin Mills Road and is both individually designated and listed on the *Markham Register of Property of Cultural Heritage Value or Interest*. It is a one and a half storey, frame, Classic Revival style dwelling, constructed circa 1830. In 1994, the Town of Markham designated the House under Part IV of the Ontario Heritage Act, due to its architectural and historic significance. Reverend Jenkins was the first Presbyterian Minister to permanently settle in this part of Ontario and travelled by horseback ministering to early

settlers from Pickering Township and Peterborough to the east, the Grand River in the west, and Lake Simcoe to the north. He was the only non-Catholic priest or non-Anglican minister permitted to solemnize marriages at the time, and he organized Presbyterian congregations in Richmond Hill, Scarborough and Cashel. His outspoken political views regarding religious equality and separation of church and state placed him in conflict with the government of Upper Canada prior to the Rebellion of 1837 (see Appendix “D” for additional historical/architectural information).

The house is vacant and located outside of the current urban boundary

According to the current owners, the House has been vacant for approximately twenty two years. The home is prominently located on the west side of Kennedy Road just north of the crossroads community of Cashel and the land is being held as an investment by the owners. This portion of Markham is located outside of the current urban boundary, and is not within the Future Urban Area 2031.

The property owners do not intend to re-tenant the House

The property is owned by several members of the Spataro family who have inherited the property from their deceased parents. The owners claim that it was difficult to retain tenants in the house without making significant financial investments into the building, and they have no viable use for the building. The owners have performed minimal maintenance on property, and have complied with various property standards orders issued by the City’s By-law Enforcement Department over the past few years. The owners have also signed a letter of intent giving Mr. Ruben de Leon and his wife Catherine Lu, the permission to relocate the House to Markham Heritage Estates.

The House is at a critical risk of being lost

In the autumn of 2016, a noticeable sag appeared in the ridge of the roof of the Reverend Jenkins house. By November of 2016, a large portion of the roof had collapsed along with the portions of the first and second floor structure. The damage was the result of a large hole in the rear slope of the roof which had gone undetected by the owners or City By-law officers.

A Property Standards Order was issued by the City requiring the owners to return the House to a habitable state. This Order was appealed by the owners and a hearing was held on November 23, 2016 by the Property Standards Committee. The Committee recommended that the owners obtain a structural report on the condition of the building, and that the roof be repaired and made water tight by December 23, 2016. The report commissioned by the owners, prepared by an engineering and planning consulting firm, concluded that the structure is not safe to be entered, and too far deteriorated to be restored or relocated without completely being demolished or carefully disassembled. Since that time, the owners have surrounded the House with a temporary steel construction fence to prevent trespassing, but have not restored any part of the building.

Council approved relocation of the House to Markham Heritage Estates

Despite the original recommendation of Heritage Markham in December of 2016 to not support the relocation of the House to Heritage Estates due to its role as a landmark on Kennedy Road and because the proponent indicated that the house would need to be

disassembled in order to be relocated, Council approved the relocation of the House to Heritage Estates in February of 2017 on the condition that it be moved as a complete structural entity and not disassembled (see Council Resolution of February 13, 2017).

The physical condition of the House requires disassembly of the structure

Since Council's decision, Ruben de Leon and his wife Catherine Lu, the proponents of relocating the House, are in the process of completing the purchase of a premium lot in Heritage Estates for the 2013 price of \$834,971.00 subject to a forgivable mortgage of 50% of the purchase price.

They have also hired a designer to produce Site Plan drawings for the relocated house and consulted with contractors and building movers about the process of stabilizing and preparing the structure for relocation to Heritage Estates. These contractors have expressed reluctance at taking on the project due to the exceptionally poor and dangerous condition of the structure, or they have proposed inappropriate methods considered to be insensitive to the heritage attributes of the house.

The proponents have since hired Michael Flynn of Fort Erie Ontario who claims to specialize in the restoration of heritage buildings to determine if the building can be moved as a complete structure. After a close examination of the structural elements now visible due to the collapse of the roof and floors, it is the opinion of Mr. Flynn that the House cannot be moved as an intact structure and that it must be disassembled. Mr. Flynn observed that the main corner posts sills and wall plates have either failed and or are significantly decayed after years of neglect and exposure to water. (See attached photographs Figure 2) As the structure of the House is composed of post and beams which are joined through the use of pegged mortise and tenon joints, the replacement of these key structural members requires disassembly of the entire structure, as they cannot be removed otherwise.

The proponent's contractor recommends replication of the Jenkins House's structure

Given the extremely poor condition of the House's original post and beam structure, the contractor, Mr. Flynn is recommending that the Jenkins House be replicated with either a completely new post and beam structure, or a standard 2x6 frame structure. However, it is the opinion of Mr. Flynn that almost 80% of the visible interior and exterior heritage attributes of the House, such as the exterior cladding, windows, doors, hardware, trims, and fieldstone foundation can be carefully salvaged from the wreckage and installed on a new structural frame, based on accurate scaled drawings of the original house. The salvaging of these components would be painstaking, as it would require the removal of a significant amount of unsalvageable debris and the careful removal, and cataloging and temporary storage of useable heritage material.

Disassembly of heritage buildings is generally not supported

Disassembly of a heritage building in order to relocate it to Markham Heritage Estates is not supported (Section 7.1 of the Markham Heritage Estates Administrative Guidelines). The Markham Official Plan cultural heritage policies also only support relocation of a threatened heritage resource "in its entirety" and "maintaining its three-dimensional

integrity”. The concern is that original features may be lost or damaged in the process, and the most current requirements of the Ontario Building Code will apply to the re-assembled building and may compromise certain heritage attributes which do not comply with the current code. Since disassembly of heritage buildings is not supported, and Council only supported relocation of this House on the condition that it be moved intact as a complete structure, Council must consider the appropriateness of the proponent’s current proposal to incorporate salvaged heritage material on a new structural frame.

OPTIONS/ DISCUSSION:

There are two basic options that could be pursued:

1) Document and Demolition

- Photographically document the existing condition of the building and allow its demolition. Consider interpretive opportunities such as the introduction of a Markham Remembered Plaque on the original site as a condition of any demolition;

2) Disassembly and Replication

- Support disassembling of the structure and the replication of the original house with a new structural frame, based on the measured drawings of the existing structure, incorporating all salvaged sound historic materials, including the exterior cladding, hardware, trims, windows, doors and fieldstone foundation.
- If this option is supported, Council should consider if the new structural frame should be of modern construction or should it utilize a post and beam structure to more authentically replicate the original building.

Heritage Markham and Heritage Staff support disassembly and replication of the House subject to certain conditions

Due to the time and financial resources already expended by the proponents associated with the project, and the special historic and architectural significance of the House to Markham, the Region, and the Province, Heritage Staff and Heritage Markham Committee reluctantly support the disassembly and replication option provided it is based on accurate scaled drawings of the existing house, and that all salvageable exterior and interior elements are re-installed on a traditional post and beam structure. (See Appendix ‘B’ Heritage Markham recommendation, January 10, 2018)

It is the opinion of the Heritage Staff that the utilization of a post and beam structure is the most authentic way of replicating the House, although the post and beam structure will have no visibility from the public realm. Heritage Staff does not anticipate that the application of the current Ontario Building Code will have any significant impacts on the exterior appearance of the Jenkins House.

Staff is of the opinion that on-site preservation is not likely

If Council does not support the replication of the structure, on-site preservation is highly unlikely, given the physical condition of the building, the conclusions of the engineering

report prepared for the owners of the property, the fact that the owners have no viable use for the building, and that redevelopment of the property is several years away.

Negative outcomes of not supporting replication of the structure at Heritage Estates

The most obvious negative outcome of not supporting the proponent's request to permit the replication of the structure would be the loss of an early and unique heritage building that is both regionally and provincially significant.

The proponents of relocating the House would also forfeit the significant time, money and effort they have expended so far in the project.

Positive outcomes of not supporting the replication of the structure at Heritage Estates

Should Council decide that disassembly and replication of structure is no longer warranted or desirable due to the loss of too much original historic material, 7 lots would remain available at Heritage Estates for the relocation of other significant threatened Markham heritage buildings capable of being moved as intact structures, and the City could re-sell the premium lot intended for the House at current market land value. The House could also be commemorated through a Markham Remembered Plaque as a condition of a demolition permit application or when redevelopment of the land takes place in the future.

FINANCIAL CONSIDERATIONS
Not Applicable**ALIGNMENT WITH STRATEGIC PRIORITIES:**

This report aligns with the Corporate Direction of Managed Growth and Environment by supporting the preservation of significant cultural heritage resources within the context of the changing urban landscape.

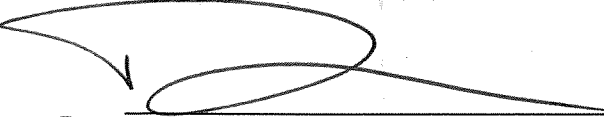


RECOMMENDED BY:
Ron Blake, M.C.I.P., R.P.P. Acting Director of Planning & Urban Design
Biju Karumanchery, M.C.I.P., R.P.P.
Acting Commissioner of Development Services**ATTACHMENTS:**

Figure 1: Owner/Applicant and Location Map

Figure 2: Photographs of the Reverend Jenkins House

Appendix 'A' Council Resolution of February 13, 2017

Appendix 'B' Heritage Markham recommendation of January 10, 2018

Appendix 'C' Extract from Heritage Estates Administrative Guidelines

Appendix "D" Additional historical/architectural information

File Path:

Q:\Development\Heritage\PROPERTY\KENNEDY\11022\DSC Final Jan 23.doc

Owners:

The Spataro family

Figure1- Location Map:



Figure 2: Photographs of the Reverend Jenkins House



The Reverend Jenkins House in March 2004



The Reverend Jenkins House December 1, 2016



Interior view of the Jenkins House December 2017



Interior view of Jenkins House December 2017



THE CORPORATION OF THE CITY OF MARKHAM

**EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD ON Feb 13, 2017
REPORT NO. 5 - DEVELOPMENT SERVICES COMMITTEE (February 13, 2017)**

**(2) ELIGIBILITY OF REVEREND JENKINS HOUSE FOR RELOCATION TO MARKHAM
HERITAGE ESTATES 11022 KENNEDY ROAD (16.11)**

Report

- 1) That the staff report entitled "Eligibility of Reverend Jenkins House for Relocation to Markham Heritage Estates dated February 13, 2017 " be received; and,**
- 2) That the Heritage Markham Committee recommendation of December 14, 2016 indicating that Heritage Markham does not support the relocation of the Reverend Jenkins House from its current site and the owners are requested to take immediate action to protect and stabilize the building on-site be received; and,**
- 3) That as recommended by Heritage Section Staff, the Reverend Jenkins House at 11022 Kennedy Road be declared eligible for relocation to Markham Heritage Estates, due to its cultural heritage value, its threatened state, the absence of either short or long-term uses by the owner, and the length of time before development will occur in the area; and,**
- 4) That the structure of the Reverend Jenkins House be partially restored and structurally stabilized in its current location so that it may be relocated to Markham Heritage Estates as an intact building; and,**
- 5) That the Manager of Real Property and Heritage Section Staff investigate potential means to secure at-risk heritage buildings, including making land available for the relocation of threatened heritage buildings, and report back to Development Services Committee as soon as possible, no later than September, 2017; and further,**
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.**

Carried

Appendix 'B'

**HERITAGE MARKHAM
EXTRACT**

DATE: January 22, 2018

TO: **P. Wokral, Heritage Planner**
R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM #14 OF THE FIRST HERITAGE MARKHAM
COMMITTEE MEETING HELD ON JANUARY 10, 2018.

- 14. Request for Feedback,
11022 Kennedy Road,
The Reverend Jenkins House (16.11)**
Extracts: P. Wokral, Heritage Planner
R. Hutcheson, Manager of Heritage Planning
-

The Heritage Planner reviewed a request for feedback on the relocation of the Reverend Jenkins House at 11022 Kennedy Road to the Markham Heritage Estates. He explained that the owner has hired a contractor who specializes in the restoration of heritage buildings to coordinate the relocation and restoration of the Reverend Jenkins House to the Markham Heritage Estates. After inspecting the existing condition of the Jenkin's House and the portions of the post and beam structure that were both visible and accessible, the contractor believes that there is extensive damage to the structural frame and that the building must be disassembled in order to repair it and make it ready to be relocated.

Given that disassembly of buildings is not permitted when heritage buildings are being relocated to Heritage Estates, and the contractor's belief that most of the post and beam structure would have to be replaced, the contractor is of the opinion that the only viable and feasible approach to saving the Reverend Jenkins House is to construct a new structural frame for the Reverend Jenkins House, on-site in Heritage Estates, based on measured drawings of the existing house, and to carefully salvage significant exterior and interior features such as the clapboard cladding, trims, stone foundation, windows, and doors so that they may be installed on the modern structural frame, to replicate the original house.

The Heritage Planner advised that recent photographs of the Jenkins House taken from above the interior reveal significant structural damage to the floor systems of the house which have collapsed along with the roof into the basement. Although the contractor believes that restoration of the structural elements of the original post and beam structure is not feasible, he believes that upward of 80% of the original visible exterior and interior features can be carefully salvaged and installed on a new structural frame. The proposed new frame would be made of standard modern stick framing as opposed to the post and beam structure employed on the Jenkin's House.

The proponent of relocating the house to Markham Heritage Estates, Mr. de Leon (who is not the owner of the property), has already invested several thousand dollars in the production of

restoration drawings and in contractors who have either refused to work on the house due to its condition, or who were not appropriate for the job. Heritage Markham did not support the relocation of the Reverend Jenkins House to Markham Heritage Estates and recommended that it be restored on its original site. Council supported the relocation of the Reverend Jenkins House to Heritage Estates on the condition that it be moved as a complete structural entity and not disassembled. Disassembly is not supported as a means of relocating homes to Markham Heritage Estates because it triggers the implementation of the current Ontario Building Code, which may compromise certain heritage attributes.

The owners of the property are not prepared to restore the house on site, and have had a report prepared by a structural engineer recommending that the Jenkins House be demolished due to its extremely poor physical condition. The proponent, Mr. de Leon is still willing to pursue the project, based on the contractor's belief that most of the character defining exterior and interior elements of the house can be salvaged and incorporated into the replication of the house.

The Heritage Planner advised that Staff has no way of verifying the assessment by the proponent's contractor on the structural soundness of the Jenkins House, other than requiring a second opinion by another qualified contractor. Given the dangerous condition of the house, the only way of determining the true condition of the original structure would be to remove all the roof and flooring debris which has collapsed into the house as well as remaining interior finishes to examine the condition of the post and beam structure. This work would cause further expense and delays which could potentially lead to the loss of more significant heritage attributes and potentially the entire building. Requiring the Jenkins House to be restored on site will be opposed by the owners of the property, and the structural report prepared by their engineer will likely lead to its demolition, and the loss of any money invested by the proponent in their efforts to relocate and restore the Jenkins House. The Jenkins House is considered to possess high historic and architectural significance, and the proponent who wishes to relocate the house has spent significant time and money on obtaining permission to relocate the house to Markham Heritage Estates.

The Heritage Planner suggested that the Committee consider one of the following options:

- 1) Photographically document the existing condition of the building and allow it to be demolished; or
- 2) Support disassembly of the structure and the replication of the original house with a new structural frame, based on the measured drawings of the existing structure, incorporating all salvaged sound historic materials including the exterior cladding, hardware, trims, windows, doors and fieldstone foundation.

Mr. Michael Flynn, a relocation contractor addressed the Committee on behalf of the applicant and spoke in favour of relocating the disassembled Reverend Jenkins House to Markham Heritage Estates. He noted that rather using post and beam construction for the new house frame, the project may be better served by investing in features that will be seen as opposed to being covered up.

Responding to a question from a Committee member, Mr. Flynn, the relocation contractor advised that he has not relocated a heritage house in the past.

The Committee discussed the option of disassembling the structure and the replication of the original house with a new structural frame, based on the measured drawings of the existing structure, and incorporating all salvaged sound historic materials including the exterior cladding, hardware, trims, windows, doors and fieldstone foundation.

Heritage Markham Recommends:

That Heritage Markham supports the replication of the Reverend Jenkins House at Markham Heritage Estates with a new post and beam structural frame, based on measured drawings of the existing house and the salvaging and incorporation of all sound historic materials, including the historic cladding, trims, hardware, windows, doors and stone foundation, to the satisfaction of Heritage Section staff.

CARRIED

7.0 RELOCATION, RESTORATION AND LANDSCAPING

7.1 Relocation

The process of relocating a building, as discussed in Section 4.1.2; Moving Costs, involves a number of different factors that are unique to each building. It is recommended that the applicant consult a number of different building movers to obtain quotes and review past examples of their work. The applicant should ensure that the mover has some past experience working with the particular demands of heritage buildings. Generally, the building relocation season is short, and movers are very busy. A notice period of four to six months is common. The Directory of Contacts provided in this guide includes the names of area building movers who are known to have relocated heritage buildings in Markham.

Prior to obtaining a quote from a building mover, it is recommended that the applicant have the home inspected by a qualified professional, such as an architect or engineer. They will be able to comment on how the structural integrity of the building will be affected by the relocation, and may be able to predict difficulties. **The City of Markham will not consider the dismantling of heritage buildings for reconstruction in Markham Heritage Estates.**

As such expertise will be necessary later on in the restoration process; it is recommended that this inspection be carried out by the professional you have chosen for the entire project. This provides the ideal opportunity for the professional to become familiar with the building prior to its relocation.

The building owner is responsible for the coordination of all of relocation services such as:

- obtaining the necessary permits
- service connections
- arranging for all necessary wire and traffic signal lifts, and
- police escort on the moving day.

Applicants should note that only the wire owner is authorized to lift the wire (ie. Powerstream will not lift Hydro One lines). Careful planning is required to facilitate a smooth move. York Region officials, have indicated that the relocation of buildings using Regional roads should be undertaken during non peak times (certain times of the day and certain day of the week). Included in the Directory of Contacts is a list of contact names for most of the services required.

Incoming buildings must be deemed (or made) structurally sound when placed on lots. Once on the lot, the owner is expected to secure the building by way of temporary fencing and to make frequent inspections of the structure to ensure safety. Once excavation of a foundation has commenced, the affected area must be secured by way of temporary fencing.

Appendix 'D' - Additional Historical Architectural InformationSTATEMENT OF REASONS FOR DESIGNATIONThe Rev. William Jenkins House

The Rev. William Jenkins House is recommended for designation under Part IV of the Ontario Heritage Act because of its architectural and historical significance.

Architectural Reasons

The Rev. William Jenkins House, located on the east half of Lot 27, Concession 5, was constructed c.1830 and provides a very early example of Classic Revival architecture.

Set on a fieldstone foundation, the dwelling is rectangular in plan with a 5-bay front facade. The exterior cladding is wooden clapboard with corner boards.

The structural openings are rectangular. The original lower windows have 2/2 pane division. Four windows are located under each gable on the second floor. The inner two windows are rectangular with 6/6 pane division while the outer two are square, made up of a single sash of 6 panes. The entrance is centrally located on the east facade with an elaborate door surround comprising fluted pilasters with moulded capitals, a blind transom and 6-pane partial sidelights with moulded wood panels below. A shallow gable hood has been installed over the entrance. A second rectangular entrance is located at the east edge of the south facade. It is unknown at this time whether this second entrance is original or not.

The low pitch gable roof is trimmed by a plain boxed cornice, returned eaves and a moulded frieze. One chimney is located centrally within the main section of the dwelling.

A one-storey kitchen tail has been added to the rear which is clad in vertical board with rectangular, double hung windows of 12/12 pane division. An entrance is located on the south facade of this addition, sheltered by a porch roof.

A one-storey, full-width open verandah spans the south, gable-end facade. Chamfered wooden posts support the roof. The balustrades between the posts, made up of a single diagonal baluster producing a chevron effect, are a recent alteration. The one-storey, open verandah on the front facade has since been converted to an open deck.

Historical Reasons

Reverend William Jenkins (1779-1843) was the first Presbyterian minister to settle permanently in this part of Ontario. As an itinerant preacher, he ministered to settlers anywhere from Pickering Township in the east to the Grand River in the west, from York, now Toronto, north to Lake Simcoe. Rev. Jenkins was the only Protestant minister authorized by the government of Upper Canada to solemnize marriages in this area for many years. He organized the congregation at Richmond Hill in 1817 and St. Andrew's Church in Scarborough in 1818. He also provided the impetus for the foundation of Melville United Church in Cashel as well as many other congregations throughout the area. His influence on the early development of the region was clearly profound and widespread.

Rev. Jenkins was a strong and outspoken advocate of religious equality and the separation of church and state. An impassioned minister, his colourful personality has been captured in several oral history anecdotes.