

SUBJECT: Application for Demolition of Building and
Intention to Designate a Property under Part IV
of the *Ontario Heritage Act*
Carl Reesor James House
8127 Bayview Avenue

File No. 14 109569 DP

PREPARED BY: George Duncan, Senior Heritage Planner, ext. 2296
REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning

RECOMMENDATION:

- 1) That the staff report titled "Request for Demolition of Building and Intention to Designate a Property under the *Ontario Heritage Act*, Carl Reesor James House, 8127 Bayview Avenue" dated April 1, 2014, be received;
- 2) That as recommended by Heritage Markham, the Carl Reesor James House – 8127 Bayview Avenue, be approved for designation under Part IV of the *Ontario Heritage Act* as a property of cultural heritage value or interest;
- 3) 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*;
- 4) 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;
- 5) 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;
- 6) That the application to demolish the Carl Reesor James House be denied;
- 7) That the City of Toronto be requested to look into opportunities for re-tenanting the building, and be encouraged to work with North Toronto Cat Rescue as a potential user for the building;
- 8) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To recommend that Council deny the demolition permit application for of the building at 8127 Bayview Avenue, listed on the Markham Register of Property of Cultural Heritage Value or Interest, and to recommend to Council that the "Carl Reesor James House" be designated under Part IV of the *Ontario Heritage Act*.

BACKGROUND:

Property and existing heritage building

The existing building at 8127 Bayview Avenue is a two and a half storey brick building in the Edwardian Classical style, dating from c.1912. It was originally the farmhouse of Carl Reesor James and family from 1912 to 1945. It is currently vacant. The property is

owned by the City of Toronto (Toronto Water) and contains an underground water reservoir built in 1973. The property is zoned 02 (Special) which allows various types of institutional uses as well as a water works.

Property is on the Markham Register of Property of Cultural Heritage Value or Interest

The property is listed on the Markham Register of Property of Cultural Heritage Value or Interest. It is not individually designated or designated as part of a heritage conservation district. As per the provisions of the *Ontario Heritage Act*, the owner of a property included in the Register shall not demolish or remove the building or permit this to occur unless the owner gives the municipality at least 60 days notice in writing of the owner's intentions.

The Carl Reesor James House is a superior example of an early 20th century farmhouse

The building has design and physical value as a superior example of the spacious, simply detailed farm residences built by prosperous farmers in Markham in the first quarter of the 20th century. Its architecture reflects the Edwardian Classicism that was locally popular from the 1910s through the 1920s.

The Carl Reesor James House, c.1912, has historical and associative value for its association with the James family of Thornhill that played a significant role in the agricultural economy of the community from the 1870s to the 1940s. It also has significance as a former part of the Leitchcroft Experimental Farm, expanded with the purchase of this property in 1949.

Owner of the property seeks permission to remove or demolish the existing heritage dwelling

The City of Toronto is seeking demolition of the existing building. A demolition permit application dated February 13, 2014 was submitted by the owner and the official notice of receipt was provided on February 27, 2014.

The building is vacant and subject to vandalism

The building is vacant, boarded up and subject to vandalism and pest infestation. The City of Toronto has provided a covering letter outlining their reasons for wanting to remove the building as well as a Designated Substances and Hazardous Material Assessment Report to assist the demolition contractor. The letter is attached as Appendix 'A'; the report is on file.

The City of Toronto has no plans to use the building

The reasons provided by the owners for the removal of the building include that it will limit future improvements to the reservoir (the site may conflict with the location of a future proposed pumping station), health and safety issues, potential cost of upgrades, and no reasonable economically beneficial use in the opinion of the applicant.

Heritage Markham does not support demolition

At the March 19, 2014 meeting, Heritage Markham indicated that it does not support the demolition of the building on the basis of its cultural heritage value or interest, and recommends that the property be designated under Part IV of the *Ontario Heritage Act* to protect it. Heritage Markham recommended that the City of Toronto consider re-tenanting the vacant building and working with North Toronto Cat Rescue as a potential user of the building (see Heritage Markham Extract, Appendix 'B').

OPTIONS/ DISCUSSION:**The building has been evaluated using the City's heritage evaluation system**

The building was evaluated by Heritage Markham and staff using the City's Heritage Building Evaluation System. The Carl Reesor James House was evaluated as a Group 2 Heritage building. Group 2 buildings are those buildings of significance and worthy of preservation. Group 2 buildings are also considered worthy of designation under the Act.

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 basis 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 superior and substantially intact example of an early 20th century farmhouse that reflects Edwardian Classicism in the form of a modified American Foursquare;
- The property has historical value or associative value because it:
 - has direct association with the James family of Thornhill and Leitchcroft Experimental Farm;
 - yields, or has the potential to yield, information that contributes to a better understanding of the agricultural community and the evolution of the agricultural community in Markham.
- The property has contextual value because it:
 - is a remnant of the area's agricultural past in the context of the evolved urban environment of the Thornhill community.

Heritage Markham has recommended designation

The designation process under the *Ontario Heritage Act* requires a municipal council to consult with its municipal heritage committee when properties are considered for designation. The historical research and heritage attributes related to this heritage resource were reviewed by Heritage Markham on March 19, 2014 and the committee has recommended that the property be designated as a property of cultural heritage value or interest. (See Statement of Significance, Appendix 'C')

The preservation of the heritage resource is consistent with City policies

The City of Markham's Official Plan contains Cultural Heritage policies related to the protection and preservation of heritage resources and how they are to be treated within the development process. The designation of this resource will ensure that its heritage attributes are addressed and protected.

Provincial planning policies support designation

The Ontario Government's current Provincial Policy Statement which was issued under Section 3 of the *Planning Act* and came into effect 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.

The owner is aware of the intention to designate

The City of Toronto is aware of Markham's interest in the preservation of the building and Heritage Markham's recommendation to Council that the Carl Reesor James House be designated under Part IV of the *Ontario Heritage Act* to protect it from demolition. It is anticipated that the City of Toronto can consider alternative uses for the building instead of demolition.

The City of Toronto has indicated that a future pumping station may be added to the site, but no plans have been submitted to date or timing indicated. Opportunities for incorporation of the existing building into the site or relocation of the building on the property (potentially in an adaptive use) have not been explored. The hazardous substances identified by Toronto were for the benefit of the demolition contractor for protection during the proposed demolition. The identified materials are commonly found in buildings of this age and can be managed through non-disturbance. Vacant buildings are also prone to pest issues and vandalism. Regular property maintenance and ongoing surveillance as well as proper fencing can address these types of issues.

Designation acknowledges the importance of the heritage resource

Designation signifies to both the owner and 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.

According to the Ministry of Culture:

“Municipal councils can use the Notice of Intention to Designate as a way of preventing the demolition or alteration of a threatened property that may be worthy of designation. If a Notice of Intention to Designate is issued for a property, the property will be subject to certain interim protections. Any existing permit that allowed for the alteration or demolition of the property, including a building permit or a demolition permit, becomes void. Any proposed demolition or alteration affecting the property’s heritage attributes will require council’s consent”.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable at this time.

HUMAN RESOURCES CONSIDERATIONS

Not applicable at this time.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Heritage designation aligns with the strategic priorities of Managed Growth and Environment. Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community. The preservation of heritage buildings is environmentally sustainable because it conserves embodied energy, diverts sound construction materials from entering landfill sites, and reduces the need to produce and transport new construction materials.

BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition request was reviewed by Heritage Markham, Council’s advisory committee on heritage matters.

Acceptance of this recommendation to designate the property located at 8127 Bayview Avenue under Part IV of the *Ontario Heritage Act* will require the Clerk’s Department to initiate the following actions:

- publish and serve on the property owner, the Ontario Heritage Trust and the public through newspaper advertisement, Council’s notice of intention to designate the property as per the requirements of the Act; and
- prepare the designation by-law for the property

RECOMMENDED BY:



Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning & Urban Design



Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1 – Owner/Agent and Location Map

Figure 2 - Building Photographs

Appendix 'A' – Letter from City of Toronto

Appendix 'B' - Heritage Markham Extract (March 19, 2014)

Appendix 'C' – Statement of Significance/ Reasons for Designation

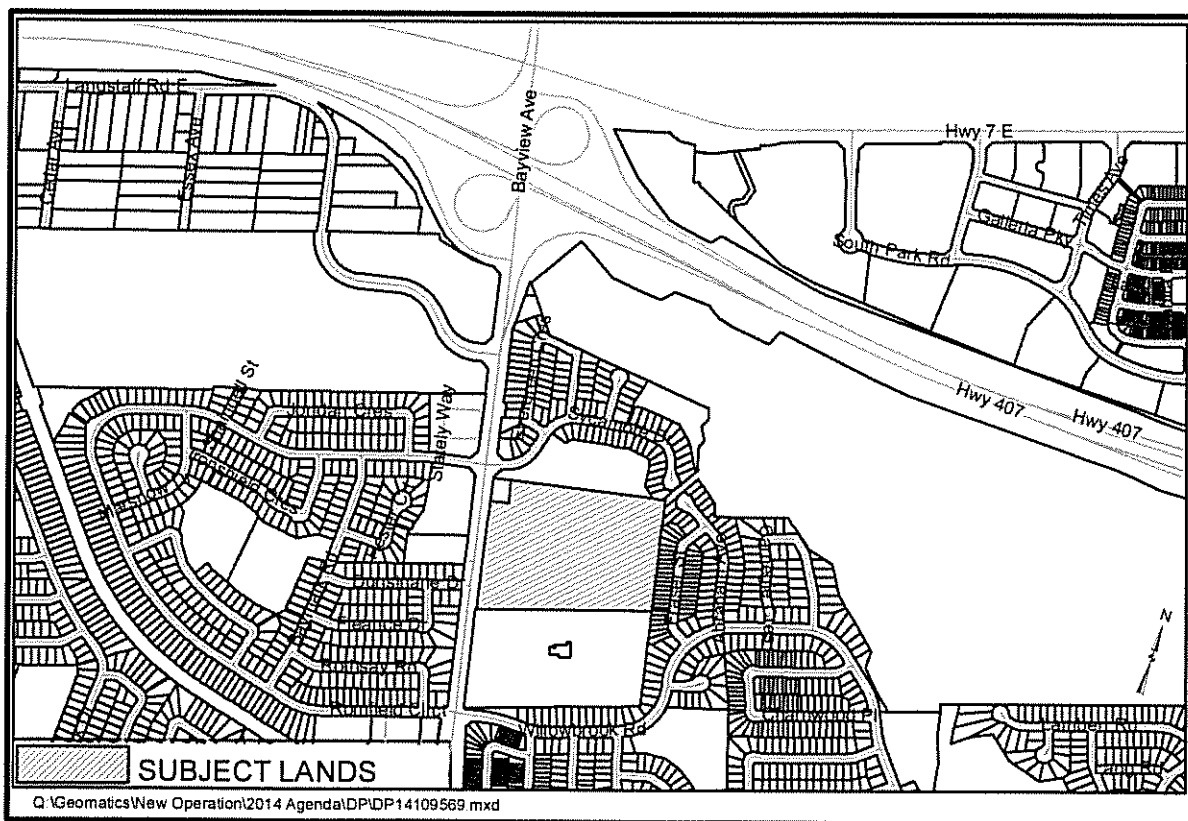
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FIGURE 1

OWNER: Donald R. Sorel, Manager
Divisional Operations Services
Operational Support
Toronto Water
City of Toronto
545 Commissioners Street
Toronto ON, M4M 1A5

MAP:

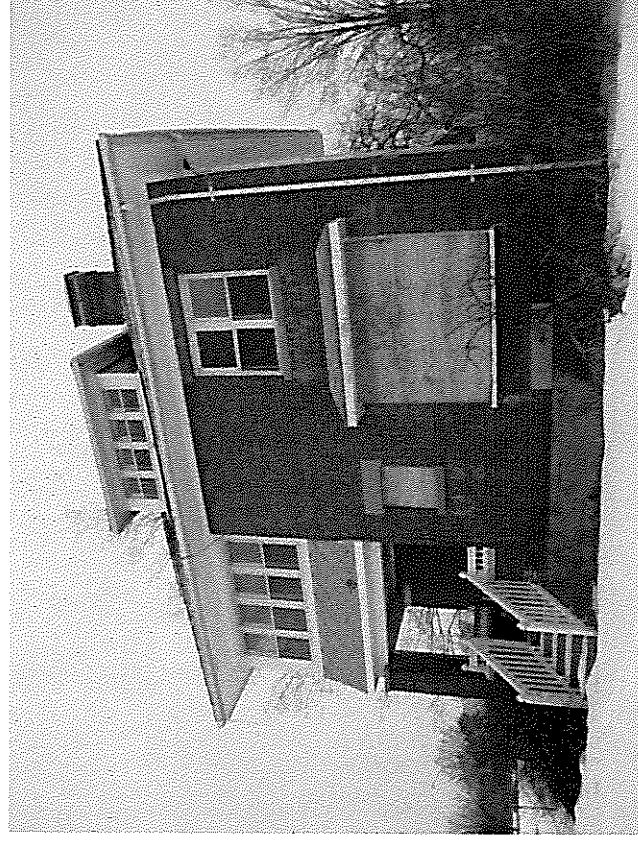


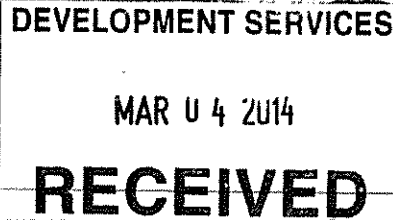
Carl Reesor James House c.1912

2003 Photograph



2014 Photograph





APPENDIX A

Donald R. Sorel
Manager
Divisional Operations

Toronto Water
Operational Support
545 Commissioners Street
Toronto, Ontario M4M 1A5

Tel: 416-392-9334
Fax: 416-392-9134
DSorel@toronto.ca
www.toronto.ca/water

March 3rd, 2014

Mr. George Duncan, Senior Heritage Planner
Planning & Urban Design Department
City of Markham
Markham Civic Centre
101 Town Centre Blvd
Markham, ON L3R 9W3

Re: City of Toronto Application for the Demolition of one two-story building at 8127 Bayview Avenue

Dear Mr. Duncan:

The City of Toronto (Toronto Water) is submitting an application for the demolition of one (1) City of Toronto owned commercial residence at 8127 Bayview Avenue.

Background and Comments

The noted building is located approximately forty-four (44) meters south of the Bayview Underground Reservoir, and is part of the properties which were zoned as Institutional in the City of Markham By-Law 151-75. An 1800mm diameter transmission watermain, also owned by Toronto Water, runs on the east side of Bayview Avenue and through the property into the underground reservoir. On the south side of the property is Thornlee Secondary School.

The Bayview Underground Reservoir is one (1) of three (3) City of Toronto owned reservoirs which provide potable water to the Region of York. It was built in 1973 with a water storage capacity of 138,790 cubic meters. Plans for the reservoir also included the future addition of a pumping station to expand the reservoir to meet the future water demand. The provisional pumping station would be located approximately seven (7) meters west of the existing two-story building which is being requested for demolition. The construction of a new pumping station would require demolition of the existing residential building. Without the demolition of the existing residential building, there is no possibility to extend the reservoir in the future which limits the City of Toronto's ability to meet the Region of York's future water demand.

The building possesses serious health and safety issues. A designated substances and hazardous material survey within the building was completed on February 3rd, 2014 by Safetech Environmental Ltd. This survey found asbestos-containing materials in the drywall joint compound, plaster wall, texture ceilings, exterior windows caulking and transite roofing. The building is also subject to pest issues. Raccoons were found in the building in October 2013, and were removed in November 2013. However, live raccoons continue to be found in the building.

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Please do not hesitate to contact me should you have any questions or concerns. City staff would be pleased to meet with you and provide additional detail if you wish.

24/1/14



Attachment 1 – Bayview Reservoir Preliminary Layout
Attachment 2 – Designated Substances and Hazardous Materials Assessment
Attachment 3 – Site Pictures

HERITAGE MARKHAM
EXTRACT

APPENDIX B

DATE: March 20, 2014
TO: File
R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM #14 OF THE THIRD HERITAGE MARKHAM
COMMITTEE MEETING HELD ON MARCH 19, 2014.

**14. BUILDING OR SIGN PERMIT APPLICATION DEMOLITION -
PROPOSED DEMOLITION OF CARL REESOR JAMES HOUSE
8127 BAYVIEW AVENUE (16.11)**

File Number: 14 109569 DP

Extracts: R. Hutcheson, Manager of Heritage Planning

The Senior Heritage Planner gave an explanation of the proposed demolition of the Carl Reesor James House, currently owned by the City of Toronto, and reviewed staff's recommendation. If necessary in the future, relocation on-site is a possibility, but removal from the site to other areas of the municipality would impact the heritage value.

Lorna Jones, a member of SPOHT, spoke of the uniqueness of this building, and suggested that it be preserved for use as a cat rescue shelter, and requested an opportunity to pursue this proposal. Roger Jones, a member of SPOHT spoke in support of the preservation of this property.

The Building Evaluation Subcommittee evaluated the building and it was given a "B" classification worthy of designation.

HERITAGE MARKHAM RECOMMENDS:

That Heritage Markham accept the findings of the research report on the Carl Reesor James House and the Building Evaluation Sub-Committee; and,

That the demolition of the building is not supported on the basis of its cultural heritage value or interest; and,

That the City of Toronto be requested to reconsider potential uses for the building and to work with the City of Markham and the North Toronto Cat Rescue group; and further,

That Heritage Markham recommend to Council that the Carl Reesor James House at 8127 Bayview Avenue be designated under Part IV of the Ontario Heritage Act.

CARRIED

STATEMENT OF SIGNIFICANCE

Carl Reesor James House

8127 Bayview Avenue

c.1912

The Carl Reesor James 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 Carl Reesor James House is located on the east side of Bayview Avenue, approximately half way between Green Lane to the south and Highway 407 to the north. The building faces south, and is well set back from Bayview Avenue. To the immediate north on the same property is the Bayview Underground Reservoir.

Design and Physical Value

The Carl Reesor James House has design and physical value as a superior example of the spacious, simply detailed farm residences built by prosperous farmers in Markham in the first quarter of the 20th century. Its architecture reflects the Edwardian Classicism that was locally popular from the 1910s through the 1920s. Houses of this type, with the overall form and many of the characteristics of Edwardian Classicism but without any obvious Classical decorative detailing, represent a transition from Edwardian Classicism to more modern forms such as the Prairie and Craftsman styles.

The house was constructed in a modified form of an American Foursquare, with its functional, compact shape ornamented with a two storey cutaway porch. The red pressed brick cladding and two and a half storey form of the house, with a broad hipped roof and hipped roofed dormers, is representative of up-to-date farm residences that were locally built in the early part of the 20th century. The building exhibits a high degree of craftsmanship and architectural integrity, with only minor changes having been made since the time of its construction c.1912.

Historical and Associative Value

The Carl Reesor James house has historical and associative value for its association with the James family of Thornhill that played a significant role in the agricultural economy of the community from the 1870s to the 1940s and the political administration of Markham Township from 1877 to 1886. Carl Reesor James (1884-1952) took over the management of Prospect Park, the James family farm, when his father, David James retired in 1908. At this time, the farm specialized in Holstein cattle. In 1912, Carl Reesor James moved to the family's other farm

property on the west half of Lot 8, Concession 2 (8127 Bayview Avenue) where the family remained until the mid 1940s, when they retired to Unionville.

The property has additional historical and associative value for having been part of Gordon C. Leitch's Leitchcroft Experimental Farm, established in 1938. This property was added to the Leitch land holdings in 1949.

Contextual Value

The Carl Reesor James house is of contextual value as a remnant of the area's agricultural past in the context of the evolved urban environment of the Thornhill community.

Significant Architectural Attributes

Character-defining attributes that embody the cultural heritage value of the Carl Reesor James House include:

- Rectangular, nearly cubic, plan shape;
- Red brick walls with cast concrete lintels over window openings;
- Raised masonry foundation;
- Medium pitched hipped roof with patterned shingles and wide, overhanging, boxed eaves and hipped roofed dormers;
- Two storey cutaway porch with brick column at the corner, brick railings with cast concrete copings, upper level sunporch with banked one over one windows and flared apron sided in patterned shingles;
- Slab style wood entrance door with three rectangular lights in the upper third, within the cutaway porch.
- One over one single hung windows with cast concrete sills;
- Box bay windows on the south and west walls;
- Decorative leaded glass windows on the south and east walls.