

# FINAL REPORT

## Heritage Impact Assessment

**11722 Mississauga Road,  
Brampton, Ontario**



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**March 2021**

**Project # LHC0206**

**LHC**

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## RIGHT OF USE

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## REPORT LIMITATIONS

The qualifications of the heritage consultants who authored this report are provided in Appendix A. All comments regarding the condition of any buildings on the Property are based on a superficial visual inspection and are not a structural engineering assessment of the buildings unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the property or the condition of any heritage attributes.

Concerning historical research, the purpose of this report is to assess impacts to the Cultural Heritage Value or Interest of the Property. This report also includes an independent evaluation of the Property for Cultural Heritage Value or Interest. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, the information collected, reviewed, and analyzed is sufficient to conduct an evaluation using *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest* and assessment of impacts to the Property. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

In addition, this assessment is subject to the following limitations and understandings:

- The review of the policy/legislation was limited to that information directly related to cultural heritage management; it is not a comprehensive planning review.
- Soundscapes, cultural identity, and sense of place analysis were not integrated into this report.

## EXECUTIVE SUMMARY

*The Executive Summary only provides key points from the report. The reader should examine the complete report including background research and limitations.*

In March 2020, LHC was retained by Davis Webb LLP on behalf of 584572 Ontario Ltd. (**the “Property Owner”**) to complete a Heritage Impact Assessment (**HIA**) for 11722 Mississauga Road (**the “Subject Property”**) in the City of Brampton (**the “City”**), Ontario. The Subject Property is currently designated under Section 29, Part IV of the *Ontario Heritage Act (OHA)*. City Council passed a Notice of Intention to Designate (**NOID**) for the Subject Property on 3 January 2013 and designated the Subject Property through City of Brampton By-law 327-2013 on 20 November 2013.

This HIA is part of the planning process for the Subject Property and is required because the property owner is proposing to demolish all structures on the Subject Property except for the two-and-a-half-storey red brick house—known as the Dolson Farmhouse (**the “Dolson House” or “Farmhouse”**) at this time. The property owner has not proposed new development for the Subject Property.

The purpose of this HIA is to describe the cultural heritage value or interest (**CHVI**) of the Subject Property, communicate the significance and heritage attributes of the cultural heritage resource(s), identify potential impacts from the proposed site alteration, consider alternatives and mitigation options, and recommend a preferred conservation strategy—as necessary. This HIA has been prepared according to the City’s *Heritage Impact Assessment Terms of Reference*.

The *OHA* designation By-law 327-2013 primarily focuses on historic associations and heritage attributes of the house, with limited description of other structures on the Subject Property.

In order to understand the CHVI of the agricultural context of the Subject Property LHC has included documentation and an independent evaluation of the entire property for CHVI against *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest (O. Reg. 9/06)*. It is LHC’s professional opinion that the Subject Property meets criteria 1i and 3ii of *O. Reg. 9/06*. Based on the research conducted and subsequent findings, LHC agrees with most of the City of Brampton’s physical heritage attributes for the house and finds that the Subject Property is historically linked to its surroundings. However, based upon this analysis LHC does not believe that the barn, silo, one-storey house, farm accessory building, garage, drive shed, and storage shed are viable heritage attributes. Nevertheless, for the purpose of this analysis this HIA is treating these features as attributes.

Building condition assessments by Arbitech Inc. and Tacoma Engineers found that the agricultural buildings are in poor physical condition. The garage and farm accessory building have collapsed, and the barn is in poor physical condition. Most of the timber bents that support the barn appear sound, but the exterior bents are compromised, the foundation, sill plate and exterior wall and roof cladding are badly deteriorated and may not be stable.

LHC understands that the setting of the Subject Property is rapidly evolving away from rural and agricultural, and the historic agricultural character of the area is already diminished. The City is—and has since 2009, been—planning urban development in the area through the Heritage Heights Secondary Plan.

LHC finds that:

- With mitigation measures to avoid accidental damage, demolition of the farm complex structures will not result in adverse impacts to the house, which is the Subject Property's main heritage attribute, nor to any of its specific elements (identified as heritage attributes in the *OHA* designation By-law 327-2013).
- The small house, garage, farm accessory building, storage shed, and drive shed all date from the latter half of the 20<sup>th</sup> century. None of these buildings are associated with the Subject Property's historical value or associative value. Removal of these structures will affect the way the "House contributes to a farm complex composed of a barn, silo, outbuildings and drive shed."<sup>1</sup>
  - Nevertheless, the garage and farm accessory building have collapsed. Therefore, removal of the remains of these structures will not have an adverse impact on the heritage attributes of the Subject Property.
- Demolition of the farm complex buildings will have an adverse impact on the:
  - "Rural character and agricultural setting"; and,
  - Way the "House contributes to a farm complex composed of a barn, silo, outbuildings, and drive shed"<sup>2</sup>

However, other considerations, such as the rapidly evolving character of the area, limited heritage integrity and poor condition of the structures, affect planning for the Subject Property.

The Dolson House should continue to be protected and should be assessed to determine the most appropriate method of conservation. Demolition and removal of the farm complex buildings should be supported. To ensure the conservation of the Dolson House and its architectural elements, identified as heritage attributes, LHC recommends:

- A Temporary Protection Plan (**TPP**) be prepared;
  - The TPP should address potential threats to the Dolson House from activity to demolish the other farm complex buildings;
  - The TPP should consider common risks including, but not limited to the location of laydown and deliveries, increased dust, security, construction vibrations, fire risk, water runoff, and debris or construction related risks.
  - The TPP must be prepared by a qualified individual with heritage experience.

To support environmental sustainability, timbers from the barn that are in sound condition and able to be recycled, should be salvaged, and recycled.

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<sup>1</sup> City of Brampton, By-law 327-2013 to designate 11722 Mississauga Road, Brampton, ON, November 20, 2013.

<sup>2</sup> By-law 327-2013.

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# 1 BACKGROUND

## 1.1 Heritage Impact Assessment Background

In March 2020, LHC was retained by Davis Webb LLP on behalf of 584572 Ontario Ltd. (**the “Property Owner”**) to complete a Heritage Impact Assessment (**HIA**) for 11722 Mississauga Road (**the “Subject Property”**) in the City of Brampton (**the “City”**), Ontario. The Subject Property is currently designated under Section 29, Part IV of the *Ontario Heritage Act* (**OHA**). City Council passed a Notice of Intention to Designate (**NOID**) for the Subject Property on 3 January 2013 and designated the Subject Property through City of Brampton By-law 327-2013 on 20 November 2013.

This HIA is part of the planning process for the Subject Property and is required because the property owner is proposing to demolish all structures on the Subject Property except for the two-and-a-half-storey red brick house—known as the Dolson Farmhouse (**the “Dolson House” or “Farmhouse”**) at this time. The property owner has not proposed new development for the Subject Property.

The purpose of this HIA is to describe the cultural heritage value or interest (**CHVI**) of the Subject Property, communicate the significance and heritage attributes of the cultural heritage resource(s), identify potential impacts from the proposed site alteration, consider alternatives and mitigation options, and recommend a preferred conservation strategy—as necessary. This HIA has been prepared according to the City’s *Heritage Impact Assessment Terms of Reference*.

The *OHA* designation By-law 327-2013 focuses on historic associations and heritage attributes of the Dolson House, with limited description of the farm complex buildings. In order to understand the CHVI of the agricultural context of the Subject Property LHC has included documentation and evaluation of the agricultural buildings for CHVI against *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest (O. Reg. 9/06)*.

## 1.2 Study Approach

This HIA follows a three-step approach to understanding and planning for cultural heritage resources.

- Understanding the significance of heritage resource (known and potential).
- Understanding the condition of the property.
- Understanding the heritage planning regulatory framework.

This is consistent with the recommended methodology outlined by the Ministry of Heritage, Sport, Tourism and Culture Industries (**MHSTCI**) within its *Ontario Heritage Tool Kit* publications.<sup>3</sup> The MHSTCI identifies three key steps: Historical Research, Site Analysis, and Evaluation.<sup>4</sup> This was augmented with a policy analysis to outline the provincial and local policy contexts.

<sup>3</sup> Ministry of Heritage, Sport, Tourism and Culture Industries, “Ontario Heritage Tool Kit,” Heritage, October 10, 2017. [http://www.mtc.gov.on.ca/en/heritage/heritage\\_toolkit.shtml](http://www.mtc.gov.on.ca/en/heritage/heritage_toolkit.shtml)

<sup>4</sup> *Heritage Property Evaluation: A Guide to Listing, Researching, and Evaluating Cultural Heritage Property in Ontario Communities*, prepared by the Ministry of Culture, (Queen’s Printer for Ontario, 2006).

### 1.2.1 City of Brampton Heritage Impact Assessment Terms of Reference

This HIA was completed in compliance with the City's *Heritage Impact Assessment Terms of Reference*.<sup>5</sup> A HIA completed for the City must include the following:

- Background (Section 1);
- Introduction to the Subject Property (Section 2);
- Evaluation of Cultural Heritage Value or Interest (Sections 4 and 5);
- Description and Examination of Proposed Development/Site Alterations (Section 5.3);
- Mitigation Options, Conservation Methods, and Proposed Alternatives (Section 7);
- Recommendations (Section 8); and,
- Executive Summary (See Executive Summary).

### 1.2.2 Legislation and Policy Review

The HIA includes a review of provincial legislation, plans and cultural heritage guidance, and relevant municipal policy and plans. This review outlines the cultural heritage legislative and policy framework that applies to the Subject Property (Section 3 of this report). The impact assessment considers the proposed project against this framework. A glossary is included in Appendix B

### 1.2.3 Historic Research

Historical research was undertaken to outline the history and development of the Property and place it in its community context. Primary historic material, including air photos and mapping, were obtained from:

- The City of Brampton;
- Peel Art Gallery, Museum, and Archives;
- University of Toronto Library; and
- McMaster University Library.

Secondary source research was based on historical atlases, local histories, architectural reference texts, available online sources, and previous assessments including:

- Reasons for Designation: 11722 Mississauga Road, prepared by the Brampton Heritage Board, (Brampton, ON, October 16, 2012).
- Notice of Intention to Designate 11722 Mississauga Road, prepared by the City of Brampton, (Brampton, ON, January 3, 2013).
- By-law 327-2013 Designation of 11722 Mississauga Road, prepared by the City of Brampton, (Brampton, ON, November 20, 2013).
- City of Brampton Heritage Heights Community (Areas 52 & 53) Secondary Plan, prepared by the City of Brampton, (Brampton, ON, 2020).
- Additional sources and persons contacted in the preparation of this report are listed as footnotes and in the report's reference list.

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<sup>5</sup> *Heritage Impact Assessment Terms of Reference*, prepared by the City of Brampton, (Brampton, ON, n.d.), [https://www.brampton.ca/EN/Arts-Culture-Tourism/Cultural-Heritage/Documents1/HIA\\_ToR.pdf](https://www.brampton.ca/EN/Arts-Culture-Tourism/Cultural-Heritage/Documents1/HIA_ToR.pdf)

### 1.2.4 Site Visit

A site visit was conducted by M.R. Létourneau on 25 March 2020 and a second site visit was conducted by M.R. Létourneau, H.D. Nabuurs from LHC and G. Zergerius of Tacoma Engineers on 10 December 2020. The purpose of these site visits was to document the current conditions of the Subject Property, its resources, and its surrounding context.

### 1.2.5 Understanding and Evaluation of CHVI

Understanding the CHVI for the Subject Property is primarily from the City's heritage designation By-law –By-law 327-2013. However, the By-law includes limited discussion of the agricultural building complex and setting. To understand the property in greater detail LHC has independently evaluated the Subject Property against the criteria of *O. Reg. 9/06* (Section 5.2 of this report). This independent evaluation and the background research completed in support of it is intended to provide additional insight into the setting and agricultural building complex on the Subject Property.

### 1.2.6 Impact Assessment

The MHSTCI's *Info Sheet #5: Heritage Impact Assessments and Conservation Plans*<sup>6</sup> the City's *Terms of Reference* outline seven potential negative impacts to be considered with any proposed development or property alteration. The impacts include, but are not limited to:

1. Destruction of any part of any significant heritage attribute or features;
2. Alteration that is not sympathetic or is incompatible, with the historic fabric and appearance;
3. Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
4. Isolation of a heritage attribute from its surrounding environment, context, or a significant relationship;
5. Direct or indirect obstruction of significant views or vistas within, from, or built and natural features;
6. A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and
7. Land disturbances such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

In addition to the above, the impact assessment included a consideration of direct and indirect adverse impacts on adjacent properties with known or potential cultural heritage value or interest.

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<sup>6</sup> "Info Sheet #5: Heritage Impact Assessments and Conservation Plans," in *Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005*, prepared by the Ministry of Culture, (Queen's Printer for Ontario, 2006), 1-4.

## 2 INTRODUCTION TO THE SUBJECT PROPERTY

### 2.1 Subject Property Location

The Subject Property is located at 11722 Mississauga Road near the north-west edge of the City (Figure 1 and Figure 2). The legal description is PT LT 17 CON 5 WHS CHINGUACOUSY DES PT 5 PL 43R-14163.

### 2.2 Subject Property Description

The Subject Property covers approximately 38 hectares (ha, 94 acres). The lot is almost square; missing part of its north-west corner. It is approximately 665 metres west to east and 600 metres north to south. It is zoned for agricultural use.

The Subject Property is characterized as rural and is largely agricultural fields. A small stand of trees is located in the south corner of the property. The topography is relatively flat with drains running along the western side and south-east corner of the property. The drains generally flow south into Huttonville Creek.

The Subject Property is accessed from Mississauga Road by a driveway that leads to a complex of eight structures (Figure 3). The structures include the Dolson House, garage, farm accessory building, barn, silo, drive shed, storage shed, and a one-storey house approximately 70 metres north of the Dolson House. The garage and farm accessory building have collapsed, and the remnants remain *in situ*.

### 2.3 Existing Heritage Designation

The Subject Property is designated under Part IV, Section 29 of the *OHA* by City of Brampton By-law 327-2013 from 20 November 2013 (Appendix C).

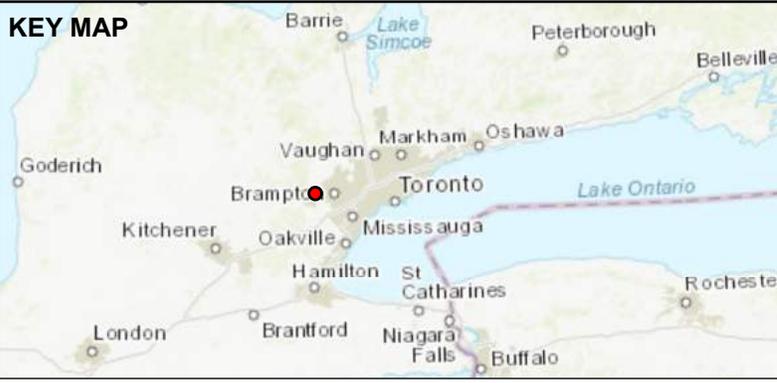
### 2.4 Previous Subject Property Assessments

A Building Condition Assessment Report was completed by Arbitech Inc. for the Subject Property on 4 March 2020 (Appendix D). This report was concerned with the conditions of the Dolson House, barn, drive shed, and storage shed. Arbitech Inc. recommended:

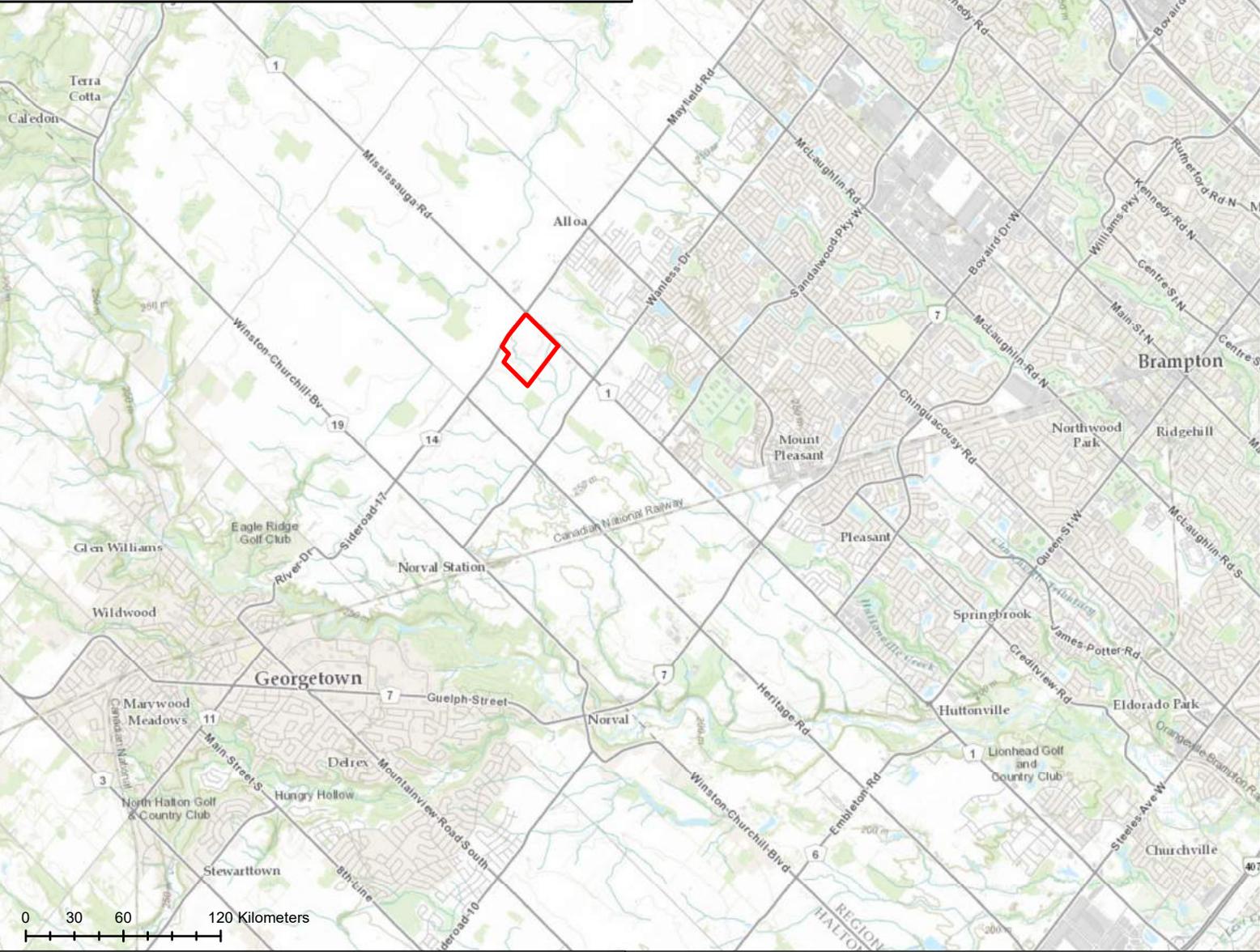
- the Dolson House be repaired and
- demolition of the other structures on the Subject Property due to their condition and irrelevance to the use of the property.

Tacoma Engineers completed a further condition assessment of the timber frame bank barn and undertook a review of the Arbitech Report in January 2021, based on a site visit on 10 December 2020 (Appendix E). This condition assessment found that the barn interior frames appear to be in fair condition, but exterior frames have deflected, exterior wall and roof cladding is compromised, foundation walls are in poor condition and the sill plate is in very poor condition. This assessment concluded that the barn is generally in poor condition and is no longer stable.

**KEY MAP**



● Subject Property      SCALE 1:3,750,000



**Legend**  
 Subject Property

**TITLE**  
 Location Plan of Subject Area

**CLIENT**  
 Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT**      PROJECT NO. LHC0206  
 Cultural Heritage Impact Assessment  
 11722 Mississauga Road, Brampton, ON

**NOTE(S)**  
 1. All locations are approximate.

**REFERENCE(S)**  
 1. Service Layer Credits: Sources: Esri, Here, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community  
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**CONSULTANT**      YYYY-MM-DD      2020-12-10



PREPARED	LHC
DESIGNED	JG
FIGURE #	<b>1</b>



**Legend**

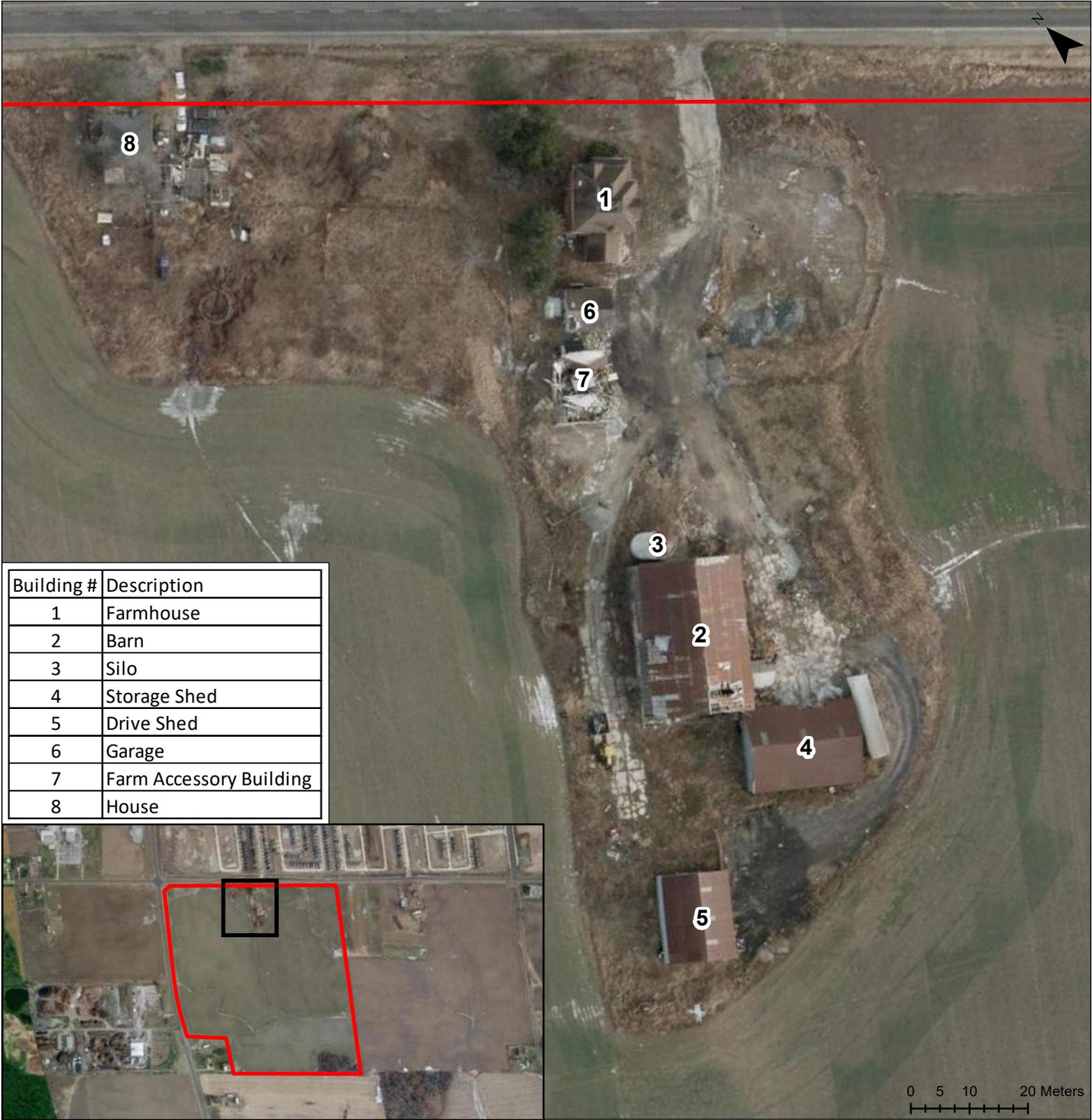
 Subject Property

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. Service Layer Credits: Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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<b>TITLE</b> Site Plan	
CLIENT Hannah Bahmanpour, Davis Webb LLP Lawyers	
PROJECT Cultural Heritage Impact Assessment 11722 Mississauga Road, Brampton, ON	PROJECT NO. LHC0206
CONSULTANT 	YYYY-MM-DD 2020-12-10
	PREPARED LHC
	DESIGNED JG
	FIGURE # 2



Building #	Description
1	Farmhouse
2	Barn
3	Silo
4	Storage Shed
5	Drive Shed
6	Garage
7	Farm Accessory Building
8	House

Legend	
	Subject Property

<b>NOTE(S)</b> 1. All locations are approximate.
<b>REFERENCE(S)</b> 1. Service Layer Credits: Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (C) Esri and its licensors. All rights reserved.

<b>TITLE</b> Description of Buildings on the Subject Property	
<b>CLIENT</b> Hannah Bahmanpour, Davis Webb LLP Lawyers	
<b>PROJECT</b> Cultural Heritage Impact Assessment 11722 Mississauga Road, Brampton, ON	<b>PROJECT NO.</b> LHC0206
<b>CONSULTANT</b>	YYYY-MM-DD 2020-12-16
	PREPARED LHC
	DESIGNED JG
	FIGURE # 3

## 2.5 Existing Conditions

The Subject Property contains eight structures (Figure 3) including the Dolson House, a collapsed garage, a farm accessory building, a barn, a silo, a drive shed, a storage shed, and a one-storey house –which is approximately 70 m northwest of the main complex. The buildings on the Subject Property appear to be in fair to poor condition based on superficial visual inspection during LHC’s site visits.

### 2.5.1 Dolson House

The 19<sup>th</sup> century house is a two-and-a-half-storey red brick structure with a single-storey rear addition at the west side (back) of the building. It is a vernacular modest Victorian house with influences from the late 19<sup>th</sup> century Queen Anne architectural style (Figure 4). The Dolson House has an “L” shape footprint with full height bays on two ends. The foundation is coursed rubble stone covered in a parge coat of concrete. The house has a truncated hip roof and each of the bays have gable ends with decorated fascia’s (Figure 5). It has projecting eaves with wood soffit and series of paired brackets under the eaves. It has a single chimney on the rear (Figure 6). The window openings on the house have a stone sill and segmental arches with a label course). The front door of the house also has a brick segmental arch. The front door is approached across a wrap around open veranda with a wood deck and paired decorative posts (Figure 7). Queen Anne influences are demonstrated through the irregular footprint and roofline, the decorated fascia and paired brackets, the wrap around veranda and its decorative woodwork.

The Dolson House is in its original location and the only alteration to the design appears to be the single storey addition on the back –the date of construction for the rear addition is unknown. The house is in front of a complex of farm buildings, all of which are surrounded by fields. However, the condition of the Dolson House is deteriorated.

The Arbitech Inc. report found that:

Restoring the Farmhouse... will require repairs and/or replacement of brick masonry and rusticated stone windowsills, roofing replacement, soffit / fascia / eavestrough repairs and localized replacement, replacement of the front porch, installation of new replica windows and doors and repair of concrete slab and steps at the addition.<sup>7</sup>

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<sup>7</sup> 2020. 4 March 2020. *Building Condition Assessment Report: 11772 Mississauga Road Brampton, Ontario*. p. 7.



Figure 4: View of the southeast side of the Dolson House



Figure 5: View of the southeast of the Dolson House



Figure 6: View north at the back of the Dolson House

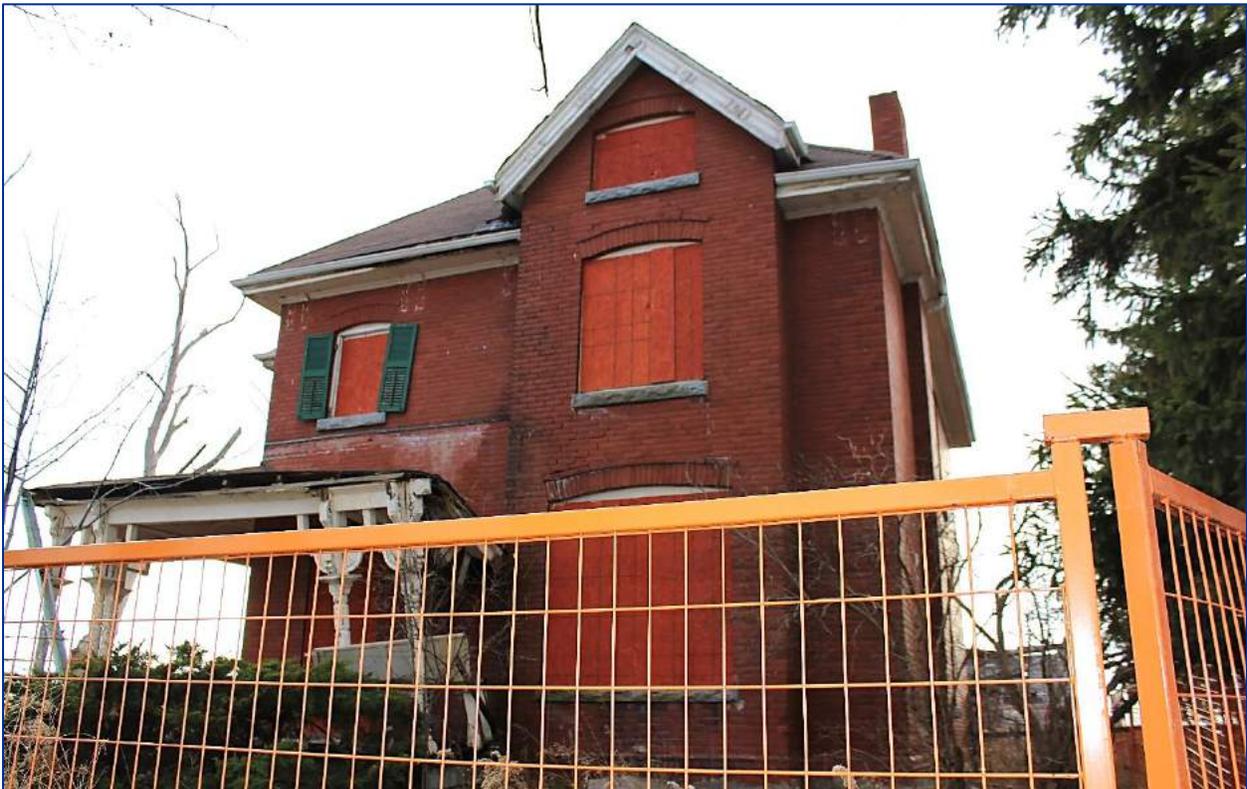


Figure 7: View of the front of the house

## 2.5.2 Barn

The barn appears to be a variation of a raised Central Ontario barn type or bank barn, with the main doors on the end (Figure 8 to Figure 18). It is a timber frame structure on a coursed rubble stone foundation (Figure 11, Figure 14, Figure 17, and Figure 18). It has a gable roof with steel sheet metal roofing material. The exterior walls are wood board and batten cladding. The foundation supports a large wood beam sill plate that supports the timber frame superstructure. The timber frame is made of seven bents that support purlins at the roof (Figure 12). The frame is joined with mortise and tenon joints. The main door is in the northeast end and a long central threshing floor spans the length of the barn. Timber beams and rafters appear to be hewn and diagonal braces appear to be sawn (Figure 13).

The Arbitech Inc. report found that:

...the Barn is not safe for occupancy and not fit to be used for its intended purpose. A portion of the roof has collapsed, and further collapse of other sections can be expected. Further blowoffs of the roof and wall cladding are imminent. Further lateral movement of the superstructure can be expected with continued exposure to high wind events which will lead to structural instability, failed connections and, ultimately, structural collapse...In our opinion, restoring the Barn to comply with the Order would require extensive reinforcing of the structure such that the structural frame would not resemble the existing framing arrangement.<sup>8</sup>



Figure 8: Barn and silo northeast elevation

<sup>8</sup> 2020. 4 March 2020. *Building Condition Assessment Report: 11772 Mississauga Road Brampton, Ontario*. p. 7.



Figure 9: Barn and silo east corner



Figure 10: Barn and silo southeast elevation



Figure 11: Barn southeast elevation foundation



Figure 12: Barn south corner and view of several interior beams



Figure 13: Barn southwest elevation



Figure 14: Barn southwest elevation foundation



Figure 15: Barn south corner



Figure 16: Barn northwest and southwest elevations



Figure 17: Barn north corner elevation



Figure 18: Barn north corner foundation

### 2.5.3 Silo

A cast-in-place slip-form concrete tower silo with steel roof is next to the eastern end of the barn (Figure 19).



Figure 19: Silo detail

### 2.5.4 Storage Shed

The storage shed (*circa* 1973) is a single storey rectangular frame structure with corrugated sheet metal siding and roofing (Figure 20 to Figure 24). The eastern wall of the shed includes openings for doors (Figure 21). It touches the south west corner of the barn (Figure 22). It is part of the setting of the farm complex.



Figure 20: Storage shed east elevation



Figure 21: Storage shed southeast corner



Figure 22: Storage shed north elevation



Figure 23: Storage shed southwest elevation



Figure 24: Storage shed interior

### 2.5.5 Drive Shed

The drive shed (*circa* 1974) is a single storey rectangular frame structure with sheet metal siding and roofing (Figure 25 to Figure 28). It has an opening for a large equipment door in the centre of the southern side (Figure 25). It contributes to the setting of the farm complex.

The Arbitech Inc. report found that:

...the Drive Shed...has physical attributes that are very similar to those of the Storage Shed described in Schedule A(iii) and the two dilapidated accessory structures. The Order specifies that the Storage Shed be demolished. The two dilapidated accessory structures have collapsed and are to be removed from the site. Considering the condition of these three structures and their similarity to the Drive Shed, it is our opinion that the Drive Shed also ought to be demolished as it is no longer functional and will continue to deteriorate.<sup>9</sup>

<sup>9</sup> 2020. 4 March 2020. *Building Condition Assessment Report: 11772 Mississauga Road Brampton, Ontario*. p. 33.



Figure 25: Drive shed south elevation



Figure 26: Drive shed southeast corner



Figure 27: Drive shed east elevation



Figure 28: Drive shed interior

### 2.5.6 Garage

The garage (circa 1967) was a single storey frame structure with wood siding and a metal roof (Figure 29 and Figure 30). The ruins remain on the Subject Property.



Figure 29: Garage south elevation



Figure 30: Garage southwest corner

### 2.5.7 Farm Accessory Building

The Subject Property had a farm accessory building (*circa* 1954), possibly a drive shed, immediately west of the garage. The building was a single storey frame structure with wood siding and a metal roof (Figure 31 and Figure 32). The remnants remain on the Subject Property.



Figure 31: Farm accessory building southeast corner



Figure 32: Farm accessory building southwest corner

### 2.5.8 One-Storey House

A one-storey frame house (the *small house, circa 1954*) is located approximately 70 metres north of the Dolson Farmhouse (Figure 33). The small house sits on a concrete foundation. It is clad in asphalt siding that looks like brick. The one-storey house features a hip roof with a central gable over the front entrance and a chimney in the centre.



Figure 33: View west at the one-storey house

### 2.5.9 Landscape

The Subject Property is largely open agricultural fields. Approximately 36.75-ha of the 38-ha property is field. The farm buildings and house area are on the eastern side of the property along Mississauga Road (Figure 35 to Figure 39). Mature coniferous and deciduous trees are present around the Dolson House. Damaged and fallen limbs were observed by LHC on the 10 December 2020 site visit (Figure 40 to Figure 43). Deciduous trees are also found in the south corner of the property, in a line in the middle of the property, and in a small stand north of the one-storey house. A small drain flows north to south across the western half of the property and another small drain flows across the east corner of the property.



Figure 34: Tall grass located south of the farm building complex



Figure 35: View southwest across the Subject Property



Figure 36: View west across the Subject Property



Figure 37: View north across the Subject Property



Figure 38: View east across the Subject Property



Figure 39: View northeast across the Subject Property with detail of fence



Figure 40: Tree south of the Dolson House



Figure 41: Tree south of the Dolson House



Figure 42: Tree east of the Dolson House



Figure 43: Tree east of the Dolson House

## 2.6 Adjacent Heritage Properties

The City's Municipal Register of Cultural Heritage Resources Designated under the Ontario Heritage Act, Municipal Register of Cultural Heritage Resources, and Brampton Planning Viewer were reviewed for adjacent heritage properties. The City *Official Plan* does not include a definition of adjacency so the definitions from the PPS and the Region of Peel Official Plan (see Appendix B) were used to inform this search. The Subject Property is adjacent to 11248 Mississauga Road (Figure 44 and Figure 45) which is *listed* on the *Municipal Register of Cultural Heritage Resources 'Listed' Heritage Properties*.



Figure 44: View south toward 11248 Mississauga Road from the Dolson House



**Legend**

- Subject Property
- Adjacent Heritage Property Listed Under the *Ontario Heritage Act*
- HeritageHeightsBoundary

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. Service Layer Credits: Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
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<b>TITLE</b> Heritage Property Adjacent to Subject Property	
<b>CLIENT</b> Hannah Bahmanpour, Davis Webb LLP Lawyers	
<b>PROJECT</b> Cultural Heritage Impact Assessment 11722 Mississauga Road, Brampton, ON	<b>PROJECT NO.</b> LHC0206
<b>CONSULTANT</b>	YYYY-MM-DD 2020-12-14
	PREPARED LHC
	DESIGNED JG
	<b>FIGURE #</b> 45

## 2.7 Surrounding Context

The boundary of the City of Brampton and the Region of Peel runs along the Subject Property's northern edge and approximately 2 kilometres to the west. The Subject Property is near the intersection of Mississauga Road and Mayfield Road. Mississauga Road, also known as Peel Regional Road 1, is a two-lane main arterial road running north to south.

The Subject Property is in a transitional area between agricultural lands to the north and west and commercial and residential lands to the south and east (Figure 46 to Figure 50). It is bordered to the north, west, and south by agricultural land with low rise residential, commercial, and institutional land use to the west.



Figure 46: View southeast from the Dolson House



Figure 47: View east from the driveway



Figure 48: View northeast from the driveway



Figure 49: View southeast from the driveway



Figure 50: View north from barn

## 3 POLICY AND LEGISLATIVE CONTEXT

### 3.1 Provincial Context

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Cultural heritage is established as a key provincial interest directly through the provisions of the *Planning Act*, the *Ontario Heritage Act (OHA)*, and the *Provincial Policy Statement (PPS)*. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established. What follows is an analysis of the applicable legislation and policy regarding the identification and evaluation of cultural heritage. A glossary of cultural heritage terms from legislation is included in Appendix B.

#### 3.1.1 *Planning Act, R.S.O. 1990*

*The Planning Act* is the primary document for municipal and provincial land use planning in Ontario. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

The Minister, the council of a municipality, a local board, a planning board, and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest.<sup>10</sup>

Details about provincial interest as it relates to land use planning and development in the province are outlined in the *PPS* which is used under the authority of Part 1 (3).

#### 3.1.2 *Ontario Heritage Act, R.S.O. 1990, c. O.18*

The *OHA* and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning process, set minimum standards for the evaluation of heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest. Individual heritage properties are designated by municipalities under Part IV, Section 29 and heritage conservation districts are designated by municipalities under Part V, Section 29 of the *OHA*. An *OHA* designation applies to real property rather than individual structures.

*O. Reg. 9/06* identifies the criteria for determining cultural heritage value or interest under Section 29 of the *OHA* and is used to create a Statement of Cultural Heritage Value or Interest. These criteria are used in determining if an individual property has cultural heritage value or interest.

Assessment of a property involves research, site assessment, and evaluation. Results from site visits and historical research are evaluated against the criteria of *O. Reg. 9/06*. Only one of the criteria must be met for a property to have cultural heritage value or interest. In many cases, multiple criteria are met.

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<sup>10</sup> *Planning Act*, R.S.O. 1990, c. P.13, Part I (2, d), <https://www.ontario.ca/laws/statute/90p13>

### 3.1.3 Provincial Policy Statement (2020)

The *PPS* is issued under the authority of Section 3 of *The Planning Act* and provides further direction for municipalities regarding provincial requirements. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The *PPS* makes the consideration of cultural heritage equal to all other considerations in relation to planning and development within the province. The *PPS* addresses cultural heritage in Sections 1.7.1d and 2.6.

Section 1.7 of the *PPS* on long-term economic prosperity encourages cultural heritage as a tool for economic prosperity by “encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*” (Section 1.7.1d).

Section 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. Subsection’s state:

- 2.6.1 *Significant built heritage resources* and *significant cultural heritage landscapes* shall be conserved.
- 2.6.2 *Development* and *site alteration* shall not be permitted on lands containing archaeological resources or areas of *archaeological potential* unless *significant archaeological resources* have been conserved.
- 2.6.3 Planning authorities shall not permit development and *site alteration* on *adjacent lands* to *protected heritage property* except where the proposed *development* and *site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be conserved.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage and archaeological resources.<sup>11</sup>

### 3.1.4 Growth Plan for the Greater Golden Horseshoe (2020)

The City of Brampton is located within the area regulated by *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan)* which came into effect on 16 May 2019. In Section 1.2.1 (Guiding Principles), the *Growth Plan* states that the policies of the Plan are based on key principles. This includes the following:

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<sup>11</sup> *Provincial Policy Statement, 2020: Under the Planning Act*, prepared by the Province of Ontario, 2020. <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>, 29.

Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.<sup>12</sup>

Within Section 4.1 Context, the *Growth Plan* notes that the area it covers “contains a broad array of important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources” (38). It notes that this also contains important cultural heritage resources. As this Section states:

The GGH also contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through development and site alteration. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.<sup>13</sup>

Section 4.2.7 (Cultural Heritage Resources) states:

1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources; and,
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.<sup>14</sup>

Amendment 1 to the *Growth Plan* came into effect August 28, 2020. This amendment updates the definitions in the *Growth Plan* to be consistent with the *PPS*.

### 3.1.5 The Greenbelt Plan (2017)

The *Greenbelt Plan* was introduced in 2005 and most recently updated in May 2017. It is the cornerstone of the *Growth Plan* and controls growth in areas with agricultural, ecological, and hydrological features. The vision for the *Greenbelt Plan* is to:

- Protect against the loss and fragmentation of the agricultural land base and support agriculture as the predominant land use;
- Give permanent protection to the natural heritage and water resource systems that sustain ecological and human health and that form the environmental framework around which major urbanization in south-central Ontario will be organized;

<sup>12</sup> A Place to Grow: Growth Plan for the Greater Golden Horseshoe, prepared by the Province of Ontario, 2020, <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>, 6.

<sup>13</sup> Province of Ontario, *Growth Plan*, 39.

<sup>14</sup> Province of Ontario, *Growth Plan*, 47.

- Provide for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation, and resource uses; and
- Build resilience to and mitigate climate change.<sup>15</sup>

## 3.2 Local Planning Context

### 3.2.1 Region of Peel Official Plan (1996, consolidated 2018)

The *Region of Peel Official Plan (ROP)* was adopted by Regional Council on 11 July 1996 through By-law 54-96 and was approved by the Ministry of Municipal Affairs and Housing on 22 October 1996. The *ROP* has been undergoing review since 23 May 2013 as required under the *Planning Act* with the new *ROP* planning for 2041. The most recent consolidation was in December 2018.

The *ROP*'s purpose is to guide land use planning policies and “provide a holistic approach to planning through an overarching sustainable development framework that integrates environmental, social, economic and cultural imperatives”.<sup>16</sup> The *ROP* recognizes the importance of cultural heritage for the region to develop healthy and sustainable communities.

Section 3.6 of the *ROP* outlines cultural heritage policies and states that:

The Region supports identification, preservation and interpretation of the cultural heritage features, structures, archaeological resources, and cultural heritage landscapes in Peel (including properties owned by the Region), according to the criteria and guidelines established by the Province.<sup>17</sup>

Section 3.6.1 states that the objectives of the Region's cultural heritage policies are as follows:

3.6.1.1 To identify, preserve and promote cultural heritage resources, including the material, cultural, archaeological, and built heritage of the region, for present and future generations.

3.6.1.2 To promote awareness and appreciation and encourage public and private stewardship of Peel's heritage.

3.6.1.3 To encourage cooperation among the area municipalities, when a matter having inter-municipal cultural heritage significance is involved.

3.6.1.4 To support the heritage policies and programs of the area municipalities. Implementation policies related to cultural heritage are contained in Section 7.6 of this Plan.

Section 3.6.2 lists the Region's cultural heritage policies, those most relevant to the Subject Property are as follows:

<sup>15</sup> *The Greenbelt Plan*, prepared by the Province of Ontario, 2017, <https://files.ontario.ca/greenbelt-plan-2017-en.pdf>, 4-5.

<sup>16</sup> Province of Ontario, *Greenbelt Plan*, s.1.1.

<sup>17</sup> *Region of Peel Official Plan*, prepared by the Region of Peel, (Peel, ON, 1996, office consolidation December 2018), [https://www.peelregion.ca/planning/officialplan/pdfs/ropdec18/ROPConsolidationDec2018\\_TextSchedules\\_Final\\_TEXt.pdf](https://www.peelregion.ca/planning/officialplan/pdfs/ropdec18/ROPConsolidationDec2018_TextSchedules_Final_TEXt.pdf), s. 3.6.

3.6.2.1 Direct the area municipalities to include in their official plans policies for the definition, identification, conservation, and protection of cultural heritage resources in Peel, in cooperation with the Region, the conservation authorities, other agencies and aboriginal groups, and to provide direction for their conservation and preservation, as required.

3.6.2.2 Support the designation of Heritage Conservation Districts in area municipal official plans.

3.6.2.3 Ensure that there is adequate assessment, preservation, interpretation and/or rescue excavation of cultural heritage resources in Peel, as prescribed by the Ministry of Tourism, Culture and Sport's archaeological assessment and mitigation guidelines, in cooperation with the area municipalities.

3.6.2.6 Encourage and support the area municipalities in preparing, as part of any area municipal official plan, an inventory of cultural heritage resources and provision of guidelines for identification, evaluation, and impact mitigation activities.

The *ROP* also highlights the importance of the Region's cultural agricultural resources in Section 3.2 including the policy to:

3.2.2.14 Encourage greater diversity of permitted uses, including value-added industries (e.g., wineries, cideries, agricultural research institutes, feed mills and fertilizer depots) to aid the farm industry, and to maintain the cultural heritage and way of life of the farming community. Within prime agricultural areas all permitted uses must either be agriculture related uses or secondary uses that are in accordance with Policy 3.2.2.8 of this Official Plan.

### **3.2.2 City of Brampton Official Plan (2006, consolidated 2020)**

The *City of Brampton Official Plan (OP)* was adopted on 11 October 2006, partially approved by the Region of Peel on 24 January 2008 and partially approved by the Ontario Municipal Board on 7 October 2008. The City has been developing a new *OP* since 2019 which will plan for 2040. The most recent consolidation dates to September 2020.

The *OP's* purpose is to guide land use planning decisions until 2031 with clear guidelines for how land use should be directed, and which ensures that "cultural heritage will be preserved and forms part of the functional components of the daily life".<sup>18</sup> Regarding cultural heritage the *OP* says:

Brampton's rich cultural heritage also provides a foundation for planning the future of the City as our heritage resources and assets contribute to the identity, character, vitality, economic prosperity, quality of life and sustainability of the community as a whole. Cultural heritage is more than just buildings and monuments, and includes a diversity of tangible and intangible resources, including structures, sites, natural environments, artifacts, and traditions that

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<sup>18</sup> City of Brampton Official Plan, prepared by the City of Brampton, (Brampton, ON, 2006, office consolidation September 2020), [https://www.brampton.ca/EN/City-Hall/Official-Plan/Documents/Sept2020\\_Consolidated\\_OP\\_2006.pdf](https://www.brampton.ca/EN/City-Hall/Official-Plan/Documents/Sept2020_Consolidated_OP_2006.pdf), 1.

have historical, architectural, archaeological, cultural, and contextual values, significance, or interest.<sup>19</sup>

In Section 4.10 (Cultural Heritage) of the *OP* identifies the conservation of heritage resources as providing a “vital link with the past and a foundation for planning the future...” and highlights the importance of cultural heritage landscapes, intangible heritage, and maintaining of context.<sup>20</sup>

Section 4.10 states the objectives of its cultural heritage policies are to:

- a) Conserve the cultural heritage resources of the City for the enjoyment of existing and future generations;
- b) Preserve, restore, and rehabilitate structures, buildings or sites deemed to have significant historic, archaeological, architectural, or cultural significance and preserve cultural heritage landscapes, including significant public views; and,
- c) To promote greater awareness of Brampton’s heritage resources and involve the public in heritage resource decisions affecting the municipality.

Cultural heritage policies relevant to the Subject Property include the following:

4.10.1.8 Heritage resources will be protected and conserved in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards. Protection, maintenance, and stabilization of existing cultural heritage attributes and features over removal or replacement will be adopted as the core principles for all conservation projects.

4.10.1.9 Alteration, removal, or demolition of heritage attributes on designated heritage properties will be avoided. Any proposal involving such works will require a heritage permit application to be submitted for the approval of the City.

4.10.1.12 All options for on-site retention of properties of cultural heritage significance shall be exhausted before resorting to relocation. The following alternatives shall be given due consideration in order of priority:

- (i) On-site retention in the original use and integration with the surrounding or new development;
- (ii) On site retention in an adaptive re-use;
- (iii) Relocation to another site within the same development; and,
- (iv) Relocation to a sympathetic site within the City.

4.10.1.13 In the event that relocation, dismantling, salvage or demolition is inevitable, thorough documentation and other mitigation measures shall be

<sup>19</sup> City of Brampton, *Official Plan*, 2-4.

<sup>20</sup> City of Brampton, *Official Plan*, 4.9 -1.

undertaken for the heritage resource. The documentation shall be made available to the City for archival purposes.

4.10.1.15 Minimum standards for the maintenance of the heritage attributes of designated heritage properties shall be established and enforced.

4.10.1.17 The City shall modify its property standards and by-laws as appropriate to meet the needs of preserving heritage structures.

4.10.1.18 The City's "Guidelines for Securing Vacant and Derelict Heritage Buildings" shall be complied with to ensure proper protection of these buildings, and the stability and integrity of their heritage attributes and character defining elements.

The *OP* includes cultural heritage policies related to the preparation of a HIA. These include the following:

4.10.1.10 A Heritage Impact Assessment, prepared by qualified heritage conservation professional, shall be required for any proposed alteration, construction, or development involving or adjacent to a designated heritage resource to demonstrate that the heritage property and its heritage attributes are not adversely affected. Mitigation measures and/or alternative development approaches shall be required as part of the approval conditions to ameliorate any potential adverse impacts that may be caused to the designated heritage resources and their heritage attributes. Due consideration will be given to the following factors in reviewing such applications:

- (i) The cultural heritage values of the property and the specific heritage attributes that contribute to this value as described in the register;
- (ii) The current condition and use of the building or structure and its potential for future adaptive re-use;
- (iii) The property owner's economic circumstances and ways in which financial impacts of the decision could be mitigated;
- (iv) Demonstrations of the community's interest and investment (e.g., past grants);
- (v) Assessment of the impact of loss of the building or structure on the property's cultural heritage value, as well as on the character of the area and environment; and,
- (vi) Planning and other land use considerations.

4.10.1.11 A Heritage Impact Assessment may also be required for any proposed alteration work or development activities involving or adjacent to heritage resources to ensure that there will be no adverse impacts caused to the resources and their heritage attributes. Mitigation measures shall be imposed as a condition of approval of such applications.

### 3.2.3 Heritage Heights Community Secondary Plan (Area 52 and 53)

The Subject Property is located within Secondary Plan area 53 (Mount Pleasant West). Secondary Plan area 53 along with Secondary Plan area 52 (Huttonville North) are collectively referred to as the “Heritage Heights Community” (Figure 51). Heritage Heights is Brampton’s last undeveloped area and was proposed as a new town centre in Brampton’s 2040 Vision. This area will integrate with the Provincial government’s GTA West Corridor project (Figure 52).<sup>21</sup>

Planning the *Heritage Heights Secondary Plan* started in 2009.<sup>22</sup> A first version of a proposed land use plan was presented to Municipal Council in 2014. Public consultation took place from 2015 through 2017. In 2018 the Province stopped an environmental assessment for the proposed GTA West highway which was to go through the secondary plan area and that a new narrower road corridor would be planned. In 2019 planning for the Heritage Heights Secondary Plan was restarted. In 2020 a new conceptual land use plan was endorsed by the City’s Planning and Development Committee.<sup>23</sup>

According to the 2014 Land Use Plan, the Subject Property was intended to become Business Employment, Institutional, Commercial or Mixed-Use land. In support of the change in land use Brampton’s *Transportation Master Plan* includes plans to expand Mississauga Road from Sandalwood Parkway to Mayfield Road from a two-lane to six-lane road.<sup>24</sup>

The Secondary Plan is in development. The 2020 conceptual land use plan is guided by the following principles:

1. Create walkable communities for people to gather, recreate, work, and live.
2. Development should be compact and diverse to achieve walkable and affordable active neighbourhoods.
3. Implement sustainable and resilient plans, technologies, and design approaches.
4. Include arts and cultural uses that will leverage Brampton’s diversity and attract investment.
5. Conserve the natural and cultural heritage of the area, creating a destination for local and regional visitors.
6. Foster a competitive environment for employment and economic development.
7. Plan for wellbeing - physical, mental, social - through the design of people-centric spaces that are safe and age-friendly.
8. Integrate and connect green and open spaces into the design of neighbourhoods while being sensitive to existing ecological systems.<sup>25</sup>

A visioning report is complete and other studies in support of the secondary plan are in progress. The conceptual land use plan from July 27, 2020 generally includes medium density residential land use along Mississauga Road with some light industrial commercial land, some commercial

<sup>21</sup> City of Brampton, “Heritage Heights,” Planning and Development, 2020, <https://www.brampton.ca/EN/Business/planning-development/projects-studies/Heritage-Heights/Pages/Welcome.aspx>

<sup>22</sup> City of Brampton, “Heritage Heights, Background”, <https://www.brampton.ca/EN/Business/planning-development/projects-studies/Heritage-Heights/Pages/Background.aspx>

<sup>23</sup> City of Brampton. 2020. Heritage Heights Community (Areas 52 & 53) Secondary Plan.

<sup>24</sup> City of Brampton. 2015. City of Brampton Transportation Master Plan Update.

<sup>25</sup> City of Brampton, “Heritage Heights,” 2020.

mixed-use land, and some high-density residential land. The Subject Property is located near the northeast corner of the secondary plan area on land envisioned for light industrial commercial use or medium density residential use.<sup>26</sup>

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<sup>26</sup> City of Brampton, "Heritage Heights Conceptual Land Use Plan. Planning & Development Committee. July 27, 2020. p. 6.1.123.



**Legend**

-  Heritage Heights Boundary
-  Subject Property

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. Service Layer Credits: Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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**TITLE**  
Boundary of City of Brampton Heritage Heights Community

**CLIENT**  
Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT** PROJECT NO. LHC0206  
Cultural Heritage Impact Assessment  
11722 Mississauga Road, Brampton, ON

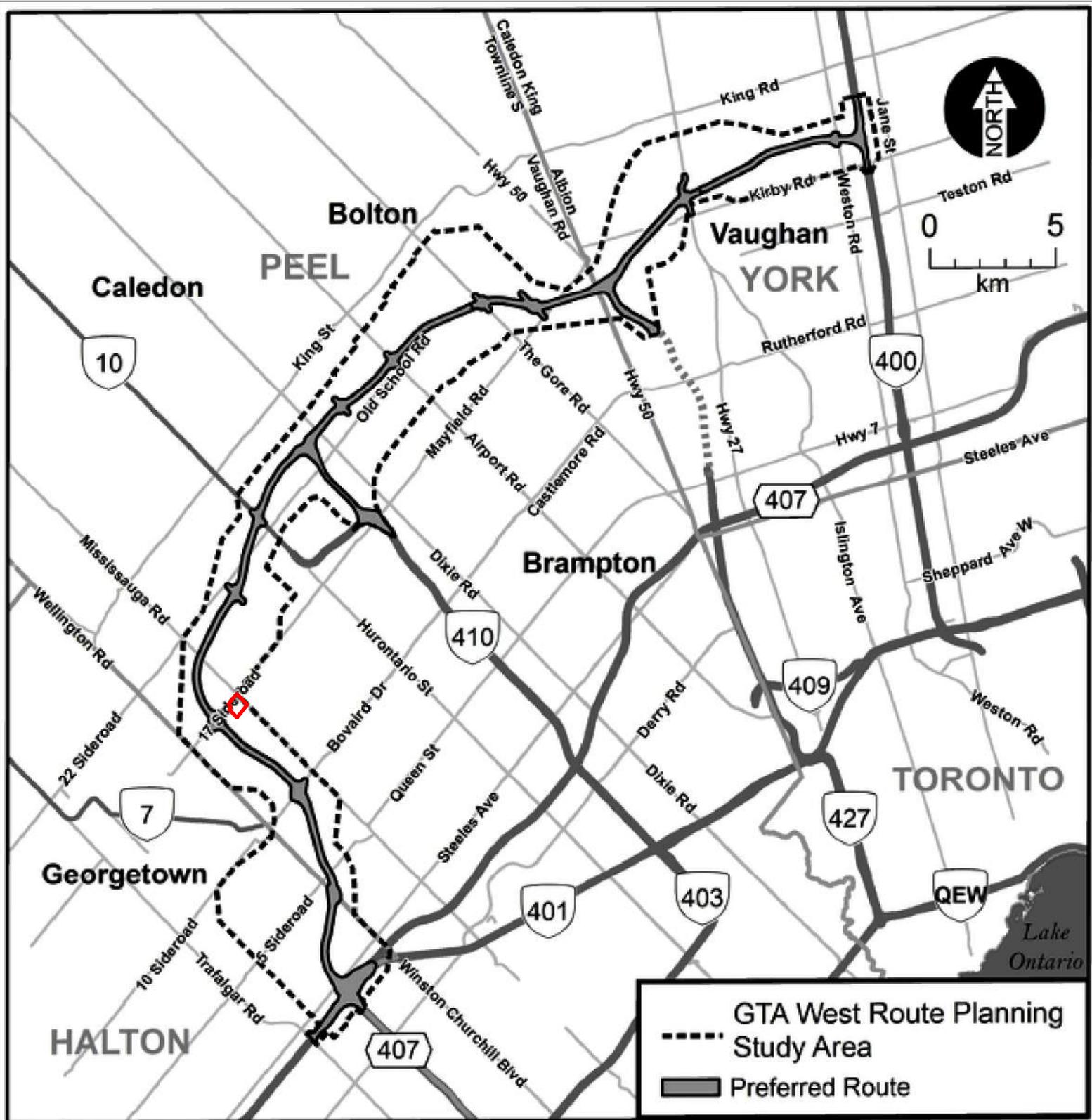
**CONSULTANT** YYYY-MM-DD 2020-12-10



PREPARED LHC

DESIGNED JG

FIGURE # 51



**Legend**

Subject Property

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. GTA WEST. *Ontario Making Travel Easier Across York, Peel and Halton Regions - Map Showing GTA West Route Planning Study Area*. Retrieved 12-14-2020 at <https://www.gta-west.com/>. Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (C) Esri and its licensors. All rights reserved.

**TITLE**  
Subject Property on Map Showing GTA West Route Planning Study Area

**CLIENT**  
Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT**  
Cultural Heritage Impact Assessment  
11722 Mississauga Road, Brampton, ON

PROJECT NO. LHC0206

**CONSULTANT**



YYYY-MM-DD

2020-12-10

PREPARED

LHC

DESIGNED

JG

FIGURE #

52

## 4 HISTORIC CONTEXT

### 4.1 Natural History

The underlying bedrock in the Brampton area is made up of shale, limestone, dolostone, and siltstone of the Queenston Formation.<sup>27</sup> The physiography of the Subject Property is till plains.<sup>28</sup> The Subject Property is in the Huttonville Creek Tributary subwatershed of the larger Credit River watershed.<sup>29</sup> It is in the Lake Simcoe-Rideau Ecoregion, an area with a mild, moist climate and in the Great Lakes-St. Lawrence forest region.<sup>30</sup>

### 4.2 Early Indigenous History

#### 4.2.1 Paleo Period (9500-8000 BCE)

The cultural history of southern Ontario began around 11,000 years ago following the retreat of the Wisconsin glacier.<sup>31</sup> During this archaeological period, known as the Paleo period (9500-8000 BCE), the climate was similar to the present-day sub-arctic and vegetation was dominated by spruce and pine forests.<sup>32</sup> The initial occupants of the province had distinctive stone tools. They were nomadic big-game hunters (i.e., caribou, mastodon, and mammoth) who lived in small groups and travelled over vast areas, possibly migrating hundreds of kilometres in a single year.<sup>33</sup>

#### 4.2.2 Archaic Period (8000-1000 BCE)

During the Archaic archaeological period (8000-1000 BCE) the occupants of southern Ontario continued their migratory lifestyles. They lived in larger groups than those of the Paleo Period and travelled in smaller territories of land –possibly remaining within specific watersheds. The stone tool assemblage was refined during this period and grew to include polished or ground stone tool technologies. Evidence of long-distance trade including copper from Lake Superior, and marine shells from the Gulf of Mexico has been found at Middle and Late Archaic archaeological sites.<sup>34</sup>

#### 4.2.3 Woodland Period (1000 BCE – CE 1650)

The Woodland period in southern Ontario (1000 BCE – CE 1650) represents a marked change in subsistence patterns, burial customs, and tool technologies, as well as the introduction of pottery. The Woodland period is sub-divided into the Early Woodland (1000–400 BCE), Middle Woodland (400 BCE – CE 500) and Late Woodland (CE 500 - 1650).<sup>35</sup> The Early Woodland is defined by the introduction of clay pots which allowed for more efficient food preservation, storage, and

<sup>27</sup> Ministry of Energy, Northern Development and Mines, OGS Earth “Bedrock Geology”.

<sup>28</sup> Ministry of Energy, Northern Development and Mines, OGS Earth, “Physiography”.

<sup>29</sup> Credit Valley Conservation. Watershed Maps. “7, 8a, 8b – Huttonville Creek, Springbrook and Churchville Tributary Subwatersheds”. Pdf.

<sup>30</sup> William Crins, Paul Gray, Peter Uhlig and Monique Wester, “The Ecosystems of Ontario. Part 1: Ecozones and Ecoregions”. Ministry of Natural Resources. 2009. p. 47-49. and Ministry of Natural Resources, “Forest Regions”, 2019, <https://www.ontario.ca/page/forest-regions>

<sup>31</sup> Christopher Ellis and D. Brian Deller, “Paleo-Indians,” in *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris (London, ON: Ontario Archaeological Society, London Chapter, 1990), 37.

<sup>32</sup> “Chapter 3: First Nations.” in *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks*, prepared by the Toronto Region Conservation Authority (Toronto, ON, 2001).

<http://www.trca.on.ca/dotAsset/37523.pdf>

<sup>33</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” 2001.

<sup>34</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” 2001.

<sup>35</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” 2001.

easier cooking.<sup>36</sup> During the Early and Middle Woodland, communities grew and were organized at a band level. Subsistence patterns continued to be focused on foraging and hunting.

Woodland populations transitioned from a hunting and foraging subsistence strategy to horticulture and agriculture over time. Agricultural village-based communities developed during the Late Woodland. It was during this period that maize cultivation was introduced into southern Ontario. The Late Woodland period is sub-divided into three distinct stages: Early Iroquoian (CE 1000–1300); Middle Iroquoian (CE 1300–1400); and Late Iroquoian (CE 1400–1650).<sup>37</sup> The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants, such as corn, squash, and beans, and a development of palisaded village sites which included more and larger longhouses. By the 1500s, Iroquoian communities in southern Ontario – and more widely across northeastern North America – were politically organized into tribal confederacies. South of Lake Ontario, the Haudenosaunee Confederacy comprised the Mohawks, Oneidas, Onondagas, Cayugas, and Senecas, while Iroquoian communities in southern Ontario were generally organized into the Petun, Huron, and Neutral Confederacies.<sup>38</sup>

### 4.3 Seventeenth- and Eighteenth-Century Historic Context

French explorers and missionaries began arriving in southern Ontario during the first half of the 17th century. Early European contact with Indigenous peoples in the area coincided with ongoing movement of various peoples, and other social and political changes amongst various peoples who lived in the area such as the movement of the Haudenosaunee Confederacy from south of Lake Ontario. Between 1649 and 1655. The Haudenosaunee Confederacy waged war on the Huron, Petun, and Attawandaron, pushing them out of their villages and the general area.<sup>39</sup> European contact also introduced disease to which the Indigenous peoples had no immunity, which contributed to the collapse of the three southern Ontario Iroquoian confederacies.

As the Haudenosaunee Confederacy moved across a large hunting territory in southern Ontario, they began to threaten communities further from Lake Ontario, specifically the Ojibway (Anishinaabe). The Anishinaabe had occasionally engaged in conflict with the Haudenosaunee Confederacy over territories rich in resources and furs, as well as access to fur trade routes; but in the early 1690s, the Ojibway, Odawa and Potawatomi, allied as the Three Fires, initiated a series of offensive attacks on the Haudenosaunee Confederacy, eventually forcing them back to the south of Lake Ontario.<sup>40</sup> Oral tradition indicates that the Mississauga played an important role in the Anishinaabe attacks against the Haudenosaunee.<sup>41</sup> A large group of Mississauga established themselves in the area between present-day Toronto and Lake Erie around 1695, the descendants of whom are the Mississaugas of the New Credit.<sup>42</sup>

<sup>36</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” 2001.

<sup>37</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” 2001.

<sup>38</sup> Toronto Region Conservation Authority, “Chapter 3: First Nations,” 2001; Haudenosaunee Confederacy, “Who Are We,” Haudenosaunee Confederacy, 2020, <https://www.haudenosauneeconfederacy.com/who-we-are/>

<sup>39</sup> Mississaugas of the Credit First Nation, “The History of the Mississaugas of the New Credit First Nation,” Mississaugas of the New Credit First Nation, 2018, <http://mncfn.ca/wp-content/uploads/2018/04/The-History-of-MNCFN-FINAL.pdf>

<sup>40</sup> Mississaugas of the Credit First Nation, “History”, 3-4.

<sup>41</sup> Mississaugas of the Credit First Nation, “History”, 3-4.

<sup>42</sup> Mississaugas of the Credit First Nation, “History”, 3-4.

#### 4.4 Survey and European Settlement in the Area

The Seven Years War (1756-1763) between Great Britain and France followed by the American Revolution (1775-1783) lead to a push by the British Crown for more settlement in Canada which in turn lead to treaties with Indigenous peoples.<sup>43</sup> The Subject Property is located in the Lands and Territory of the Mississaugas of the Credit First Nation and the Ajetance Treaty No. 19 (1818) which expanded on the Head of the Lake, Treaty No. 14 (1806) along Lake Ontario (Figure 53).<sup>44</sup>

As the Mississaugas of the Credit First Nation write:

In addition to their three small reserves located on the Lake Ontario shoreline, the Mississaugas of the Credit held 648,000 acres of land north of the Head of the Lake Purchase lands and extending to the unceded territory of the Chippewa of Lakes Huron and Simcoe. In mid-October 1818, the Chippewa ceded their land to the Crown in the Lake Simcoe-Nottawasaga Treaty and, by the end of October, the Crown sought to purchase the adjacent lands of the Mississaugas of the Credit.

The Deputy Superintendent of the Indian Department, William Claus, met with the Mississaugas from October 27-29, 1818, and proposed that the Mississaugas sell their 648,000 acres of land in exchange for an annual amount of goods. The continuous inflow of settlers into their lands and fisheries had weakened the Mississaugas' traditional economy and had left them in a state of impoverishment and a rapidly declining population. In their enfeebled state, Chief Ajetance, on behalf of the assembled people, readily agreed to the sale of their lands for £522.10 of goods paid annually.<sup>45</sup>

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43 Peel Art Gallery, Museum, and Archives, "About Peel," Peel Archives Blog, 2017, <https://peelarchivesblog.com/about-peel/>

44 Donna Duric, "Ajetance Treaty, No. 19 (1818)," Mississaugas of the Credit First Nations Treaty Lands & Territory, 2017, <http://mncfn.ca/treaty19/>; Peel Art Gallery, Museum, and Archives, "About Peel," 2017.

45 Duric, Donna, "Ajetance Treaty, No. 19 (1818)," 2017.

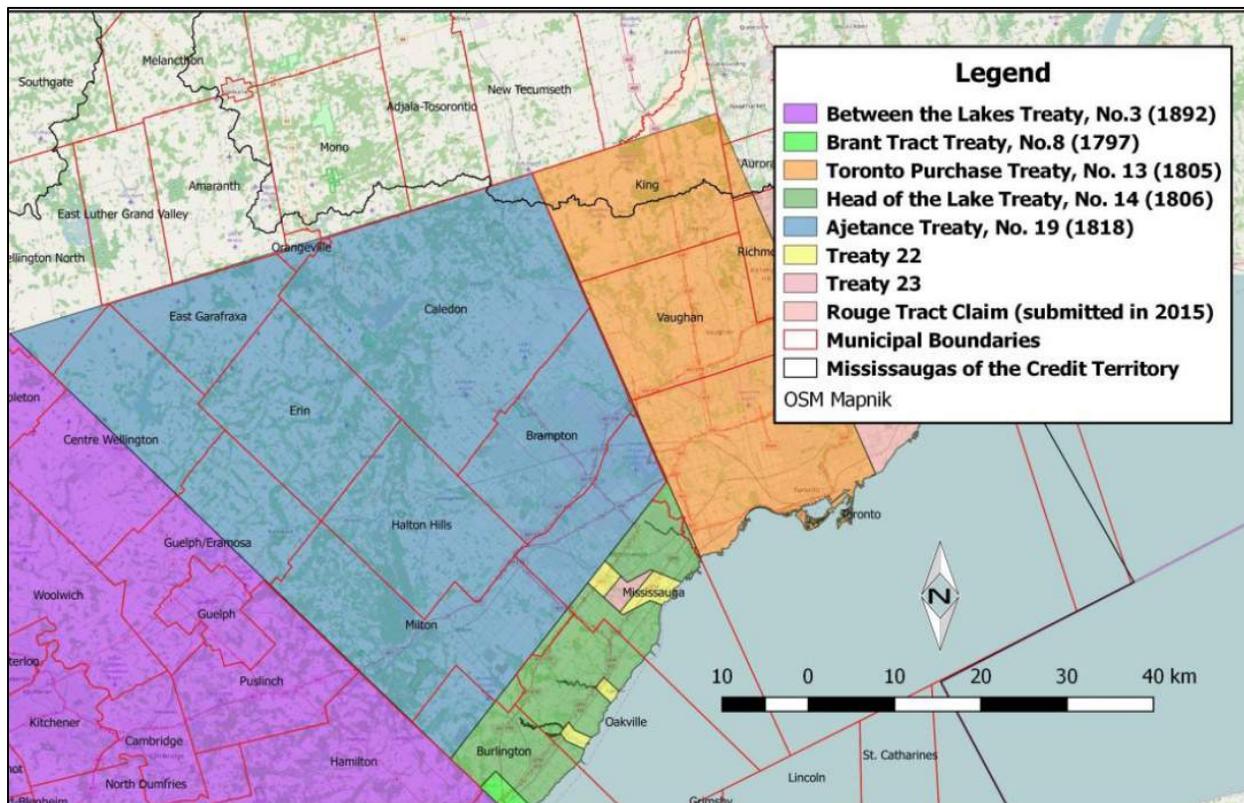


Figure 53: Ajetance Treaty, No. 19 Map (Mississaugas of the Credit First Nations, 2017).

#### 4.4.1 Chinguacousy Township

In 1818, Chinguacousy and Toronto Gore Township were surveyed by Richard Bristol and Timothy Street. They described the land as “low, swampy and covered with dense hardwood”.<sup>46</sup> They surveyed using the ‘double-front’ system, with concession numbers east (E.H.S) and west (W.H.S) from a baseline laid through the centre of the township (today Huron Ontario Street). Lot numbers were assigned south to north. Chinguacousy and Toronto Gore Township operated together until the later separated in 1831.<sup>47</sup> The Townships were initially run by the elected Home District Council for York County which was dissolved in 1850 in favour of smaller counties.<sup>48</sup>

The first European landowners in Chinguacousy Township were second generation United Empire Loyalists from the Niagara area, and settlers from New Brunswick and the United States.<sup>49</sup> The population of Chinguacousy grew rapidly, from 421 people in 1821 to 7,469 in 1851.<sup>50</sup> This was due –in part–to good agricultural land used for wheat production along with high global demand for wheat. The 1854 Canadian–American Reciprocity Treaty encouraged farmers in

<sup>46</sup> City of Brampton, “Brampton History,” Tourism Brampton, 2021, <https://www.brampton.ca/en/Arts-Culture-Tourism/Tourism-Brampton/Visitors/Pages/BramptonHistory.aspx>

<sup>47</sup> Corporation of the County of Peel, *A History of Peel County to Mark its Centenary*, (Peel, ON: Charters Pub. Co., 1967).

<sup>48</sup> Peel Art Gallery, Museum, and Archives, “About Peel,” 2017.

<sup>49</sup> Pope, Walker, and Miles, *Illustrated Historical Atlas of the County of Peel*, (Toronto, ON: Miles & Co. Ltd, 1877), 65 and 90.

<sup>50</sup> Corporation of the County of Peel, *A History of Peel*, 1967.

Ontario to rear livestock for export to the United States.<sup>51</sup> Farmers in Chinguacousy Township also benefited from the construction of the Grand Truck Railway through Brampton in 1856.

The County of Peel was established in 1851 as a subsection of the United Counties of York, Ontario, and Peel, and included Toronto, Toronto Gore, Chinguacousy, Caledon, and Albion.<sup>52</sup> In 1854 Ontario County separated from the United Counties and in 1866 Peel became an independent county with Brampton as the county seat.

In 1874 a settler, John Lynch, described Chinguacousy as “a good agricultural Township, watered on the west by the River Credit, in the centre by the Etobicoke, which is not a very valuable stream, and on the east by several small streams, branches of the Humber and Mimico”.<sup>53</sup>

The Township’s notable farmland was further described by John Henry Pope in 1877 as:

first class agricultural township and the farmers as a general thing have been very successful in their undertakings, many of them having amassed quite a fortune. The township is noted for its beautiful and substantial farm residences and commodious barns. The farms also are generally in the highest state of cultivation, while the grounds in front of the residences are for the most part tastefully arranged with beautiful flowers and shade trees, giving each place and the country generally a handsome appearance.<sup>54</sup>

Electrical power was brought to the Township in 1923. The population grew from 3,423 in 1944 to 15,996 in 1966.<sup>55</sup> Growth following World War II led to the creation of the Regional Municipality of Peel in 1974.<sup>56</sup> When the Regional Municipality of Peel was created, Chinguacousy Township was split in half at Mayfield Road. The northern half of Chinguacousy merged with Caledon and the southern half joined the City of Brampton.<sup>57</sup>

#### 4.4.2 Subject Property History – Lot 17, Concession 5 WHS

The Subject Property is part of Lot 17, Concession 5 WHS. From land registry research the chain of ownership can be understood as follows:

Table 1: Subject Property Chain of Ownership

Subject Property Owner	Years of Ownership
Peter Flummerfelt	1821 – c.1826
William Dunn Dolson, Margaret Flummerfelt, and Janet McLaren	c.1826 - 1878
Joseph McClure and Agnes Dolson McClure	1878 – 1922
Gordon McClure	1922 – 1924

<sup>51</sup> André Scheinman, Town of Caledon Cultural Heritage Landscapes Inventory. Caledon, ON, 2009, 6-2.

<sup>52</sup> Peel Art Gallery, Museum, and Archives, “The Creation of the County of Peel, 1851-1867,” Peel Archives Blog, 2017, <https://peelarchivesblog.com/2017/04/25/the-creation-of-the-county-of-peel-1851-1867/>

<sup>53</sup> John Lynch, *Directory of the County of Peel for 1873-4*, Brampton, ON: Brampton Progress Chromatic Printing House, 1874. <http://freepages.rootsweb.com/~wimartin/genealogy/peelco1.htm>

<sup>54</sup> Pope, Walker, and Miles, *Illustrated Historical Atlas of the County of Peel*, 1877, 65.

<sup>55</sup> Corporation of the County of Peel, *A History of Peel County to Mark its Centenary*, 1967.

<sup>56</sup> Peel Art Gallery, Museum, and Archives, “About Peel,” 2017.

<sup>57</sup> City of Brampton, “Brampton History,” 2021.

Subject Property Owner	Years of Ownership
Fredrick G. Phillips and wife	1924 – 1943
Alfred O. MacDonald	1943 – 1968
John E. Bryans	1968 – 1987
584572 Ontario Ltd.	1987 – Present

Peter Flummerfelt from the community of Louth in St. Catherine's, received a land patent for 200 acres of land including the Property in 1821.<sup>58</sup> Flummerfelt gave the land to his daughter, Margaret Flummerfelt (Figure 54) and son-in-law William Dunn Dolson in c.1826. William D. Dolson and Margaret Flummerfelt built their homestead on Lot 17 Concession 4.<sup>59</sup> In the 1851 Census William D. Dolson and Margaret Flummerfelt owned Lot 17 Concession 5.<sup>60</sup> After Margaret Flummerfelt's passing in 1853, William D. Dolson married Janet McLaren in 1855. William D. Dolson continued to purchase lots in the surrounding area, with the 1859 Tremaine Map of Peel showing William D. Dolson as the owner of five lots in Chinguacousy and one in Caledon, and his sons, Andrew, and John as owners of two neighbouring lots (Figure 60).



According to the 1861 Census the Dolson's lived on Lot 17 and 18 Concession 4 and 5 and owned 400 acres of land worth \$16,000 with 240 acres under cultivation and a 1 ½ storey frame house (Figure 55).<sup>61</sup> All of William D. Dolson's sixteen children were born and raised at Lot 17 Concession 4 where he lived until his death in 1877 (Figure 56).<sup>62</sup> Lot 17 Concession 4's outbuildings were demolished before 2004 according to aerial imagery and the house was demolished in 2007 due to its poor condition.<sup>63</sup> No evidence can be found that William D. Dolson lived on Lot 17 Concession 5. The 1 ½ storey frame house is pictured in the margins of the 1859 Tremaine Map of Peel at Lot 17 Concession 4 (Figure 57).<sup>64</sup>

Figure 54: Margaret Flummerfelt-Dolson in 1850 (Source: Raymond Storey, 2018).

<sup>58</sup> Region of Peel, Annotated land abstracts Lot 17 Concession 5 Township of Chinguacousy West, William P. Bull Fonds, Peel Art Gallery, Museum and Archives, Brampton, ON.

<sup>59</sup> Stephen Dolson Obituary in *The Conservator*, February 22, 1922, Dolson Family File, William P. Bull Fonds, Peel Art Gallery Museum and Archives, Brampton, ON.

<sup>60</sup> Canada, "Chinguacousy, Peel, Canada West (Ontario)," Census of Canada, 1861, Microfilm Roll: C-1063, Library and Archives Canada, Ottawa, ON, Ancestry.com.

<sup>61</sup> Canada. Census Returns for 1861. 1861.

<sup>62</sup> Dolson Family File, William P. Bull Fonds, Peel Art Gallery Museum and Archives, Brampton, ON.

<sup>63</sup> Brampton Heritage Board, "Meeting Minutes for 17 July 2007," Brampton, ON, 2007.

<sup>64</sup> 1859 Peel County Map. Drawn by George Tremaine. Part of the Ontario Historical County Map Project.



Structures first appear on the Subject Property at Lot 17 Concession 5 in the 1859 Tremaine Map with a structure at the north-east corner of the lot (Figure 60). By 1877, the County of Peel Atlas no longer shows that structure but does show a residence, two barns, and an orchard in the approximate location of the present-day structures along Mississauga Road (Figure 61).<sup>65</sup>

William D. Dolson passed away in 1877 and left his property to his wife Janet and his sons, John and Andrew. At the time of his death, William D. Dolson owned ten lots in Chinguacousy and one in Caledon. His sons also owned land in Chinguacousy, with Andrew owning three lots, John owning two, and Stephen owning two. The Dolson's sold the east half of Lot 17 Concession 5 to Joseph McClure in 1878 for \$6,100 (Figure 58).<sup>66</sup> Joseph McClure was the son of Irish immigrants and farmers David McClure and Elizabeth Skelton.

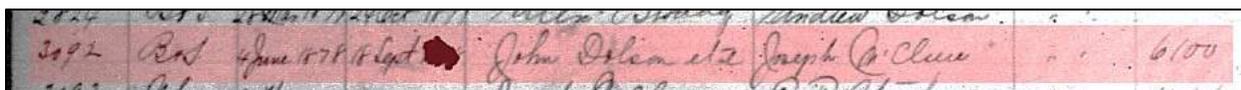


Figure 58: Land Abstract (Source: Vol. A 1820-65, Vol. B 1866-1914, Peel Art Gallery, Museum, and Archives. Annotations by LHC).

Joseph McClure married Agnes Jane "Aggie" Dolson, the daughter of William D. Dolson and Janet McLaren, in 1883.<sup>67</sup> Joseph and Agnes McClure lived at Lot 17 Concession 5 and farmed the land with their sons Gordon and William and farm labourer William Leany in 1891 and James Boles in 1921.<sup>68</sup> Joseph and Agnes McClure appear to be the first owners of the existing Dolson House with the 1909 topographical map and 1921 Census noting a brick house (Figure 59).<sup>69</sup>

 A photograph of a handwritten 1921 Census record. The table lists family members: "Machin John", "McClure Joseph", "McClure Agnes Jane", "Dolson Gordon", and "Dolson James". Each name is followed by "chug" and "chug". To the right of the names, there are columns for "B" and "E". A red box highlights the letter "B" in the second row, corresponding to Joseph McClure. Other entries include "Farm Labourer", "Wife", and "Sohn".

Figure 59: 1921 Census, B indicates brick house (Source: Library and Archives Canada, 2013. Annotations by LHC).

Joseph and Agnes McClure's son, Gordon, received the 100-acre property in his father's will in 1922 and sold it to Fredrick G. Phillips and his wife for \$10,500.<sup>70</sup> The property was then sold to

<sup>65</sup> Pope, Walker, and Miles, *Map of the County of Peel, 1877*, McGill University, <http://digital.library.mcgill.ca/CountyAtlas/peel.htm>

<sup>66</sup> Region of Peel, Abstract Index, Vol. A 1820-65, Vol. B 1866-1914, Chinguacousy Township, Peel County, Lot 17, Concession 5 West of Hurontario, Peel Art Gallery, Museum, and Archives, Brampton, ON.

<sup>67</sup> Ontario, "City and Area Directories, 1819-1906," 1885, Joseph McClure Con 5, Lot 17, Provo, UT, USA: Ancestry.com Operations, Inc.

<sup>68</sup> Canada, "Census of Canada, 1891," 1891, Series RG31-C-1, Statistics Canada Fonds, Microfilm reels: T-6290 to T-6427. Library and Archives Canada, Ottawa, ON, 2009. <http://www.bac-lac.gc.ca/eng/census/1891/Pages/about-census.aspx>; Canada, "Census of Canada, 1901," 1901, Series RG31-C-1, Statistics Canada Fonds, Microfilm reels: T-6428 to T-6556, Library and Archives Canada, Ottawa, ON, 2004, <http://www.bac-lac.gc.ca/eng/census/1901/Pages/about-census.aspx>; Canada, "Sixth Census of Canada, 1921," 1921, Series RG31 Folder Number: 80; Census Place: Chinguacousy (Township), Peel, Ontario; Page Number: 5, Statistics Canada Fonds, Library and Archives Canada, Ottawa, ON, 2013.

<sup>69</sup> Canada. "Sixth Census of Canada, 1921," 1921.

<sup>70</sup> Ontario Land Registry, Peel County (43), Chinguacousy Concession 5; West Huronia Street, n.d.

Alfred O. MacDonald in 1943 and John E. Bryans in 1968.<sup>71</sup> In 1986 registered plan of subdivision 43R-14163 was applied to the lot, with the Subject Property making up the largest parcel. The current owners bought the Subject Property in 1987.<sup>72</sup>

#### 4.4.3 Subject Property Morphology

Two historic atlas maps were consulted to determine settlement pattern related to 19th-century occupation of the Subject Property. While these historic maps are valuable resources, not all features of interest –such as barns—were included on historic atlas maps or topographic maps. Publishers of 19<sup>th</sup> century township and county atlases often gave preference to subscribers. Notwithstanding these limitations; historic maps, atlases and topographic maps can still be useful tools to understand property morphology. Four topographical maps and 13 aerial photographs were consulted to examine changes to the property occurring between 1909 to 2019.

Table 2: Subject Property Morphology

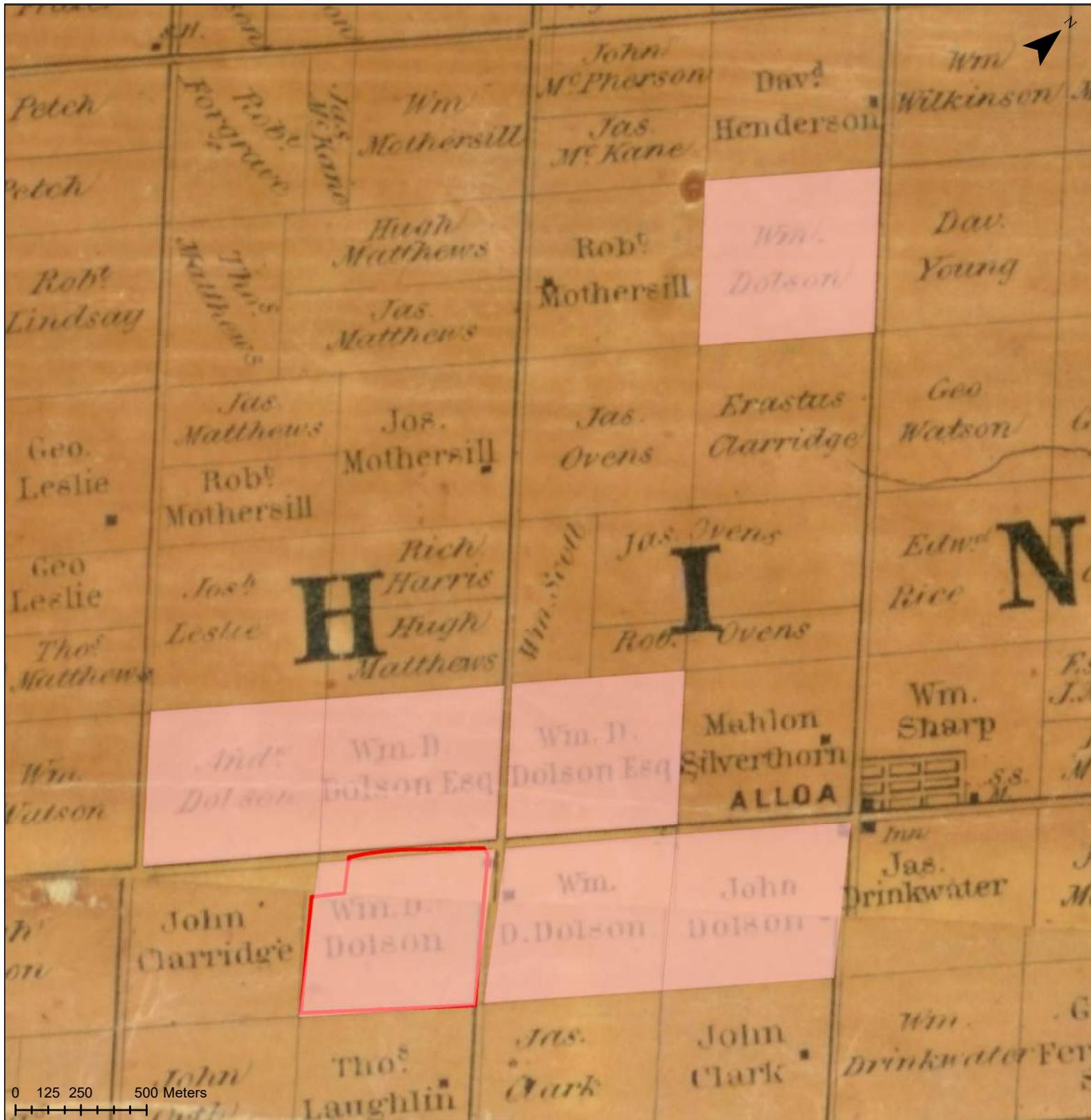
Source	Notes
<b>1859 Tremaine’s Map of the County of Peel, Canada West ( Figure 60)</b>	William D. Dolson in ownership of the Subject Property. A structure is indicated in the north-west corner of the lot. The Dolson family is shown as the owner of six other lots in the surrounding area.
<b>1877 Illustrated Historical Atlas of the County of Peel (Figure 61)</b>	A residence in the approximate location of the current Dolson House, a barn to the west in the approximate location of the current barn, a barn to the south, which is no longer there, and an orchard. The Dolson family is shown as the owner of sixteen other lots in the surrounding area.
<b>1909 Topographic Map (Figure 62)</b>	A brick house is indicated in the current Dolson House location. A stream runs through the Property, and deciduous forest is seen behind the house and at the south-west corner. Two bridges cross Mississauga Road on either side of the house.
<b>1942 Topographic Map (Figure 62)</b>	Barn appears behind the Dolson House and deciduous trees are no longer present.
<b>1954 Aerial Photograph (Figure 63)</b>	House is visible along with the farm accessory building west of the house, and a barn west of that. One-storey house immediately north of the Dolson House appears.
<b>1963 Topographic Map (Figure 62)</b>	Structures remain the same from the 1954 aerial photo.

<sup>71</sup> Ontario Land Registry, Peel County (43), Chinguacousy, n.d.

<sup>72</sup> Ontario Land Registry, Peel County (43), Chinguacousy, n.d.

Source	Notes
<b>1967 Aerial Photograph (Figure 63)</b>	Garage appears west of the Dolson House. Unknown circular depression can be seen between the Dolson House and the one-storey house.
<b>1973 Topographic Map (Figure 62)</b>	Dolson House and one-storey house to the north are indicated as residences while the two buildings behind the Dolson House are indicated as barns with a third structure has been built parallel to Mississauga Road in the approximate location of the existing storage shed.
<b>1974 Aerial Photograph (Figure 63)</b>	Storage and drive shed are now visible. A potential pond is seen between the Dolson House and one-storey house. A circular object is seen north of the barn.
<b>1980 Aerial Photograph (Figure 64)</b>	All structures currently existing have now been built.
<b>1994 Aerial Photograph (Figure 64)</b>	No change.
<b>2005 Aerial Photograph (Figure 64)</b>	No change.
<b>2008 Aerial Photograph (Figure 65)</b>	Missing sections of roofing begin to appear on the western and eastern ends of the barn.
<b>2009 Aerial Photograph (Figure 65)</b>	Barn has lost additional roof cladding.
<b>2010 Aerial Photograph (Figure 65)</b>	No change.
<b>2011 Aerial Photograph (Figure 66)</b>	No change.
<b>2012 Aerial Photograph (Figure 66)</b>	No change. Brampton Heritage Board <i>Reasons for Designation Report for 11722 Mississauga Road</i> was published on October 16, 2020.
<b>2013 Aerial Photograph (Figure 66)</b>	No change. Notice of Intention to Designate the Property was issued on 3 January 2013 and designated on 20 November 2013.
<b>2016 Aerial Photograph (Figure 67) Figure 66)</b>	Roof loss appears on farm accessory building at its north west corner.
<b>2018 Spring Aerial Photograph (Figure 67) Figure 66)</b>	No change.

Source	Notes
<b>2018 Fall Aerial Photograph (Figure 67Figure 66)</b>	Between spring and fall of 2018 the farm accessory building collapsed. The barn has lost more roof cladding.
<b>2019 Aerial Photograph (Figure 68Figure 66)</b>	No change.



**Legend**

- Property Owned by the Dolson Family
- Subject Property

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. Geo. R. Tremaine. Tremaine's Map of the County of Peel, Canada West. Scale 1:39,600. Toronto: G.R. & G.M. Tremaine, 1859.  
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**TITLE**  
Property Owned by the Dolson Family on 1859 Maps of Northern and Southern Part of Chingaucousy

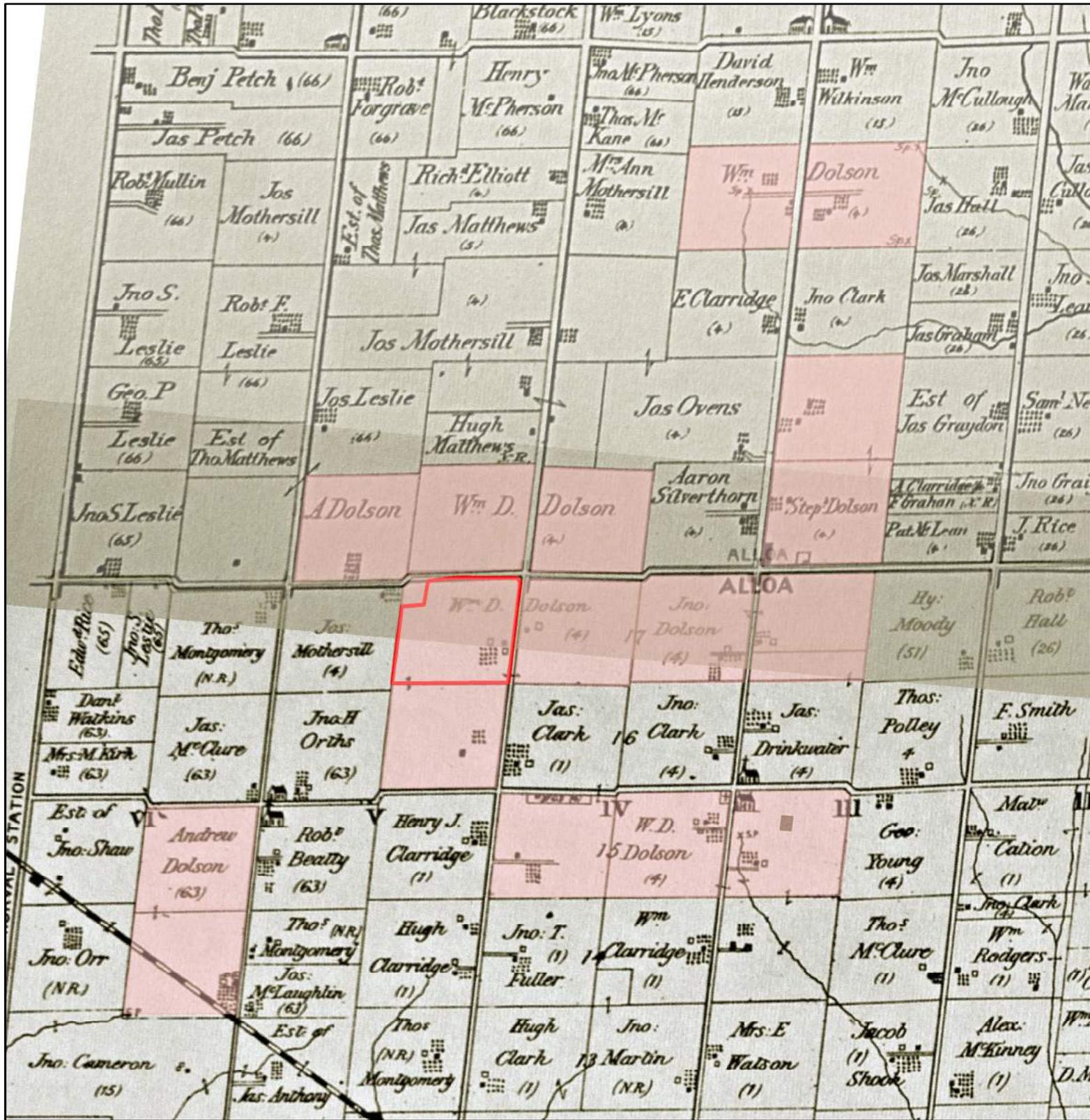
**CLIENT**  
Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT** PROJECT NO. LHC0206  
Cultural Heritage Impact Assessment  
11722 Mississauga Road, Brampton, ON

**CONSULTANT** YYYY-MM-DD 2020-12-11



PREPARED LHC  
DESIGNED JG  
FIGURE # 60



**Legend**

- Property Owned by the Dolson Family
- Subject Property

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. Walker & Miles. Northern Part of Chinguacousy. Scale Unknown. Toronto: Walker & Miles. 1877.  
2. Walker & Miles. Southern Part of Chinguacousy. Scale Unknown. Toronto: Walker & Miles. 1877.  
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**TITLE**  
Property Owned by the Dolson Family on 1877 Maps of Northern and Southern Part of Chinguacousy

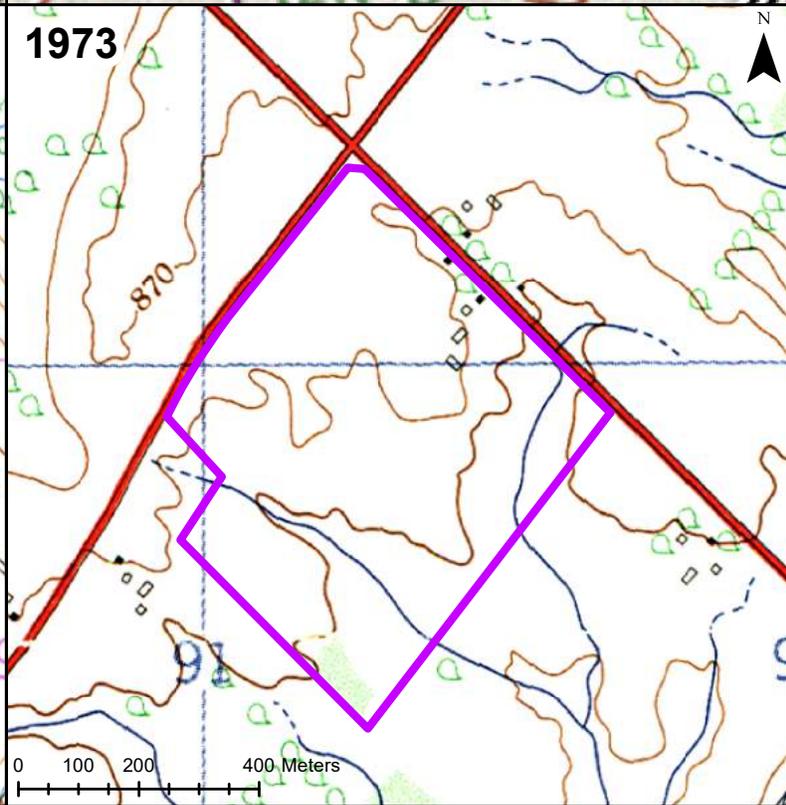
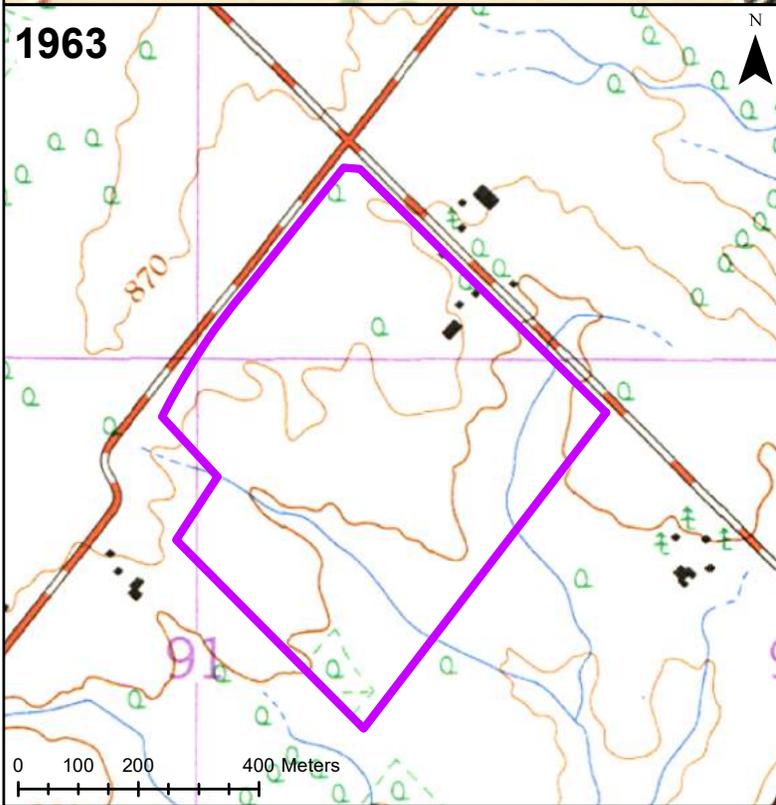
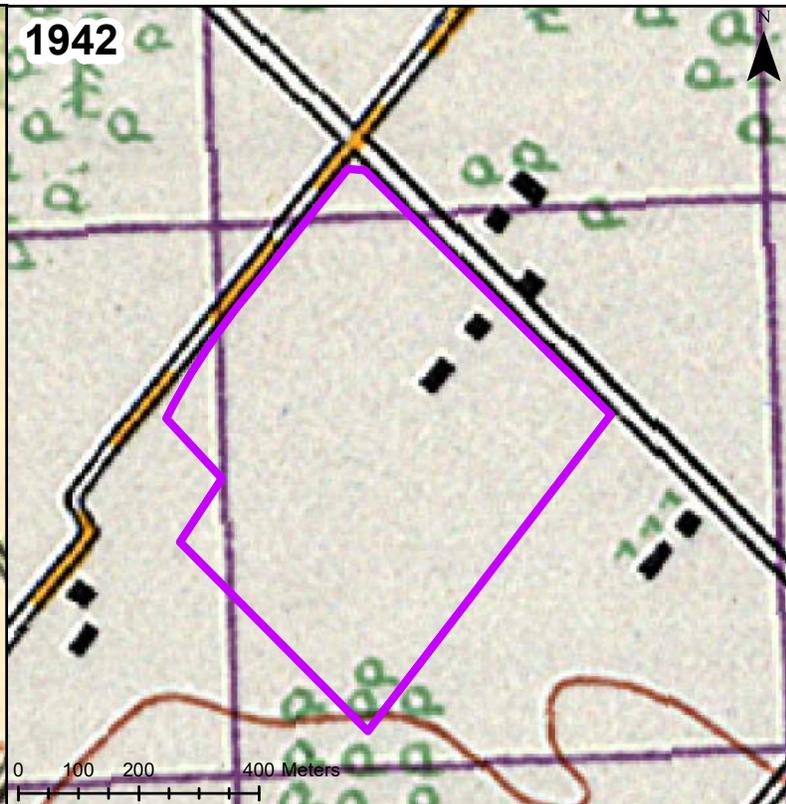
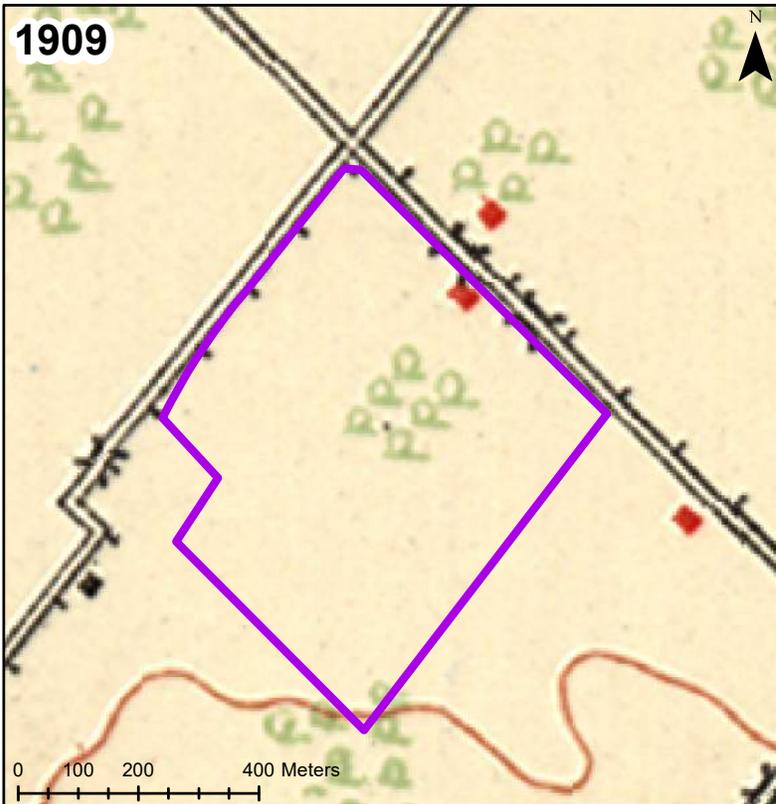
**CLIENT**  
Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT** PROJECT NO. LHC0206  
Cultural Heritage Impact Assessment  
11722 Mississauga Road, Brampton, ON

**CONSULTANT** YYYY-MM-DD 2020-12-11



PREPARED LHC  
DESIGNED JG  
FIGURE # 61



**Legend**

 Subject Property

**NOTE(S)**

1. All locations are approximate.

**REFERENCE(S)**

1. Geographical Section, General Staff, No. 2197. *Topographic Map Ontario Brampton Sheet*. Scale 1:63,360. Ontario, sheet no 35. n.p.: Department of Militia and Defence, 1909.  
 2. Geographical Section, General Staff, Department of National Defence. *Brampton Ontario*. Scale 1:63,360. National Topographic Series Canada, sheet 30 M/12. Ottawa: Surveyor General Department of Mines and Resources, 1942.  
 3. Army Survey Establishment, R.C.E. *Brampton Ontario*. Edition 1. Scale 1:25,000. Canada, sheet 30 M/12f. n.p.: Army Survey Establishment, R.C.E., 1963.  
 4. Surveys and Mapping Branch, Department of Energy, Mines, and Resources. *Brampton Ontario*. Edition 2. Scale 1:25,000. Canada, sheet 30 M/12f. Ottawa: Canada Map Office, Department of Energy, Mines, and Resources, 1973.  
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**TITLE**

Subject Property on 1909, 1942, 1963, and 1973 Topographic Maps

**CLIENT**

Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT**

Cultural Heritage Impact Assessment  
 11722 Mississauga Road, Brampton, ON

PROJECT NO. LHC0206

**CONSULTANT**



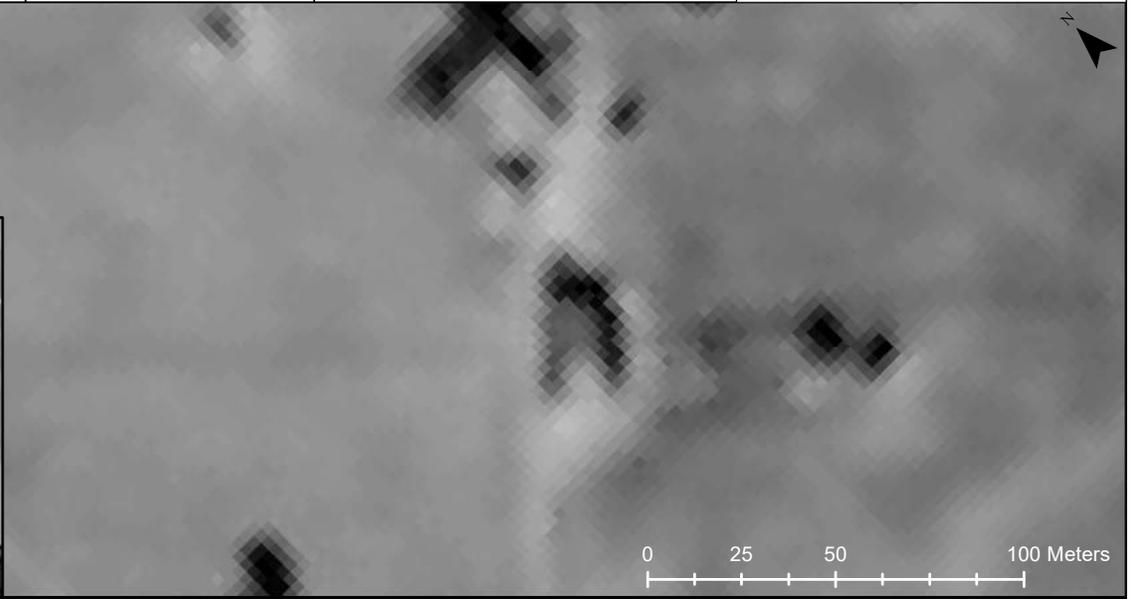
YYYY-MM-DD 2020-12-11

PREPARED LHC

DESIGNED JG

FIGURE # 62

# 1954



# 1967



# 1974



## Legend

 Subject Property

**NOTE(S)** 1. All locations are approximate.

### REFERENCE(S)

1. 1954 - University of Toronto Libraries. *1954 Air Photos of Southern Ontario Collection*. Retrieved at [http://maps.library.utoronto.ca/datapub/Ontario/APS\\_1954/ziped/436.794.zip](http://maps.library.utoronto.ca/datapub/Ontario/APS_1954/ziped/436.794.zip) (12.15.2020).
  2. 1967 - Spartan Air Services Ltd. *1967 Aerial Photo*. Retrieved from Peel Art Gallery, Museum and Archives.
  3. 1974 - Northway / Photomap / Remote Sensing Ltd. *1974 Aerial Photo*. Retrieved from Retrieved from Peel Art Gallery, Museum and Archives.
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**1980**



**1994**



**2005**



**Legend**

 Subject Property

**NOTE(S)**

1. All locations are approximate.

**REFERENCE(S)**

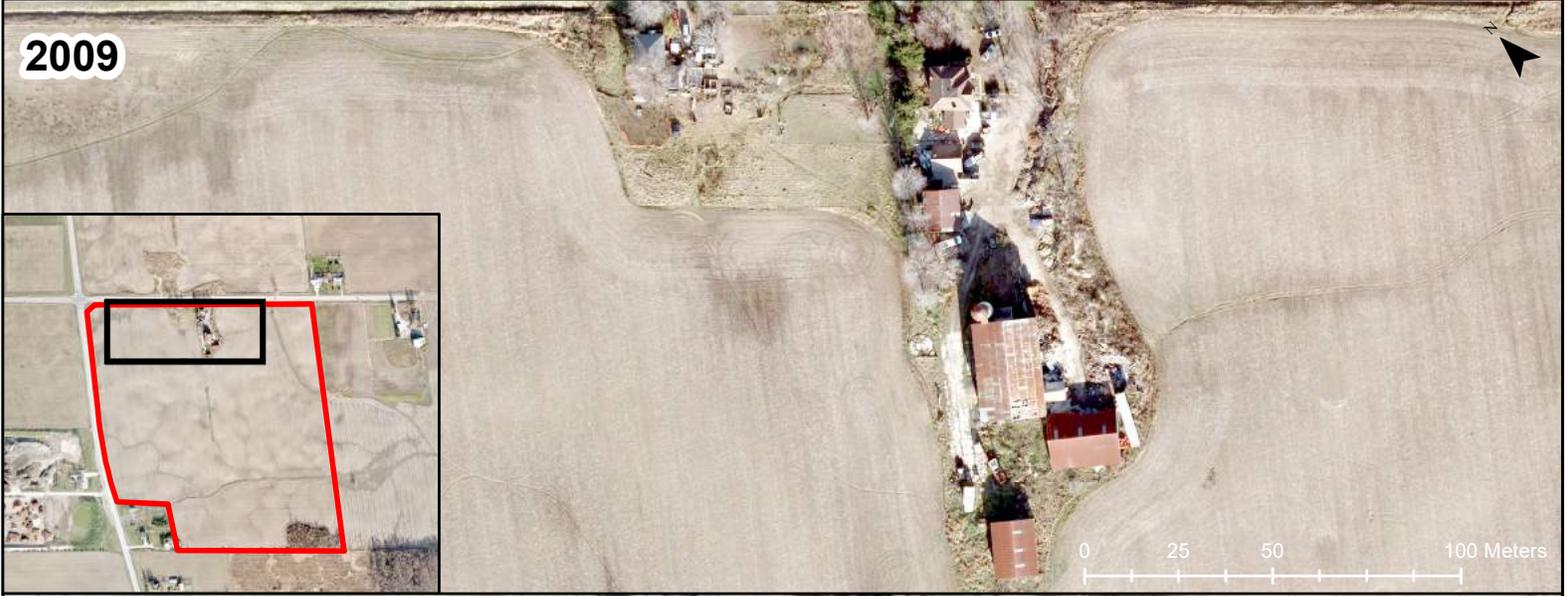
- 1. 1980 - Northway / Photomap / Remote Sensing Ltd. *1980 Aerial Photo*. Retrieved from Peel Art Gallery, Museum and Archives.
- 2. City of Brampton. *1994 Spring Orthophoto*.
- 3. City of Brampton. *2005 Spring Orthophoto*.

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2008



2009



2010



**Legend**

 Subject Property

**NOTE(S)**

1. All locations are approximate.

**REFERENCE(S)**

1. City of Brampton. 2008 Fall Orthophoto.
2. City of Brampton. 2009 Fall Orthophoto.
3. City of Brampton. 2010 Fall Orthophoto.

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2011



2012



2013



**Legend**

 Subject Property

**NOTE(S)**

1. All locations are approximate.

**REFERENCE(S)**

1. City of Brampton. 2011 Spring Orthophoto.
2. City of Brampton. 2012 Spring Orthophoto.
3. City of Brampton. 2013 Spring Orthophoto.

### 2016



### 2018 Spring



### 2018 Fall



#### Legend

 Subject Property

**NOTE(S)** 1. All locations are approximate.

#### REFERENCE(S)

1. City of Brampton. *2016 Spring Orthophoto*.
  2. City of Brampton. *2018 Spring Orthophoto*.
  3. Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community.
  4. City of Brampton. *2018 Fall Orthophoto*.
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**2019**



**Legend**

 Subject Property

**NOTE(S)** 1. All locations are approximate.

**REFERENCE(S)**

1. City of Brampton. 2019 Spring Orthophoto.

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## 5 CULTURAL HERITAGE STATUS

### 5.1 Heritage Designation

The Subject Property is designated under Part IV Section 29, of the *OHA* through By-law 327-2013 (Appendix C). The designating By-law describes the cultural heritage value of the Subject Property as related to its design or physical value, historical or associative value and contextual value. The focus of the by-law is a “well-designed late 19<sup>th</sup> century Queen Anne house”.<sup>73</sup> The Subject property is associated with family of William Dolson, who were well-known early Brampton settlers, and with the family of Joseph McClure, another prominent local farming family in the late nineteenth century. The Subject Property has contextual value because it maintains, defines, and contributes to the 19<sup>th</sup> and 20<sup>th</sup> century rural character of the former Chinguacousy Township.

By-law 327-2013 lists the following as heritage attributes:

- Queen Anne architecture style
- Irregular plan
- Red-brick cladding in stretcher bond configuration
- Stone foundation
- Hip roof with flat section
- Gable ends with decorative vergeboard and paired windows
- Wood brackets
- 1/1 and paired windows with brick labels
- Radiating voussoirs
- Rusticated stone windowsills
- Segmentally arched window and door openings
- Wraparound porch with turned posts and decorative woodwork
- Associated with the Dolson and McClure families
- Rural character and agricultural setting
- House contributes to a farm complex composed of a barn, silo, outbuildings, and drive shed
- Frontage screened by a planting of mature coniferous and deciduous trees
- Visible from the road, visually linking to the property to the area's history<sup>74</sup>

By-law 327-2013 describes a farm complex on the property consisting of the “barn and silo, outbuildings, a driveshed and numerous mature trees”.<sup>75</sup> However, most of the listed heritage attributes for the Subject Property are associated with the Dolson House.

### 5.2 Ontario Regulation 9/06 Evaluation

To better understand the Subject Property and its agricultural buildings and context LHC has independently evaluated it against the criteria of *O. Reg. 9/06* (Table 3).

---

<sup>73</sup> By-law 327-2013.

<sup>74</sup> City of Brampton, By-law 327-2013 to designate 11722 Mississauga Road, Brampton, ON, November 20, 2013.

<sup>75</sup> By-law 327-2013.

Table 3: Ontario Regulation 9/06 Evaluation

Criteria for determining cultural heritage value or interest	Assessment (Yes/No)	Rationale
<b>Design or physical value:</b>		
<p>i. is a rare, unique, representative, or early example of a style, type, expression, material, or construction method,</p>	Yes	<p>The Dolson House is not unique in the area. However, it is from before 1909 and is representative of the vernacular modest Victorian houses found throughout the former Chinguacousy Township.</p> <p>The barn appears to be a variation of a common Central Ontario type barn and the silo is a common cast in place concrete silo. Property morphology research shows that they were built before 1942 but no specific date of construction is known. It is likely that both structures were built much earlier than 1942. However, no evidence was found to suggest they are early examples of this type of barn or silo for the area. The barn and silo are common buildings, and no evidence was found to suggest they serve as a portrayal of agricultural buildings in general or as a type or serve as a symbol for agricultural heritage in the area.</p> <p>The one-storey house, garage, farm accessory building, storage shed, and drive shed all date from the latter half of the 20<sup>th</sup> century and are vernacular agricultural structures that are not rare, unique, representative, or early examples of a type, expression, material, or construction method. Construction of accessory buildings like these is consistent with the continuing evolution of the landscape for farms of the time.</p>
<p>ii. displays a high degree of craftsmanship or artistic merit, or</p>	No	<p>None of the buildings on the Subject Property display a high degree of craftsmanship or artistic merit. Despite showing influences of the Queen Anne style, the Dolson House is a vernacular building and does not demonstrate evidence of more than average craftsmanship in its construction. The joinery of the barn appears to</p>

Criteria for determining cultural heritage value or interest	Assessment (Yes/No)	Rationale
		be well executed but does not display a high degree of craftsmanship.
iii. demonstrates a high degree of technical or scientific achievement.	No	The Subject Property does not demonstrate a high degree of technical or scientific achievement. All the buildings on the Subject Property appear to be common types, built from common materials and employing well known construction methods.
<b>Historical or associative value:</b>		
i. has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community,	No	<p>The Subject Property does not have direct associations to a theme, event, belief, person, activity, organization, or institution that is significant to a community.</p> <p>Although the Subject Property is associated with the Dolson and McClure families which included significant individuals in the Chinguacousy and Brampton agricultural communities, there is no direct evidence that significant Dolson or McClure individuals, including William Dunn Dolson, lived on the Subject Property or in its structures. The Dolson and McClure families owned many lots in Chinguacousy Township and the Subject Property is not a significant one.</p>
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	No	The Subject Property has archaeological potential. However, this is best addressed through the archaeological requirements of the <i>Ontario Heritage Act</i> and <i>Provincial Policy Statement</i> .
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.	No	<p>The structures on the Subject Property were likely built by the Dolson and McClure families between c.1877 and c.1974.</p> <p>They are not known to be associated with an architect, artist, builder, designer, or theorist who is significant to a community.</p>
<b>Contextual value:</b>		

Criteria for determining cultural heritage value or interest	Assessment (Yes/No)	Rationale
i. is important in defining, maintaining, or supporting the character of an area,	No	<p>The Subject Property is not important in defining, maintaining, or supporting the character of an area. East of Mississauga Road the area is rapidly urbanizing and secondary plan efforts for the area envision it becoming part of the urban environment. There is no evidence suggesting the municipality intends to maintain an agricultural character in the area around the Subject Property.</p> <p>Land to the west of Mississauga Road is still largely agricultural fields, farm complexes and rural residential properties. However, there is no distinct sense of identify, boundaries, uniqueness, or character to the surrounding area. The area is arranged in a common pattern of roads along lot and concession lines lined by ditches around open fields. Farm complexes, large rural residential properties from the 19<sup>th</sup> through 21<sup>st</sup> century and woodlots scatter the landscape.</p> <p>The Dolson House and farm complex on the Subject Property is a remnant of the agricultural history of the area; but the condition of the buildings and lack of ongoing agricultural use limits its ability to support or maintain any character of the area.</p>
ii. is physical, functionally, visually, or historically linked to its surroundings, or	Yes	<p>The Subject Property is historically linked to Chinguacousy Township's farming history. It has been a farm since the late 19<sup>th</sup> century and was owned by important farming families in the area. However, this link is weak. Recent development east of Mississauga Road and long-term plans for development in the area outlined in the Heritage Heights Secondary Planning process since 2009 has rendered many historical links between the Subject Property and its context largely illegible. Furthermore, the buildings on the Subject Property are no longer used for agricultural purposes and the Barn is unsafe for use, further limiting the link to that agricultural history. The agricultural buildings do not have</p>

Criteria for determining cultural heritage value or interest	Assessment (Yes/No)	Rationale
		any physical heritage attributes that could feasibly be protected to reinforce a historic link.
iii. is a landmark.	No	<p>The MHSTCI defines landmark “as a recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be conspicuous.” Furthermore, landmarks “are usually memorable and easily discernable.”<sup>76</sup></p> <p>The Subject Property does not meet this definition.</p>

### 5.2.1 Summary of Evaluation

It is LHC’s professional opinion that the Subject Property at 11722 Mississauga Road meets criteria 1i and 3ii of *O. Reg. 9/06*. Based on the research conducted and subsequent findings, LHC agrees with most of the City of Brampton’s physical heritage attributes for the Dolson House. However, the Dolson House is not unique in the area and does not display a high degree of craftsmanship. Other listed and designated heritage properties in the area also feature a brick vernacular Queen Anne inspired house with decorative woodwork. Despite being representative and inspired by the Queen Anne style, the house’s decorative woodwork does not display a high degree of craftsmanship and is common compared to similar properties in the area.

LHC does not believe that the barn, silo, one-storey house, farm accessory building, garage, drive shed, and storage shed are viable heritage attributes. While the barn and silo are earlier, the one-storey house, garage, farm accessory building, storage shed, and drive shed all date from the latter half of the 20<sup>th</sup> century and are not associated with the Subject Property’s historical or associative value. They were also built using common materials and are consistent with the approaches and methods employed at the time of construction. Furthermore, the building condition assessments by Arbitech Inc. and Tacoma Engineers found that the agricultural buildings are in poor physical condition. The garage and farm accessory building have collapsed, and the barn is in poor physical condition. Most of the timber bents that support the barn appear sound, but the exterior bents are compromised, the foundation, sill plate and exterior wall and roof cladding are badly deteriorated and may not be stable.

In terms of historical/associative significance, the Property could not be directly associated with any significant members of the Dolson or McClure families. Based on archival records, Lot 17 Concession 5’s first settler, William Dunn Dolson, farmed the lot but lived at Lot 17 Concession

<sup>76</sup> Ministry of Tourism and Culture, *Standards & Guidelines for Conservation of Provincial Heritage Properties: Heritage Identification & Evaluation Process*, 2010, [http://www.mtc.gov.on.ca/en/publications/Standards\\_Conservation.pdf](http://www.mtc.gov.on.ca/en/publications/Standards_Conservation.pdf), 17.

4 and owned numerous lots in the surrounding area. The subsequent owners of the Property farmed the land but are not significant to the history of Chinguacousy or Brampton.

Finally, the Property is historically linked to the area, but recent development has rendered the historical links between the Property and its context largely illegible. There are no attributes that could be protected to reinforce a historic link. Based on LHC's O. Reg. 9/06 evaluation the main heritage attribute of the Subject Property is the Dolson House.<sup>77</sup>

### 5.3 Heritage Integrity

In a heritage conservation and evaluation context, the concept of integrity is associated with the ability of a property to represent or support the cultural heritage value or interest of the property or to convey its heritage significance.<sup>78</sup> It is understood as the 'wholeness' or 'honesty' of a place<sup>79</sup> or if the heritage attributes continue to represent or support the cultural heritage value or interest of the property.<sup>80</sup> Heritage integrity can be understood through how much of the resource is 'whole', 'complete' changed or unchanged from its original or 'valued subsequent configuration'.<sup>81</sup> Changes or evolution to a place that have become part of its cultural heritage value become part of the heritage integrity, however if the cultural heritage value of a place is linked to another structure or environment that is gone the heritage integrity is diminished.<sup>82</sup> Heritage integrity is not necessarily related to physical condition or structural stability.

The MHSTCI *Ontario Heritage Tool Kit* discusses integrity and physical condition in relation to evaluation. However, heritage integrity and physical condition are not part of the evaluation criteria. They are part of understanding a property and its potential cultural heritage resources.

There are few tools describing a methodology to assess historic integrity. One of the tools come from the U.S. National Park Service (NPS), which has informed Ontario practice, and considers heritage integrity a necessary condition of listing on the National Register.<sup>83</sup> The NPS states that "Heritage properties either retain integrity or they do not".<sup>84</sup> They identify seven aspects of integrity, degrees and combinations of which can be used to determine if a site has heritage integrity. The seven aspects include: Location; Design; Setting; Materials; Workmanship; Feeling; and Association.<sup>85</sup>

Understanding a place's significance or CHVI helps to identify which aspects of integrity support its heritage value. Furthermore, the heritage integrity of the heritage attributes supports the CHVI

<sup>77</sup> The specific architectural heritage attributes listed in By-law 327-2013 are sub-attributes of the house.

<sup>78</sup> Heritage Property Evaluation: A Guide to Listing, Researching, and Evaluating Cultural Heritage Property in Ontario Communities, prepared by the Ministry of Culture, (Ottawa: Queen's Printer for Ontario, 2006). p. 26. And National Park Service, "How to Evaluate the Integrity of a Property", Chapter VIII in National Register Bulletin, How to Apply the National Register Criteria for Evaluation, U.S. Department of the Interior, National Park Service, Cultural Resources, 1997, p. 44.

<sup>79</sup> English Heritage, "Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment". 2008, p. 45.

<sup>80</sup> MHSTCI, 2006, p. 26.

<sup>81</sup> English Heritage, p. 45. And, Kalman, Harold and Marcus R. Létourneau, 2021. Heritage Planning: Principles and Process. 2<sup>nd</sup> Ed, Routledge, New York: 314.

<sup>82</sup> MHSTCI 2006a: 26.

<sup>83</sup> NPS, 1997, p. 44.

<sup>84</sup> NPS, 1997, p. 44.

<sup>85</sup> NPS, 1997, p. 44.

of a property. This is an iterative process to evaluate significance and plan appropriate management of a cultural heritage resource.

Using this guidance to help understand the Property it is understood that the Property generally retains some heritage integrity. The Dolson House, barn and outbuildings are in their original locations. The historic design of the Dolson House and barn is evident. The materials are largely original and typical from their period. The workmanship demonstrated in the structures appears to be average. However, most of the buildings are in poor physical condition, including two that have collapsed. The complex is not complete. Furthermore, several buildings are from the latter half of the 20<sup>th</sup> century and not associated with the period of historic significance for the Subject Property. The Subject Property does not convey a sense of heritage integrity. In general, the heritage integrity of the property is limited.

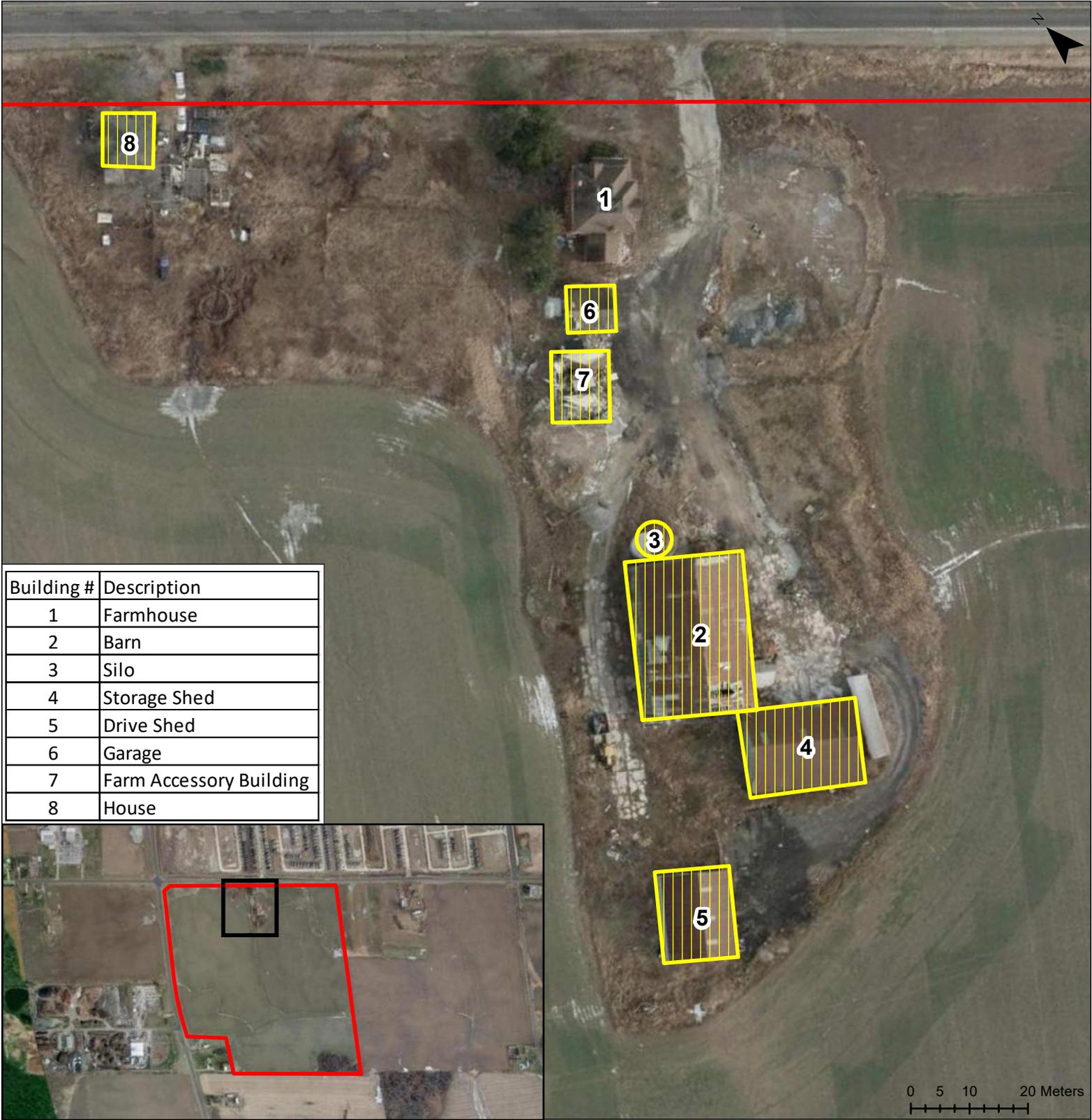
## **6 DESCRIPTION AND EXAMINATION OF PROPOSED DEVELOPMENT / SITE ALTERATIONS**

### **6.1 Proposed Site Alterations**

The Property Owner is proposing to demolish all structures on the Subject Property except for the Dolson House at this time (Figure 69). No other developments have been proposed.

### **6.2 Impact to Heritage Resources**

In LHC's professional opinion the Dolson House is the main heritage attribute of the Subject Property. LHC agrees with most of the City of Brampton's physical heritage attributes for the Dolson House and finds that the Subject Property is historically linked to its surroundings. However, based upon this analysis LHC does not believe that the barn, silo, small house, farm accessory building, garage, drive shed, and storage shed are viable heritage attributes. Nevertheless, for the purpose of this analysis this HIA is treating these features as attributes. Table 4 addresses potential impacts demolition of the farm buildings could have on the heritage attributes of the Subject Property identified in By-law 327-2013.



Building #	Description
1	Farmhouse
2	Barn
3	Silo
4	Storage Shed
5	Drive Shed
6	Garage
7	Farm Accessory Building
8	House



**Legend**

 Proposed for Demolition

 Subject Property

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**  
1. Service Layer Credits: Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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**TITLE**  
Proposed Project

**CLIENT**  
Hannah Bahmanpour, Davis Webb LLP Lawyers

**PROJECT** PROJECT NO. LHC0206  
Cultural Heritage Impact Assessment  
11722 Mississauga Road, Brampton, ON

**CONSULTANT** YYYY-MM-DD 2021-01-12

 PREPARED LHC

DESIGNED JG

FIGURE # 69

Table 4: Heritage Impact Assessment.

Impact	Potential Adverse Impact (Y/N)	Discussion
Destruction of any part of any significant heritage attribute or features;	Y	<p>Neither the Dolson House –the main heritage attribute on the Subject Property—nor any of its specific elements (identified as heritage attributes) are expected to be destroyed by demolition and removal of the agricultural buildings on the Subject Property.</p> <p>The rural character and agricultural setting of the area will be adversely affected by demolition of the agricultural buildings on the Subject Property. Demolition will remove features such as a barn and silo that represent agriculture.</p> <p>The connection between the Dolson House and the farm complex will be destroyed by demolition of the agricultural buildings.</p> <p>While the farm complex buildings and silo support the historic agricultural context of the area the condition of the barn, accessory building and garage is poor and are not viable to be saved.</p>
Alteration that is not sympathetic or is incompatible, with the historic fabric and appearance;	Y	<p>Neither the Dolson House –the main heritage attribute on the Subject Property—nor any of its specific elements are expected to be adversely altered by demolition and removal of the agricultural buildings on the Subject Property.</p> <p>The rural character and agricultural setting of the area will be altered by demolition of the agricultural buildings on the Subject Property. Demolition will alter the historic appearance of the Subject Property as part of the areas agricultural setting.</p> <p>The connection between the Dolson House and the farm complex will be affected by demolition of the agricultural buildings which will alter the historic appearance of the</p>

Impact	Potential Adverse Impact (Y/N)	Discussion
		<p>relationship between the Dolson House and agricultural buildings.</p> <p>While the farm complex buildings and silo support the historic agricultural context of the area the condition of the barn, accessory building, and garage is poor and are not viable to be saved.</p>
Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;	N	Demolition and removal of the agricultural buildings on the Subject Property will not cause shadows that will alter the appearance of heritage attributes of the Subject Property or change the viability of a natural feature.
Isolation of a heritage attribute from its surrounding environment, context, or a significant relationship;	N	Demolition and removal of the agricultural buildings will not isolate any heritage attributes of the Subject Property from the surrounding environment, context, or a significant relationship. The relationship of all heritage attributes on the Dolson House will be unchanged by removal of the other agricultural buildings.
Direct or indirect obstruction of significant views or vistas within, from, or built and natural features;	N	Demolition and removal of the agricultural buildings on the Subject Property will not obstruct significant views or vistas within, from, or of built and natural features. No significant views have been identified.
A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;	N	Demolition and removal of the agricultural buildings on the Subject Property is not expected to change the land use. Long-term plans for the Subject Property have not been developed. For the near future, the Dolson House will remain a vacant house and the surrounding fields will remain fields. The buildings planned for removal are not currently in use.
Land disturbances such as a change in grade that alters soils, drainage patterns that	N	Demolition and removal of the agricultural buildings on the Subject Property is not expected to cause land disturbances that

Impact	Potential Adverse Impact (Y/N)	Discussion
adversely affect an archaeological resource.		<p>significantly changes grade, alters soils or drainage patterns.</p> <p>Archaeological assessments have not been undertaken on the Subject Property. Before the proposed demolition and removal of agricultural buildings archaeological assessments are recommended. Heavy equipment used in demolition can damage potential archaeological resources.</p> <p>If future development is planned on the Subject Property that involves ground disturbance archaeological assessments will be required.</p>

LHC finds that:

- With mitigation measures to avoid accidental damage, demolition of the farm complex structures will not result in adverse impacts to the Dolson House, which is the Subject Property's main heritage attribute, nor to any of its specific elements (identified as heritage attributes in the *OHA* designation By-law 327-2013).
- The small one-storey house, garage, farm accessory building, storage shed, and drive shed all date from the latter half of the 20<sup>th</sup> century. None of these buildings are associated with the Subject Property's historical value or associative value. Removal of these structures will affect the way the "House contributes to a farm complex composed of a barn, silo, outbuildings and drive shed."<sup>86</sup>
  - Nevertheless, the garage and farm accessory building have collapsed. Therefore, removal of the remains of these structures will not have an adverse impact on the heritage attributes of the Subject Property.
- Demolition of the farm complex buildings will have an adverse impact on the:
  - "Rural character and agricultural setting"; and,
  - Way the "House contributes to a farm complex composed of a barn, silo, outbuildings, and drive shed"<sup>87</sup>

However, other considerations, such as the rapidly evolving character of the area, limited heritage integrity and poor condition of the structures, affect planning for the Subject Property.

<sup>86</sup> City of Brampton, By-law 327-2013 to designate 11722 Mississauga Road, Brampton, ON, November 20, 2013.

<sup>87</sup> By-law 327-2013.

## 7 MITIGATION OPTIONS, CONSERVATION METHODS AND PROPOSED ALTERNATIVES

The following range of possible development alternatives was explored. All four options have been considered in relation to the applicable planning framework outlined in Section 2. The options have also taken existing conditions into consideration and have considered the Arbitech Inc. report and the Tacoma Engineers report. The recommended option is identified below.

### 7.1 Option 1: Demolish All Existing Structures Except for the Dolson House

This option is to demolish all existing farm complex structures except for the Dolson House at this time, to remove the demolition debris and clean up the property. No new development is proposed at this time.

Based on the foregoing research and analysis, the *OHA* designation By-law for the Subject Property includes heritage attributes related to the complex of agricultural buildings. Removal of the farm complex structures will result in a direct adverse impact from demolition on the:

- Rural character and agricultural setting
- House contributes to a farm complex composed of a barn, silo, outbuildings, and drive shed

However, LHC found limited CHVI related to the farm complex due to its changed context related to the ongoing evolution of the area from rural and agricultural toward suburban residential, and the physical condition of the buildings. Furthermore, the area has been undergoing planning to become part of the urban area of the City since 2009 when the Heritage Heights Secondary Plan process started. The garage and farm accessory building have collapsed, the one-storey house, storage and drive shed date to the later half of the 20<sup>th</sup> century and are vernacular agricultural structures, and the barn is in poor condition and may not be stable. LHC finds that the heritage attributes of the Subject Property are primarily associated with the Dolson House and with mitigation measures to protect the house there will be no adverse impact to the heritage attribute that is the Dolson House or to any specific architectural attributes of the house.

### 7.2 Option 2: On-site Retention in Current Use

This option would leave the Subject Property as is and the existing buildings would remain *in situ*. The property is currently vacant, and the buildings fenced off. Under this option the farm complex structures would remain unoccupied and unused.

The 'do nothing' option would not make changes to the Subject Property. However, it will likely result in adverse impacts on the heritage attributes and the agricultural buildings. Even with conservation and security measures in place to limit unauthorized access to the buildings and maintain them in their current condition, they will continue to deteriorate. This option does not rehabilitate the buildings. The collapsed buildings will continue to deteriorate as will the barn and silo –which may collapse due to foundation and sill plate deterioration and deflection of the exterior timber bents. The one-storey house, drive shed, and storage shed will also likely deteriorate over time without people actively using the structures to monitor their condition.

A variation of this option is to retain the buildings on site and use them for agricultural purposes. It is unlikely that there is need for these buildings to be used once again for agricultural purposes.

The collapsed buildings would still need to be removed and the property cleaned up. The barn would need to be stabilised which would involve extensive rebuilding. According to the condition assessment by Arbitech Inc. (Appendix D) the Barn is “not safe to occupy and is not fit to be used for its intended purpose. ...repair of the barn would be so significant that even if there is associated heritage value, it would be lost in the process of making the structure safe”.<sup>88</sup> Tacoma Engineers found (Appendix E) that the barn is generally in poor condition.<sup>89</sup> All of the major supports would need to be reviewed for damage and repairs would require extensive work.

### 7.3 Option 3: On-site Retention with Adaptive Re-Use

This option would leave the Subject Property as is and the current use of the building changed to an appropriate alternative. As the Subject Property is zoned agricultural, a zoning amendment would be required.

As per the Arbitech Inc. and Tacoma Engineers reports, adaptive re-use would require extensive and expensive repairs. Some of the buildings,—including the barn—would require complete reconstruction. Future planning for the area envisions urban land uses for the area and agricultural structures are very difficult to adapt to non-agricultural uses even when they are in good condition.

### 7.4 Option 4: Relocation to Alternate Site

This option would relocate the barn and possibly the other agricultural buildings to another location. This option will change the functional, physical, and historic link these buildings have with the Dolson House and the agricultural character of the area.

The condition of these buildings means that relocation would still involve extensive rebuilding. As per the Arbitech Inc. and Tacoma Engineers reports, relocation is not recommended due to structural concerns.

### 7.5 Recommended Option

The recommended option would be Option 1: Demolish All Existing Structures Except for the Dolson House.

Should Option 1 be selected, a Temporary Protection Plan (**TPP**) is recommended for the Dolson House. A TPP should address any potential concerns with the demolition and be completed as part of any construction plan. It should consider common risks including, but not limited to the location of laydown and deliveries, increased dust, security, construction vibrations, fire risk, water runoff, and debris or construction related risks. It is recommended that the TPP be prepared by a qualified individual (e.g., architect, engineer) with heritage experience.

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<sup>88</sup> Arbitech Inc. p. 23.

<sup>89</sup> Tacoma Engineers. p. 7.

## 8 CONCLUSION AND RECOMMENDATIONS

The Subject Property is designated under Section 29, Part IV of the *OHA* through City of Brampton By-law 327-2013 on 20 November 2013. Heritage designation By-law 327-2013 focuses on historic associations and heritage attributes of the Dolson House, with limited description of the farm complex buildings. In order to understand the CHVI of the agricultural context of the Subject Property LHC re-evaluated the Subject Property, including the agricultural buildings, for CHVI against *O. Reg. 9/06*.

It is LHC's professional opinion that the Subject Property at 11722 Mississauga Road meets criteria 1i and 3ii of *O. Reg. 9/06*. Based on the research conducted and subsequent findings, LHC agrees with the majority of the City of Brampton's physical heritage attributes for the Dolson House. LHC does not believe that the barn, silo, one-storey house, farm accessory building, garage, drive shed, and storage shed contribute to the Property's CHVI. Based on LHC's *O. Reg. 9/06* evaluation the House has heritage attributes but the rest of the buildings on the Subject Property do not.

Building condition assessments by Arbitech Inc. and Tacoma Engineers found that the agricultural buildings are in poor physical condition. The garage and farm accessory building have collapsed, and the barn is in poor physical condition. Most of the timber bents that support the barn appear sound, but the exterior bents are compromised, the foundation, sill plate and exterior wall and roof cladding are badly deteriorated and may not be stable. The one-storey house, garage, farm accessory building, storage shed, and drive shed all date from the latter half of the 20<sup>th</sup> century and are not associated with the Subject Property's historical or associative value.

LHC understands that the setting of the Subject Property is rapidly evolving away from rural and agricultural, and the historic agricultural character of the area is already diminished. Furthermore, the City is –and has since 2009, been—planning urban development in the area through the Heritage Heights Secondary Plan.

LHC finds that:

- With mitigation measures to avoid accidental damage, demolition of the farm complex structures will not result in adverse impacts to the Dolson House, which is the Subject Property's main heritage attribute, nor to any of its specific elements (identified as heritage attributes in the *OHA* designation By-law 327-2013).
- The one-storey house, garage, farm accessory building, storage shed, and drive shed all date from the latter half of the 20<sup>th</sup> century. None of these buildings are associated with the Subject Property's historical value or associative value. Removal of these structures will affect the way the "House contributes to a farm complex composed of a barn, silo, outbuildings and drive shed."<sup>90</sup>
  - Nevertheless, the garage and farm accessory building have collapsed. Therefore, removal of the remains of these structures will not have an adverse impact on the heritage attributes of the Subject Property.
- Demolition of the farm complex buildings will have an adverse impact on the:

<sup>90</sup> City of Brampton, By-law 327-2013 to designate 11722 Mississauga Road, Brampton, ON, November 20, 2013.

- “Rural character and agricultural setting”; and,
- Way the “House contributes to a farm complex composed of a barn, silo, outbuildings, and drive shed”<sup>91</sup>

However, other considerations, such as the rapidly evolving character of the area, limited heritage integrity and poor condition of the structures, affect planning for the Subject Property.

The Dolson House should continue to be protected and should be assessed to determine the most appropriate method of conservation. Demolition and removal of the farm complex buildings should be supported. To ensure the conservation of the Dolson House and its architectural elements, identified as heritage attributes, LHC recommends:

- A Temporary Protection Plan (TPP) be prepared;
- The TPP should address potential threats to the Dolson House from activity to demolish the other farm complex buildings;
- The TPP should consider common risks including, but not limited to the location of laydown and deliveries, increased dust, security, construction vibrations, fire risk, water runoff, and debris or construction related risks.
- The TPP must be prepared by a qualified individual with heritage experience.

To support environmental sustainability, timbers from the barn that are in sound condition and able to be recycled, should be salvaged and recycled.

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<sup>91</sup> By-law 327-2013.

## SIGNATURES



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Managing Principal and Senior Heritage  
Planner  
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# **APPENDIX A**

## **Author Qualifications**

## **Marcus R. Létourneau, PhD, MCIP, RPP, CAHP – Managing Principal, Senior Heritage Planner**

Marcus R. Létourneau is the Managing Principal and Senior Heritage Planner for LHC., an Ontario-based heritage consultancy established in 2015. He is also a Senior Associate with Bray Heritage; an Adjunct Assistant Professor in the Department of Geography and Planning at Queen’s University; and, both an Adjunct Assistant Professor and Contributing Associate for the Heritage Resources Centre at the University of Waterloo (where he teaches heritage planning). He co-teaches heritage planning at the Willowbank School of Restoration Arts, co-teaches the facilities management course for historic house museums for the Ontario Museum Association, and teaches a course called “*Heritage Planning for Practitioners*” at Algonquin College.

Marcus currently serves on the Board of Directors of the Friends of the Rideau, on the Board of Directors for the Heritage Resources Centre at the University of Waterloo, and as Vice-Chair for the Township of Leeds and the Thousand Islands Municipal Heritage Committee. He is a professional member of the Canadian Institute of Planners (MCIP), a Registered Professional Planner (RPP) and a full Canadian Association of Heritage Professionals (CAHP) member.

Marcus was previously the Manager for the Sustainability and Heritage Management Discipline Team (Ottawa/Kingston) and a Senior Cultural Heritage Specialist for Golder Associates Limited (2011-2015). His other positions included: serving as a contract professor at Carleton University in both the Department of Geography and Environmental Studies and School of Canadian Studies (Heritage Conservation); as the senior heritage planner for the City of Kingston (2004-2011) where he worked in both the Planning & Development and Cultural Services Departments; and, in various capacities at Queen’s University at Kingston (2001-2007). He previously served on the Executive and Board of Directors for the Ontario Association of Heritage Professionals; on the Board of Directors for Community Heritage Ontario; and, on the Executive and Board of Directors for the Kingston Historical Society.

Marcus has a PhD in Cultural/Historical Geography (Queen’s University); a MA in Cultural Geopolitics (University of Western Ontario); BA (Hons) in Geography with a History Minor (Queen’s University); a Diploma in Peace and Conflict Studies (University of Waterloo); a Professional Certificate in Heritage Conservation Planning (University of Victoria); a Certificate in Museum Studies (Ontario Museum Association); and training in Marine/Foreshore Archaeology. In 2018, he completed UNESCO/ICCROM/WHITRAP training in China on impact assessments for heritage.

Marcus brings over 20 years of experience to his practice, which is particularly focused on heritage legislation, process, and heritage planning. He has been involved in over 225 projects either as the project manager or as the senior heritage planner. He has been qualified as an expert heritage witness at the former OMB/LPAT (heritage planning with a specialization in cultural heritage landscapes/land use planning/ heritage conservation), CRB (cultural heritage specialist), for a Superior Court Hearing, and for a judicial inquiry for the *Public Lands Act*. He co-authored the second edition of *Heritage Planning* (Routledge) with Dr. Hal Kalman (2020).

## **Benjamin Holthof, M.Pl., M.M.A., CAHP – Heritage Planner and Environmental Assessment Specialist**

Ben Holthof is a heritage consultant, planner, and marine archaeologist with experience working in heritage consulting and not-for-profit museum sectors. He holds a Master of Urban and

Regional Planning degree from Queens University, a Master of Maritime Archaeology degree from Flinders University of South Australia, a Bachelor of Arts degree in Archaeology from Wilfrid Laurier University, and a certificate in Museum Management and Curatorship from Fleming College.

Ben has consulting experience in cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research and interpretive planning. His work has involved a wide range of cultural heritage resources including on cultural landscapes, institutional, industrial, commercial, and residential sites as well as infrastructure such as wharves, bridges and dams. Much of his consultant work has been involved in heritage for environmental assessment. Before joining LHC, Ben worked for Golder Associates Ltd. as a Cultural Heritage Specialist from 2014-2020. Ben is also an archaeologist having worked on terrestrial and underwater sites in Ontario and Australia. He has an Applied Research archaeology license from the Government of Ontario (R1062). He is a professional member of the Canadian Association of Heritage Professionals and a Candidate Member of the Ontario Professional Planners Institute.

### **Hayley Devitt Nabuurs, M.PI. – Heritage Planner**

Hayley Devitt Nabuurs is a Heritage Planner with LHC. She holds a Bachelor of Arts in Anthropology from Trent University and a Master's of Urban and Regional Planning from Queen's University. Hayley's master's report research concerned the reconciliation of heritage and accessibility in community centres.

Hayley has over a decade of experience in the heritage field through her work in both the public and private planning sector and the museum sector. She has previously worked as a Heritage Planning Research Assistant with the City of Guelph, completing a heritage plaque inventory for the City and property designation research. At LHC Hayley has worked on over thirty cultural heritage reports including cultural heritage evaluation reports, planning strategy reports, heritage impact assessments, environmental assessments, and peer reviews. Hayley has experience writing official plan policies and specializes in policy research and property history research. She is a Candidate Member of the Ontario Professional Planners Institute, a Candidate Member of the Canadian Institute of Planners, and an Intern Member of the Canadian Association of Heritage Professionals.

### **Jordan Greene, B.A. – Mapping Technician**

Jordan Greene is a mapping technician with LHC. She holds a Bachelor of Arts in Geography with a Certificate in Geographic Information Science and a Certificate in Urban Planning Studies from Queen's University. The experience gained through the completion of the Certificate in Geographic Information Science allowed Jordan to volunteer as a research assistant contributing to the study of the extent of the suburban population in America with Dr. David Gordon. Prior to her work at LHC, Jordan spent the final two years of her undergraduate degree working in managerial positions at the student-run Printing and Copy Centre as an Assistant and Head Manager. Jordan has had an interest in heritage throughout her life and is excited to build on her existing professional and GIS experience as a part of the LHC team.

### **Gerry Zegerius, P.Eng., CAHP – Structural Engineer – Tacoma Engineers**

Gerry Zegerius is a professional engineer licensed in the province of Ontario and a member of the Canadian Association of Heritage Professionals (CAHP). He is currently employed as a Structural Engineer in the role of Senior Associate with Tacoma Engineers. Gerry has over 10 years of experience working with existing structures, specifically those buildings designated as heritage. Gerry has successfully managed the structural engineering work on over 750 projects over the last 10 years, with a wide range of sizes and types. He has also served terms on the boards of several professional organizations, most recently completing a term as the president of CAHP.

# APPENDIX B

## Glossary

Definitions are based on those provided in the *Provincial Policy Statement (PPS)* (2020), *Ontario Heritage Act (OHA)*, the *Region of Peel Official Plan* (1996, 2018 Consolidation) and the *City of Brampton Official Plan* (2006, 2015 Consolidation). In some instances, documents have different definitions for the same term, all definitions have been included and should be considered.

**Adjacent Lands** means for the purposes of cultural heritage those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan. (*PPS* 2020).

**Adjacent Lands** means those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives. (Region of Peel OP 2018).

**Alter** means to change in any manner and includes to restore, renovate, repair, or disturb and “alteration” has a corresponding meaning (“transformer”, “transformation”) (*OHA*).

**Areas of Archaeological Potential** means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist. (*PPS* 2020).

**Archaeological Resource** means the remains of a building, structure, activity or cultural feature or object which, because of the passage of time, is on or below the surface of land or water and is of significance to the understanding of the history of a people or place. (Region of Peel OP 2018)

**Archaeological Resources** include artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. (*PPS* 2020).

**Built Heritage Resource** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal, and/or international registers. (*PPS* 2020).

**Built Heritage** mean one or more buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community. (Region of Peel OP 2018).

**Cultural Heritage Landscape** means any discrete aggregation of features altered through human activity which has been identified as being important to a community. They can provide the contextual and spatial information necessary to preserve, interpret or reinforce the understanding of important historical settings and changes to past patterns of land use. Cultural landscapes include any heritage area perceived as an ensemble of culturally derived features such as a neighbourhood, townscape, farmscape, or waterscape that illustrates noteworthy relationships between people and their surrounding environment. (Region of Peel OP 2018).

**Cultural Heritage Landscape** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act* or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (*PPS 2020*).

**Cultural Heritage Resource** means within a land use context, cultural heritage resources include archaeological sites, built resources, traditional use areas, cultural landscapes and shipwreck sites. More broadly, cultural heritage resources include everything produced and left by the people of a given geographic area, the sum of which represents their cultural identity. This means their handicrafts, tools, equipment, buildings, furnishings, folklore rituals, art, transportation, communications and places of dwelling, play, worship, and commercial and industrial activity. (Region of Peel OP 2018).

**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decisionmaker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (*PPS 2020*).

**Conservation** means the protection, conservation, enhancement and management of the natural environment and natural resources including natural areas, features, processes, biological diversity, renewable and non-renewable resources for sustainable ecosystems and communities. (City of Brampton OP 2015).

**Culture of Conservation** means to develop an individual, community and corporate ethos for the responsible protection, conservation, enhancement and wise use of air, land, water, energy, and natural heritage and cultural resources, and an integrated management of human waste products (City of Brampton OP 2015).

**Heritage Attribute** means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to the property's cultural heritage value or interest ("attributs patrimoniaux") (*OHA*).

**Heritage Attributes** means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g., significant views or vistas to or from a protected heritage property). (*PPS 2020*).

**Older, Mature Neighbourhood** means a residential area where the majority of dwellings were built prior to 1980. These dwellings are generally not constructed to the minimum building setback and maximum lot coverage regulations of the Zoning Bylaw. Typical characteristics of older, mature neighbourhoods are generous separation distances between dwellings, greater front and

rear yard setbacks, and lower lot coverage than in newer neighbourhoods with dwellings built after 1980. (City of Brampton OP 2015)

**Landscape** means the character and morphology of the land surface which has resulted from an interaction of physical processes and human activity. (Region of Peel OP 2018).

**Significant** means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*. (PPS 2020).

**Significant** means in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. (Region of Peel OP 2018).

# **APPENDIX C**

## **BY-LAW 327-2013**



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 327-2013

To designate the property at 11722 Mississauga Road  
as being of cultural heritage value or interest.

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest;

WHEREAS the Brampton Heritage Board supports the designation of the properties described herein;

WHEREAS a Notice of Intention to Designate has been published and served in accordance with the Act, and there has been no Notice of Objection served on the Clerk;

NOW THEREFORE the Council of the Corporation of the City of Brampton HEREBY ENACTS as follows:

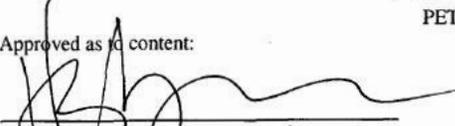
1. The property at 11722 Mississauga Rd, more particularly described in Schedule "A", is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. City Council shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.
3. The City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 11722 Mississauga Rd and upon the Ontario Heritage Trust, and cause notice of this by-law to be published on the City's website in accordance with Council's Procedure By-law.
4. The short statement of the reason for the designation of the property, including a description of the heritage attributes are set out in Schedule "B" to this by-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL  
THIS 20<sup>TH</sup> DAY OF NOVEMBER, 2013.

Approved as  
to form  
  
11/15/13

  
SUSAN FENNELL - MAYOR  
  
PETER FAY - CLERK

Approved as to content:

  
Henk Zbogor, Acting Director, Planning Policy and Growth Management

**SCHEDULE "A" TO BY-LAW 327-2013**

**LEGAL DESCRIPTION**

Part of Lot 17, Concession 5, West of Hurontario Street, Designated as Part 5 on Plan  
43R-14163; Brampton

PIN No.14361-0024 (LT)

## SCHEDULE "B" TO BY-LAW 327-2013

### **SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF 11722 MISSISSAUGA ROAD:**

The property at 11722 Mississauga Road is worthy of designation under Part IV of the *Ontario Heritage Act* for its cultural heritage value. The property meets the criteria for designation prescribed by the Province of Ontario under the three categories of design or physical value, historical value and contextual value.

The cultural heritage value of 11722 Mississauga Road is related to its design or physical value as a well-designed late 19<sup>th</sup> century Queen Anne house with an irregular plan. The structure is clad in red-brick laid out in a stretcher bond configuration. The hip roof has a uniquely large flat section with several projections and gable ends housing decorative vergeboard and paired windows. Wooden brackets decorate the roofline. The fenestration is varied with some one-over-one and paired windows with brick labels, radiating voussoirs, and rusticated stone sills. The window and door openings are all segmentally arched. The façade of the farmhouse features a wraparound porch with turned posts and decorative woodwork.

The cultural heritage value of the property is also related to its historical or associative value due to its association with early Brampton settlers, particularly the Dolson family. The Dolson family was well-known in the former Township of Chinguacousy. Members of the family worked in agriculture, breeding award-winning cattle, hogs and sheep.

William Dunn Dolson, of Dutch descent and originating from Pennsylvania, was a farmer who settled in the area with his wife Margaret Plummerfelt. They came from St. Catharines bringing with them only a cow and a yoke of oxen. Margaret's father, Peter Plummerfeldt, was a United Empire Loyalist and given a grant of land in Chinguacousy in 1822. He originally received the Crown Patent for all 200 acres of Lot 17, Concession 5 West of Hurontario Street, Chinguacousy Township. Peter gifted Margaret and William with a farm and property on Lot 17 around 1831.

After William's death, his sons Andrew and John sold the property in 1878 to Joseph McClure, William's son-in-law. The McClures represented another large and prominent family in the former Township of Chinguacousy. It is likely that Joseph McClure built the extant farmhouse in the 1890s, as the area was becoming an increasingly agricultural settlement. The property remained in the McClure family until 1924 after which it changed hands many times.

The house at 11722 Mississauga Road holds contextual value as it maintains, defines and contributes to the 19<sup>th</sup> and 20<sup>th</sup> century rural character of the former Chinguacousy Township. Historically the township was settled for agricultural purposes and the property still reflects that use. The house contributes to the farm complex on the property composed of a barn and silo, outbuildings, a drive shed and numerous mature trees. The house is flanked by agricultural fields and can be clearly seen from the road, visually linking the property's historic function to its surroundings.

**DESCRIPTION OF THE HERITAGE ATTRIBUTES OF THE PROPERTY:**

Unless otherwise indicated, the reason for designation apply generally to all exterior elevations, facades, foundation, roof and roof trim, all doors, windows, other structural openings and associated trim, all architectural detailing, construction materials of wood, stone, brick, plaster parging, metal and glazing and related building techniques, fencing, all trees, shrubs, hedgerows, other vegetation and the grounds and vistas generally.

To ensure that the cultural heritage value of this property is conserved, certain heritage attributes that contribute to its value have been identified. They include:

- Queen Anne architecture style
- Irregular plan
- Red-brick cladding in stretcher bond configuration
- Stone foundation
- Hip roof with flat section
- Gable ends with decorative vergeboard and paired windows
- Wood brackets
- 1/1 and paired windows with brick labels
- Radiating voussoirs
- Rusticated stone window sills
- Segmentally arched window and door openings
- Wraparound porch with turned posts and decorative woodwork
- Associated with the Dolson and McClure families
- Rural character and agricultural setting
- House contributes to a farm complex composed of a barn, silo, outbuildings and drive shed
- Frontage screened by a planting of mature coniferous and deciduous trees
- Visible from the road, visually linking to the property to the area's history

# **APPENDIX D**

## **Building Condition Assessment Report – Arbitech Inc.**

**BUILDING CONDITION ASSESSMENT  
REPORT**

**11772 MISSISSAUGA ROAD**

**BRAMPTON, ONTARIO**

March 4, 2020

BY EMAIL: MELISA RUPOLI <MELISA.RUPOLI@DAVISWEBB.COM>

Melisa Rupoli and James MacDonald  
Davis Webb LLP  
24 Queen Street East  
Suite 800  
Brampton, ON L6V 1A3

Dear Ms. Rupoli:

**Re: Building and Property Condition Assessment  
11772 Mississauga Road, Mississauga, Ontario**

---

This report describes the results of our condition assessment of the buildings and structures at the subject property along with our opinion on costs to remedy defects identified in the Property Standards Order issued by the City of Brampton September 17, 2019.

A Table of Contents has been added on the following page. Our assessment was based on information made available to us at the time of the undertaking and on our experience assessing buildings and providing opinions of cost to undertake remedial work. This report is subject to change should additional information be obtained or should the information available to the undersigned be updated.

Yours truly,



Mina Tesseris, P. Eng. LEED AP  
Senior Forensic Engineer

Reviewed by,

A handwritten signature in black ink, followed by a circular professional seal for a Licensed Professional Engineer in the Province of Ontario. The seal contains the name "G. R. GENGE" and the license number "20001".

Gerald R. Genge  
C.Eng., P.Eng., BDS, BSSO C.Arb., Q.Med.

ENCL: REPORT  
APPENDICES  
FILE NO: O:\ID ARBITECH PROJECTS\20001 - DAVIS WEBB - PSO - 11722 MISSISSAUGA RD\7 EXPERT REPORT\COMMENTS AND EDITS ON  
FINAL\_REPORT\_2020\_03\_03.DOCX

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### APPENDIX A - Curriculum Vitae

### APPENDIX B - Property Standards Order dated September 17, 2019

## EXECUTIVE SUMMARY

The condition of the buildings and structures on the subject property was assessed in response to defects and necessary repairs listed in the Property Standards Order issued by the City of Brampton. The buildings referenced in the Order were the Farmhouse, the Barn, the Drive Shed and the Storage Shed. The Storage Shed is described in the Order as the dilapidated accessory structure located southwest of the Drive Shed. There are two dilapidated structures on the west side of the Farmhouse that appear to have been used as storage garages. Both buildings have collapsed and are cordoned off to limit access.

The property was designated by the City of Brampton under Section 29 of the Ontario Heritage Act as being of cultural heritage value or interest. The attributes that contribute to the heritage value of the property are identified in Schedule B of the Order to be related to the architectural features of the Farmhouse.

Our assessment confirmed poor condition in all buildings. The observed conditions are documented in this report. The Order states that the Storage Shed is to be demolished. The Order describes the remedial work for the three remaining buildings as repair or replacement of the affected building components.

A strategy involving repair or replacement of building components for the Farmhouse, Barn and Drive Shed is presented in this report, together with an opinion of cost is provided for this work and for demolition of the three dilapidated buildings. Our opinion on costs to carry out all of the work in the Order is \$1,495,461. However, in our opinion, the Barn structure is currently unsafe and should be demolished as repair is cost-prohibitive and unnecessary for use of the property. In addition, the two metal-clad shed buildings that are more recent construction currently serve no useful function on the property and should be demolished rather than repaired.

However, in our opinion, Only the farmhouse itself can reasonably be preserved. The opinion of costs to bring the farmhouse into compliance with the Order while retaining Heritage value, is \$139,165. All other buildings should be demolished.

# 1 Purpose and Basic Information

## 1.1 Terms of Engagement

Tony and Kathy Ghinis [**"The Owners"**] engaged the undersigned through Davis Webb LLP [**"Counsel"**] to provide an assessment of the documents and the on-site conditions related to restoring the buildings at 11772 Mississauga Road, Brampton Ontario [**"Building(s)"**] in a manner sufficient to comply with the Heritage Designation and Property Standards Order, dated September 17, 2019. The mandate from Counsel was to:

1. Assess the condition of the buildings described in the order.
2. Document conditions that require repair work to achieve compliance with the Order.
3. Prepare an opinion of repair costs for the work identified.
4. Prepare an opinion report summarizing our findings and opinion of cost.

Our opinion is limited to the physical condition and costs for repair and does not provide comment on heritage value. This report and analysis was prepared by Mina Tesseris, P.Eng., LEED AP, supervised and peer reviewed by Gerald R. Genge, P.Eng., C.Eng., BDS, BSSO, Q.Med., C.Arb. Attached as Appendix A to this report are the Résumés for Mina Tesseris and Gerald R. Genge.

## 1.2 References, Information Reviewed, and Footnotes

This report references documents in footnotes. Specifically, Arbitech relied on the following documents for the determination of our opinions. These documents are not attached. I assume that each document is available for examination by all parties. I have taken excerpts from some documents where relevant to my opinion.

1. City of Brampton Heritage Permit Kit
2. City of Brampton By-Law 327-2013 to designate the property at 11772 Mississauga Road as being of cultural heritage value or interest.
3. City of Brampton – Enforcement & By-Law Services – Property Standards Investigation, dated May 02, 2019
4. City of Brampton – Enforcement & By-Law Services – Property Standards Investigation, dated November 21, 2019
5. City of Brampton Property Standards Order, issued September 17, 2019
6. Decision of the City of Brampton Property Standards Committee resulting from the hearing held on November 28, 2019 regarding the Property Standards Order dated September 17, 2019

### 1.2.1 Basic References and Standard Abbreviations

- Building Code Act [**"BCA"**]
- Ontario Building Code 2012 [**"OBC or Building Code"**]
- Property Standards Order dated September 17, 2019 [**"the Order"**]

## 2 Background

The subject property is located on the west side of Mississauga Road in the City of Brampton. It is a large agricultural property, including several buildings and structures. It was designated under City By-Law 327-2013 to be of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act. The cultural heritage value of the property is described in Schedule B to the By-Law as being related to the design of the farmhouse and to the historical or associative value due to its association with early Brampton settlers.

An Order was issued in respect of the property by the City of Brampton Property Standards Officer on September 17, 2019. A copy of the Order is contained in Appendix B of this report. The Order affects the red brick clad Farmhouse; the Drive Shed, located southwest of the Farmhouse; the dilapidated accessory structure located southwest of the Drive Shed (hereinafter referred to as the Storage Shed); and the Barn. The two accessory structures immediately west of the house are not included in the Order. Schedule A of the Order describes the particulars of the Order. Figure 1.2.1. is an aerial view of the buildings referenced in the Order. For the purposes of this report, the side of the Farmhouse facing Mississauga Road is considered as the east face of the building.



Figure 1.2.1: Aerial view of site showing buildings referenced in Property Standards Order issued by City of Brampton.

### 2.1 Design and Construction

The Farmhouse is a two-storey structure described in the Order as having 19<sup>th</sup>-century Queen Anne style architecture with an irregular plan (Figure 2.1.1). Part of the “irregular plan” arises from a kitchen addition at the west side of the Building. We have no information on when that kitchen was added.



Figure 2.1.1: Southeast corner of the Farmhouse

We found that the Farmhouse has an accessible attic and a crawl space. It is clad in red brick laid out in a stretcher bond configuration with soldier course segmental brick arches above window and door openings and rusticated stone sills. The windows are "one-over-one" or "paired" with brick labels above (commonly known as flashing).

The foundation is constructed of rubble stone masonry. The roof is a hip-style roof with asphalt shingles and a large flat section at the peak that is protected by a roofing membrane. Originally, there were paired ornamental wood brackets at the top of the walls below the roof soffit but they have since become detached.



Figure 2.1.2: South side of the Barn.

The Barn (Figure 2.1.2) is a heavy timber framed structure with a rubble stone foundation wall and metal clad roof. There is a total of seven heavy timber frames spaced approximately 12 feet apart to form six bays. The walls are finished with vertical "board and batten" wood cladding.

There are two dilapidated accessory buildings immediately west of the Farmhouse (Figures 2.1.3 and 2.1.4) that have partially or fully collapsed and have been roped off for safety reasons. These two buildings are not referenced in the Order.



Figure 2.1.3: South side of east partially collapsed garage.



Figure 2.1.4: South side of west collapsed garage.

Both the Storage Shed (Figure 2.1.5) and Drive Shed (Figure 2.1.6) are single-storey, wood-framed structures supported on unidentified foundations. The walls and roof of both structures are clad in metal. The floor of the Drive Shed consists of gravel while the floor of the Storage Shed is a concrete slab-on-grade which may also be the foundation supporting the walls and roof.



*Figure 2.1.5: East side of Storage shed*



*Figure 2.1.6: South side of Drive shed.*

### 3 The Order

The Order issued by the City is stated as follows:

**YOU ARE HEREBY ORDERED** to carry out the repairs and maintenance work necessary to correct the defects as set out in Schedule A, Schedule A(i), Schedule A(ii), Schedule A(iii), Schedule A(iv), and Schedule B attached to this Order. This Order shall be complied with and the property brought into a condition of compliance with the prescribed standards in accordance with any permits required by law **on or before the compliance date of Nov 15, 2019**

- Schedule A of the Order confirms the buildings referenced in Schedules A(i), A(ii), A(iii) and A(iv).
- Schedule A(i) sets out the defects and necessary repairs related to the Farmhouse. In general, the necessary repairs are described as repair and/or replacement of defects in chimneys, roofing, roof structure, soffit, fascia, eavestroughs, downspouts, exterior walls, doors/windows and their frames, shutters, weatherstripping, exterior stairs and the front porch. This schedule also included the requirement to install a handrail on the stairs leading up to the porch in conformance with the OBC.
  - The repair/replacement of roofing, roof structure, windows and doors was indicated as necessary so as to prevent the entrance of wind and rain into the dwelling.
  - The repair/replacement of loose bricks and the porch was indicated as necessary so as to address concerns with safety of persons on the property.
  - The repair/replacement of other components was indicated as necessary so as to prevent their deterioration due to weather and/or insects
- Schedule A(ii) sets out the defects and necessary repairs related to the Drive Shed. In general, the necessary repairs are described as repair and/or replacement of defects in roofing, roof structure, soffit, fascia, eavestroughs, downspouts, exterior walls, doors/windows and their frames.
  - The repair/replacement of roofing and roof structure was indicated as necessary so as to prevent the entrance of wind and rain into the dwelling.
  - The repair/replacement of other components was indicated as necessary so as to prevent their deterioration due to weather and/or insects.
- Schedule A(iii) sets out the defects and necessary repairs related to the "Dilapidated Accessory Structure Southwest of the Driveshed". The necessary repair is described as "Remove remaining standing exterior walls, as well as all other components (walls, roofs and other parts of the structure)". Essentially, the necessary repair involves demolition of the entire structure.
- Schedule A(iv) sets out the defects and necessary repairs related to the Barn. In general, the necessary repairs are described as repair and/or replacement of defects in roofing, roof structure, soffit, fascia, eavestroughs, downspouts and exterior walls.
  - The repair/replacement of roofing and roof structure was indicated as necessary so as to prevent the entrance of wind and rain into the dwelling.
  - The repair/replacement of other components was indicated as necessary so as to prevent their deterioration due to weather and/or insects.

## 4 Site Observations

### 4.1 Methodology

Site visits were made on three occasions.

On December 11, 2019, Gerald Genge attended to make a cursory visual examination and obtain general photographs.

On December 20, 2019, Gerald Genge attended to review the measures undertaken by the Owner to restrict access to the property and buildings that had been added since the previous and take photographs.

On January 28, 2020 Mina Tesseris, Gerald Genge and Essence Morgan attended the property. Mr. Genge attended for only part of that day.

The January 28, 2020 site visit was performed to view the property and assess the condition of the buildings for the purpose of identifying repairs that will be necessary for compliance with the Order. The assessment was visual and non-destructive in nature. No destructive or other physical testing was performed.

All four buildings referenced in the Order were viewed from ground level. The Farmhouse and the Barn were both accessible at the time of our visit. We viewed the interior of the Barn through openings in the East and West endwalls but did not enter due to safety concerns arising from the dilapidated floor condition and uncertain ability of the wood framing to withstand wind gusts. Access into the Drive Shed and the Storage Shed was not available due to the boarding of openings by the Owner.

With the Owner's consent, we removed the board covering the front door of the Farmhouse and entered.

Perimeter measurements of the Farmhouse were made to facilitate quantity take-offs for the purpose of preparing an opinion of repair costs. Approximate measurements were taken of the three remaining buildings for the same purpose. Photographs were taken to document conditions which, in our opinion, represented defects requiring repair to comply with the Order. The observed conditions are described as follows.

### 4.2 Observed Conditions

#### 4.2.1 Farmhouse [Order Schedule A(i)]

The Farmhouse includes the original two storey brick residence with a single-storey (kitchen) addition at the west side. There was evidence of localized deterioration in the exterior brick as noted below, however, there was no evidence of overall distress or deformation in the exterior walls to indicate issues with their structural integrity. The windows and doors were boarded with plywood at the time of our visit.

Restoring the Farmhouse to comply with the Order will require repairs and/or replacement of brick masonry and rusticated stone window sills, roofing replacement, soffit/fascia/eavestrough repairs and localized replacement, replacement of the front porch, installation of new replica windows and doors and repair of concrete slab and steps at the addition.



*Figure 4.2.1: East Elevation – Farmhouse*

*The asphalt shingle roof of the Farmhouse has reached the end of its service life and requires replacement. The flat portion of the roof at the top was not accessible. The membrane on this small portion of the roof will also require replacement.*

*The front porch is constructed of wood. The porch is to be reconstructed in accordance with the Order. Reconstruction is to replicate the original porch in order to maintain the heritage attributes of the structure.*



*Figure 4.2.2: Mortar joint deterioration below hoarding at window openings at east wall of Farmhouse.*



*Figure 4.2.3: Deteriorated soffit and mortar joints at east wall of Farmhouse. Also note missing paired ornamental wood brackets below soffit.*



*Figure 4.2.4: Deteriorated wraparound porch at east wall with ornamental turned wood posts. Posts are structurally unstable.*



*Figure 4.2.5: Deteriorated wraparound porch at south wall with ornamental turned wood posts. Posts are structurally unstable. Eavestrough has collapsed.*



Figure 4.2.6: South Elevation – Farmhouse

Note the paired wood ornamental brackets below the soffit on the south wall. The brackets at the three other sides of the Farmhouse are missing.



Figure 4.2.7: Deteriorated soffit and fascia at south wall



Figure 4.2.8: Deteriorated steps and structural slab over cistern at south side of addition.



*Figure 4.2.9: Deteriorated bricks and mortar at arch over first storey window in south wall. Schedule B of the Order refers to the bricks forming the arch as “radiating voussoirs” that contribute to the heritage value of the Farmhouse.*



*Figure 4.2.10: Dislodged bricks at arch over second storey window in south wall are in danger of falling.*



*Figure 4.2.11: Missing stone sill at first storey window in south wall.*



*Figure 4.2.12: Deteriorated mortar joints at base of south wall.*



Figure 4.2.13: West Elevation – Farmhouse

There is evidence of localized deterioration of some components of the single storey addition at the west side of the Farmhouse, however, there is no evidence of structural distress or deformation.



Figure 4.2.14: Deteriorated brick masonry and missing cap at chimney on west side of Farmhouse roof. Also note deteriorated asphalt shingles.



Figure 4.2.15: Deteriorated asphalt shingles, soffit and fascia at west side of Farmhouse.



*Figure 4.2.16: Deteriorated brick masonry near grade and deteriorated wood frame of crawl space access hatch at base of west wall of Farmhouse.*



*Figure 4.2.17: Missing section of eavestrough at Farmhouse roof and damaged step flashing where roof of addition meets west wall of Farmhouse.*



*Figure 4.2.18: North Elevation – Farmhouse*



Figure 4.2.19: North Elevation – Farmhouse (Kitchen) Addition



Figure 4.2.20: Defects in north Farmhouse wall include missing brick at arch above lower window, deteriorated masonry between window openings, missing paired ornamental wood brackets below soffit, deteriorated brick masonry at top of chimney and missing chimney cap.



Figure 4.2.21: Deteriorated mortar joints at base of north wall of Farmhouse.



*Figure 4.2.22: Deteriorated mortar joints at base of north wall of Farmhouse addition.*

#### 4.2.2 Drive Shed [Order Schedule A(ii)]

The Drive Shed measures approximately 35 ft. x 50 ft. x 21 ft. high at the roof peak. The roof structure framing consists of roof trusses with metal connector plates. The structure appears stable with no evidence of deformation or distress, aside from impact damage at the west gable endwall as seen in the photo below.

The roofline of the Drive Shed appears level with no evidence of structural distress or deformation along the ridge or along the slope.



Figure 4.2.23: North Elevation – Drive Shed

The access door at the south wall of the Drive Shed has been hoarded with plywood. The door requires replacement as noted in the Order.

There is evidence of surficial corrosion on the fascia and metal siding throughout. The fascia and siding on all four sides of this building can be restored as noted in the Order by replacing corroded screw fasteners and refinishing with a protective coating of paint.



Figure 4.2.24: South Elevation – Drive Shed

There are remnants of an abandoned sliding door at the east wall. The door is to be removed.

The vertical metal siding at the north half of this wall has been replaced with horizontal corrugated siding with the ends being open to weather. This siding is to be replaced with vertically ribbed metal that matches the profile of the original siding.



Figure 4.2.25: East Elevation – Drive Shed

There is a section of missing metal siding at the gable end.  
The opening for the abandoned sliding door at the west wall of the Drive Shed has been hoarded with plywood. The door requires replacement when the damaged wall is replaced as noted below.



Figure 4.2.26: West Elevation – Drive Shed

The west wall has sustained severe impact damage as seen in Figure 4.2.5.  
This wall is to be reconstructed and finished with vertically ribbed metal siding.



Figure 4.2.27: Impact damage at west wall of Drive Shed

### 4.2.3 Storage Shed [Order Schedule A(iii)]

The approximate plan dimensions of the Storage Shed are 40 feet x 50 feet. The grade around the building slopes down from west to east such that the height of the wall above grade is 8 feet at the west wall and 12 feet at the east wall. and is approximately 21 feet high at the roof peak.

The roof structure consists of long span rafters with a horizontal tension tie near the base. The ridge of the roof shows evidence of sagging at the south end, possibly as a result of foundation settlement. There is also severe sagging of the eave at the northwest corner.

The east wall of this building is dilapidated and is enclosed by wood hoarding. The overall condition of this building is poor and the Order requires that it be demolished. In our opinion, this building has reached the end of its service life.

There is a severe sag in the roof ridge at the south end.  
There is surficial corrosion on the metal siding throughout all four wall faces.



Figure 4.2.28: West Elevation – Storage Shed

There is a severe sag in the roof ridge at the south end.  
The east wall is enclosed with different types of wood hoarding. The small building in the foreground at the right side of this photo is an accessory structure to the Barn.



Figure 4.2.29: East Elevation – Storage Shed

There is a severe sag in the roof eave at the north end of the east wall. Also note the different types of wood hoarding.



Figure 4.2.30: East Elevation – Storage Shed

#### 4.2.4 Dilapidated Accessory Buildings [Not Referenced in the Order]

There are two dilapidated accessory buildings immediately west of the Farmhouse that have collapsed and are currently cordoned off with snow fence to limit access. These two buildings are not referenced in the Order. Section 5 of this report includes our opinion of cost to remove both buildings from the site.



Figure 4.2.31: Two dilapidated accessory buildings west of Farmhouse

#### **4.2.5 Barn [Schedule A(iv)]**

The approximate plan dimensions of the Barn are 45 feet x 75 feet. The grade around the building slopes down from west to east such that the height of the foundation wall above grade is approximately 12 feet at the south wall and 7 feet at the east wall.

The timber wall above the foundation wall is approximately 20 feet high at the long sides. The exterior posts of the post-and-beam timber frame are supported on the perimeter foundation walls while interior posts extend down through the first floor and presumably bear on isolated pad foundations at the lower level.

Restoring the barn would require dismantling the heavy timber structure, repairing the deteriorated mortar in the rubble stone foundation, augmenting the foundation wall with a reinforced concrete wall and re-erecting the timber superstructure. This would require issuance of a Building Permit by the local Building Authority. The permit would need to comply with the requirements of the current version of the National Farm Building Code of Canada as permitted by the current Ontario Building Code. That code deals with Structural Requirements for snow and saturated snow during rain. In our opinion, the timber frame and connections would require reinforcing to meet the structural design requirements.

The Farm Building Code has not been updated since 1995 but forthcoming changes to design for wind loads will require resistance to 1 in 50-year return wind rather than 1 in 10 as it is now. Thus, the design of any reinforcing would be substantial and would not be able to replicate the existing framing.

Currently there is significant deformation and deterioration at various locations throughout the Barn foundation and timber superstructure as shown in the photos below. The Property Standards Order requires that work be done to satisfy the Heritage Act. The Heritage Act requires that replaced components match existing components. The Heritage Act does not deal explicitly with required strengthening to make the building safe for use.

As set out in the Order Schedule B [excerpt below], Section 34 of The Heritage Act requires consent in writing from the council of the municipality to demolish a building located on property designated under Section 29 as being of cultural heritage value or interest.

The City of Brampton is giving you Notice that Council has designated the property at 11722 Mississauga Road under section 29 of the Ontario Heritage Act as being of cultural heritage value or interest. The property at 11722 Mississauga Road is therefore protected under the Ontario Heritage Act and applicable municipal law. As such, sections 33 and 34 of the Ontario Heritage Act apply to the property. **Any alteration, demolition or removal pursuant to these sections is not permitted unless the owner of the property applies to the Council of the City of Brampton and receives consent in writing to the alteration, demolition or removal.** Any alteration, demolition or removal on the property that contravenes the Ontario Heritage Act may be subject to charges under the Act.

Section 33 of the Ontario Heritage Act states that: *no owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes that was required to be registered under subsection 29 (6) or (14), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration.*

Section 34 of the Ontario Heritage Act states that: *no owner of property designated under section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal.*

Pursuant to section 69 of the Ontario Heritage Act, every person who do any of the following is guilty of an offence under the Act:

- (a) knowingly, furnishes false information in any application under this Act or in any statement, report or return required to be furnished under this Act or the regulations;
- (b) fails to comply with any order, direction or other requirement made under this Act; or contravenes this Act or the regulations.

The heritage attributes of the property at 11722 Mississauga Road, as set out in By-law 327-2013 to designate the property as being of cultural heritage value or interest are below:

- Queen Anne architecture style
- Irregular plan
- Red-brick cladding in stretcher bond configuration
- Stone foundation
- Hip roof with flat section
- Gable ends with decorative vergeboard and paired windows
- Wood brackets
- 1/1 and paired windows with brick labels
- Radiating voussoirs
- Rusticated stone window sills
- Segmentally arched window and door openings
- Wraparound porch with turned posts and decorative woodwork
- Associated with the Dolson and McClure families
- Rural character and agricultural setting
- House contributes to a farm complex composed of a barn, silo, outbuildings and drive shed
- Frontage screened by a planting of mature coniferous and deciduous trees
- Visible from the road, visually linking to the property to the area's history

These heritage attributes of the property all apply to the Farmhouse only. There appears to be no heritage attributes associated with the barn.

In our opinion, the barn is not safe to occupy and is not fit to be used for its intended purpose. In our opinion, repair of the Barn would be so significant that even if there is associated heritage value, it would be lost in the process of making the structure safe.

There is a concrete silo at the west end of the Barn. Aside from the roof, which is missing sections of metal roofing, the silo is in good condition with no evidence of distress or deterioration.

A section of the roof has collapsed at the west end. Sections of metal roofing are missing and the remaining metal roofing is corroding. Blow-offs are likely to occur in the future during high wind events. Pieces of wood board and batten cladding have become detached from the frame and sections of cladding are missing. Large sections of the foundation wall are missing stones and have been covered with plywood to limit entry of animals and precipitation.



Figure 4.2.32: South Elevation – Barn



Figure 4.2.33: Roof collapse at west end of roof



Figure 4.2.34: Large crack in foundation at southwest corner



Figure 4.2.35: Large sections of missing rubble stone at south foundation wall.



Figure 4.2.36: Typical example of deteriorated mortar at base of rubble stone foundation wall.



Figure 4.2.37: Outward movement at top of south foundation wall



Figure 4.2.38: Missing section of roof at top of concrete silo

Sections of metal roofing are missing and the remaining metal roofing is corroding. Blow-offs are likely to occur in the future during high wind events  
Sections of wood cladding are missing.  
Eavestrough has collapsed to the ground.



Figure 4.2.39: North Elevation - Barn



Figure 4.2.40: Significant inward movement at top of north foundation wall. The wall is at risk of instability and collapse.



Figure 4.2.41: Missing eavestrough at top of north wall. Sections of eavestrough were found lying on the ground below.

Large sections of wood cladding are missing at the west endwall. Cladding has detached from the frame and blow-offs are imminent.

There is a large crack at southwest corner of foundation wall.

The timber sill at the base of the west wall is rotted. Wood rot at the sill probably exists at other locations throughout the structure but is not visible as it is covered by the wood cladding.

Large sections of missing rubble stone on the foundation have been covered with plywood to limit entry of animals and precipitation.



Figure 4.2.42: West end elevation - Barn.



Figure 4.2.43: Interior of barn (photo taken at opening in west endwall looking east).



Figure 4.2.44: Rotted timber sill at base of west endwall. The top of this wall is leaning outward.

Large sections of wood cladding are missing at the east endwall. Cladding has detached from the frame and blow-offs are imminent.



Figure 4.2.45: East Elevation - Barn

The heavy timber framing of the Barn could not be assessed due to safety concerns with entering the structure. There is evidence of wood rot at the underside of many of the roof deck boards and also on the roof purlins. Wood members with rot are not reusable.

The secondary framing of the structure consists of rough-cut roof purlins and wall girts. These members have an irregular surface and are not suitable for re-use with modern framing techniques utilizing plywood or OSB sheathing.

There is lateral displacement of the frames in the north-south direction based on the visible out-of-plumbness of the north and south exterior walls and the foundation walls below.



Figure 4.2.46: Interior of barn (photo taken at opening in east endwall looking west).

## 5 Applicable Laws

### 5.1 Building Code Act

The Building Code Act (“**BCA**”) is the statute that governs the design, construction, occupancy, and demolition of buildings in Ontario and sets out the provisions for inspection and enforcement of these requirements. No municipal by-laws or actions can be in conflict with the BCA.

The Ontario Building Code (“**OBC**”) is a regulation made under the BCA. The OBC sets out the standards for design, construction, occupancy, and demolition of buildings in the Ontario Building Code. The current code is Ontario Regulation 332/12 [“**OBC 2012**”] updated to O.Reg. 88/19. No municipal by-laws or actions can be in conflict with the BCA and/or the OBC.

### 5.2 2012 Building Code

#### 5.2.1 Definition of Farm Building

OBC 2012 Division A, Article 1.4.1.2 defines a farm building as follows [Emphasis added].

“[...] *Farm building* means all or part of a *building*,  
(a) that does not contain any area used for *residential occupancy*,  
(b) that is associated with and located on land devoted to the practice of farming, and  
(c) that is used essentially for the housing of equipment or livestock or the production, storage or processing of agricultural and horticultural produce or feeds. [...]”

Thus, with the exception of the farmhouse, the buildings on the property that were the subject of the Order are “farm buildings”.

In addition, OBC 2012 considers the design requirements for buildings of “Low Human Occupancy” and defines that as:

“[...] *Low human occupancy* means, when applied to a *farm building*, an *occupancy* in which the *occupant load* is not more than one person per 40 m<sup>2</sup> of *floor area* during normal use. [...]”

All buildings on the property except the farmhouse would meet that criteria.

#### 5.2.2 The National Farm Building Code

OBC 2012, and prior regulations, recognizes the unique construction requirements of buildings on farms. As such, OBC 2012 includes Division A, Compliance, Objectives and Functional Statements. Under Division A, Article 1.3.1.2 are instructions related to Farm Buildings. The excerpt follows [emphasis added]:

##### “[...] 1.3.1.2. Farm Buildings

(1) Except as provided in Sentences (2) to (7), farm buildings shall conform to the requirements in the CCBFC NRCC 38732, “National Farm Building Code of Canada”.

(2) Articles 1.1.1.2. and 3.1.8.1. and Subsections 3.1.4. and 4.1.4. in the CCBFC NRCC 38732, “National Farm Building Code of Canada” do not apply to farm buildings.

(3) In the CCBFC NRCC 38732, “National Farm Building Code of Canada”, references in Articles 1.1.1.3., 2.2.2.1., 2.2.2.2., 2.3.1.1., 2.3.2.1., 3.1.1.1., 3.1.1.2., 3.1.2.1. and 3.1.6.1. to the CCBFC NRCC 38726, “National Building Code of Canada”, are deemed to be references to Ontario Regulation 403/97 (Building Code), as it read on December 30, 2006.

(4) A farm building of low human occupancy having a building area not exceeding 600 m<sup>2</sup> and not more than three storeys in building height is deemed to comply with the structural requirements of the CCBFC

NRCC 38732, “National Farm Building Code of Canada” if it is designed and constructed in conformance with MMAH Supplementary Standard SB-11, “Construction of Farm Buildings”. [...]

The aforementioned references to the National Farm Building Code of Canada, [“**NFBCC 1995**”] override requirements of the Ontario Building Code and also any municipal By-Law affecting property condition and standards as related to farm buildings.

Unlike OBC 2012, which has requirements under Part 5 for Environmental Separation and specifically for roofing and cladding design, NFBCC 1995 has no requirements other than human health, fire safety, and structural sufficiency. Therefore, buildings on the property that are not the farmhouse itself have no obligation to comply with typical cladding or roofing provisions to provide moisture protection, or energy efficiency.

### 5.2.3 Demolition of Farm Buildings

OBC 2012 Division C Administrative Provisions, Article 1.3.1.1 provides for demolition of a Farm building and excludes Farm buildings from the obligation to have a demolition permit. The excerpt follows [Emphasis added]

“[...] Section 1.3. Permits and Inspection’

1.3.1. Permits

1.3.1.1. Requirement for Permits

(1) A person is exempt from the requirement to obtain a permit under section 8 of the Act,

(a) for the demolition of a building located on a farm,

(b) subject to Sentence (2), for the construction or demolition of a building in territory without municipal organization, or

(c) for the construction of a Class 1 sewage system. [...]

Therefore, in my opinion, based on the specific wording of the BCA and OBC 2012 requirements, the buildings on the farm that are not the farmhouse itself can be demolished without a permit.

## 5.3 Property Standards

The *Building Code Act 1992* [“**BCA**”] establish the processes that empower a municipality to establish standards for maintenance and occupancy of properties by creating a Property Standards By-Law or By Laws [“**By-Law**”]. Failure to comply with the for maintenance and occupancy set out in the By-Law may result in an Order issued by an officer appointed for the purpose that particularizes infractions of the By-Law.

Article 15.6 of empowers the municipality to establish an appeal body known as the property standards committee [“**Committee**”], who are appointed by municipal council to hear appeals to Orders.

The duty and powers of the Committee hearing an appeal of an Order, are set out in Article 15.3 as follows [Emphasis added].

#### Appeal of order

**15.3** (1) An owner or occupant who has been served with an order made under subsection 15.2 (2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order. 1997, c. 24, s. 224 (8).

#### Confirmation of order

(2) An order that is not appealed within the time referred to in subsection (1) shall be deemed to be confirmed. 1997, c. 24, s. 224 (8).

#### Duty of committee

(3) The committee shall hear the appeal. 2002, c. 9, s. 24.

### **Powers of committee**

(3.1) On an appeal, the committee has all the powers and functions of the officer who made the order and the committee may do any of the following things if, in the committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:

1. Confirm, modify or rescind the order to demolish or repair.
2. Extend the time for complying with the order. 2002, c. 9, s. 24.

### **Appeal to court**

(4) The municipality in which the property is situate or any owner or occupant or person affected by a decision under subsection (3.1) may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent. 2002, c. 9, s. 24.

As the author Gerald Genge, is the chair of a Committee that hears appeals to property standards By-Law Orders, I am familiar with the duties and understand the restrictions placed on Committee members. Members' authority is limited to upholding principles of natural justice while hearing appeals, but their decisions are limited to confirming, modifying, or rescinding the Order to demolish or repair and to extend the time for compliance. Time extension is common if it is the determination of the Committee to confirm or modify the Order. The Committee's decision can be appealed to the Superior Court of Justice. In that case, the Judge has the same power as the Committee.

Should an Owner not comply with an Order as confirmed or modified, the municipality may undertake the work and, if not paid by the Owner, may apply the cost to the tax roll for the property.

## ***5.4 Opinion on the Order Respecting Repairs***

It is my opinion, that the poor condition and past abandonment of the buildings except the Farmhouse are sufficient reason for demolition of those buildings.

It is my opinion that the provisions in OBC 2012 that allow demolition buildings on a farm property not intended to be for residential occupancy are senior to any requirements of the municipal property standards to make repair and that the Owners can demolish those buildings. I would caution that the Owners also consult with legal counsel and the municipality on this issue.

It is my opinion that the repairs stipulated in the Order for all buildings except the Farmhouse are not necessary for compliance with the applicable NFBC 1995 which has no requirements for environmental separation of cladding or roofing or associated provisions for energy use. As such and considering the poor condition and past abandonment of those buildings other than the Farmhouse, there is no obligation to make these buildings weathertight.

## ***5.5 Repair Strategy and Opinion of Repair Costs to Comply with the Order***

While Arbitech would disagree with the need to make repairs on any building except the Farmhouse and would substitute demolition of those buildings for any repair, should the Committee determine that repair of the buildings in addition to the Farmhouse is required, this report provides an opinion on costs for the work to achieve compliance with Order.

We note that some of the observed conditions can be practically repaired to achieve compliance with the Order while others will require significant intervention involving major restoration or replacement of the affected building components. Our opinion of the required scope of repair/replacement for each building is itemized below along with our opinion of cost for each item.

**Table 1 – Repair Strategy and Summary of Opinion of Costs**

Building	Repair Strategy	Opinion of Cost
Farmhouse [Order Schedule A(i)]	<ul style="list-style-type: none"> <li>- Install new replica windows and doors</li> <li>- Replace asphalt shingles at sloped roof and membrane at flat roof</li> <li>- Demolish and replace front porch</li> <li>- Demolish and replace exterior structural slab at the addition</li> <li>- Repair deteriorated soffit and fascia and paint</li> <li>- Install new eavestrough and downspouts</li> <li>- Replace missing paired ornamental wood brackets below roof soffit</li> <li>- Replace damaged/missing bricks and re-point deteriorated mortar joints</li> <li>- Repair top of chimneys and install new cap flashing</li> <li>- Install rusticated stone sill at window in south wall</li> <li>- Dispose of materials</li> </ul>	\$139,165
Drive Shed [Order Schedule A(ii)]	<ul style="list-style-type: none"> <li>- Demolish and replace damaged west wall</li> <li>- Replace portion of metal siding at east wall</li> <li>- Replace corroded fasteners and paint metal siding and roof</li> </ul>	\$26,281
Storage Shed [Order Schedule A(ii)]	<ul style="list-style-type: none"> <li>- Demolish structures and dispose of materials</li> <li>- Restore site to level condition</li> </ul>	\$21,263
Dilapidated Accessory Buildings [Order Schedule A(iii)]	<ul style="list-style-type: none"> <li>- Demolish structures and dispose of materials</li> <li>- Restore site to level condition</li> </ul>	\$10,910
Barn [Order Schedule A(iv)]	<ul style="list-style-type: none"> <li>- Dismantle heavy timber superstructure and salvage sound timbers</li> <li>- Remove sections of damaged/displaced rubble stone foundation wall, re-construct using existing and reclaimed stone, re-point areas of missing or deteriorated mortar</li> <li>- Excavate and install new 12" thick x 36" wide footing at dismantled sections of stone wall</li> <li>- Construct new 8" reinforced concrete wall at interior side of rubble stone foundation wall</li> <li>- Install helical piers spaced 3 ft. o.c. and staggered on each side of new composite wall for vertical support. Extend piers to sound bearing stratum assumed at 12 feet below bottom of wall.</li> <li>- Re-construct superstructure using new and reclaimed timber, reinforce structure to meet OBC requirements</li> <li>- Install new metal roofing and vertical "board-and-batten" wood siding</li> <li>- Install new sliding wood doors at east and west elevations</li> <li>- Dispose of non-reusable materials</li> </ul>	\$727,723
Subtotal		\$925,342
Equipment Rental		\$39,471
Contingency for Error and Unknown Conditions 25%		\$241,203
Permitting, Engineering & Insurance 17%		\$164,018
HST 13%		\$125,425
TOTAL		\$1,495,461

Our opinion of cost is based on:

- Pricing received from contractors with heritage restoration experience;
- Our own experience; and/or
- Quantity takeoffs from site measurements and unit price data contained in RS Means 2018 Residential Costs guide. The cost data was adjusted for inflation using an annual construction inflation rate of 1.87%.

The opinion of cost has been prepared without the benefit of an engineered design and, as such, is considered to have a level of accuracy of +/- 25%.

## 6 Summary Comments on Repairs

### 6.1 Demolition

Based on our reading of the Order, the Heritage Act provisions associated with repair apply only to the Farmhouse. In our opinion, OBC 2012 allows demolition of the buildings other than the Farmhouse. That demolition does not require a demolition permit though we recommend that the Owner seek advice from legal counsel and consult with the municipality on this point.

### 6.2 Repair Needs and Costs

In our opinion, the Drive Shed described in Schedule A(ii) of the Order has physical attributes that are very similar to those of the Storage Shed described in Schedule A(iii) and the two dilapidated accessory structures. The Order specifies that the Storage Shed be demolished. The two dilapidated accessory structures have collapsed and are to be removed from the site. Considering the condition of these three structures and their similarity to the Drive Shed, it is our opinion that the Drive Shed also ought to be demolished as it is no longer functional and will continue to deteriorate.

In our opinion, the Barn is not safe for occupancy and not fit to be used for its intended purpose. A portion of the roof has collapsed, and further collapse of other sections can be expected. Further blow-offs of the roof and wall cladding are imminent. Further lateral movement of the superstructure can be expected with continued exposure to high wind events which will lead to structural instability, failed connections and, ultimately, structural collapse. Intervention is necessary now to minimize these risks.

If the Committee does not agree with our assessment that the Barn is unsafe, we note that the Barn is not included in the attributes that are listed for the Heritage designation and, in our opinion, it may be demolished in lieu of repairing it. In our opinion, restoring the Barn to comply with the Order would require extensive reinforcing of the structure such that the structural frame would not resemble the existing framing arrangement. Column and beam sizes would increase and/or their arrangement will change in order to meet the strength and serviceability requirements of the National Farm Building Code. Irrespective of the fact that the National Farm Building Code has no provisions for moisture protection and that, in our opinion, the National Farm Building Code supercedes the requirements of the By-Law, the Order requires that the Barn be made watertight to prevent leakage of water into the structure. This work would require the use of modern materials and construction techniques to maintain a watertight building envelope and will alter the appearance of the building envelope.

Our opinion of cost to restore the Barn structure and provide a watertight envelope (including contingencies, engineering, permits and HST) is \$1,176,083. This equates to a cost of \$348 per square foot which is roughly double the cost of constructing a new barn with the same features. In our opinion, the cost to repair the Barn to meet the Order are significant and unnecessary. In our opinion, the appearance of the structure would be significantly altered in the process of making it watertight and safe to occupy. Given the excessive cost and the change to appearance to the Barn, demolition is the preferred alternative.

## ***APPENDIX A - Curriculum Vitae***

# Mina Tesseris,

*P.Eng., LEEP AP*

## Education

- B.A.Sc. (University of Waterloo), 1988

## Professional Licenses and Memberships

- Professional Engineers Ontario – Licensed Member
- Ontario Society of Professional Engineers - Member
- Ontario Building Envelope Council – Member, Codes and Standards Committee
- Society of Ontario Adjudicators and Regulators – Member



## Boards, Committees, and Commissions

### CURRENT

- Board of Directors: Canadian Condominium Institute – Huronia Chapter (2001 to Present).

### PREVIOUS

- Ontario Building Code Commission (2006 to 2016).

## Professional Practice History

- 1996 to 2000: Town of the Blue Mountains - Acting Chief Building Official for the (Part-Time)
- 2000: Township of Tay - Acting Chief Building Official,
- 2008: Township of Tay – Building Inspector
- 2011 to 2019: R.J. Burnside & Associates Limited, Collingwood, Ontario - Senior Engineer, Facilities Group
- 2006 to 2011: R.J. Burnside & Associates Limited, Collingwood, Ontario – Technical Leader, Building Engineering Group
- 1999 to 2006: R.J. Burnside & Associates Limited, Collingwood, Ontario – Structural Engineer/Project Manager
- 1990 to 1999: C.C. Tatham and Associates, Collingwood, Ontario - Structural Engineer
- 1988 to 1990: PCL Constructors Eastern, Toronto, Ontario – Field Engineer

## Experience

Mina is a licensed Professional Engineer with 30 years of consulting experience in building engineering.

He has served as a Member of the Ontario Building Code Commission. Appointed by the Lieutenant Governor in 2006 for an 8-year term and reappointed in 2014 for a 2-year term. Member of the Board of Directors for the Canadian Condominium Institute, Huronia Chapter since its inception in 2001. Currently serving as the Education Committee Co-Chairman.

His duties at Arbitech Inc. involve the assessment of building structures and envelopes, assessment of building deficiencies and deficiency claims, and expert testimony associated with these duties.

He is responsible for a broad range of structural and building engineering consulting services to both public and private sector clients. Building types include low and mid-rise structures of assembly, institutional, residential and commercial occupancy as well as industrial buildings of low, medium and high hazard classification.

### Design Experience:

Design leader and project manager for structural and envelope design on numerous low-rise buildings of concrete, masonry, structural steel, cold-formed steel and timber framed construction. Prepared specifications and conducted Building Code review. Some projects also involved preparing tender documents and performing contract administration.

## **REPRESENTATIVE PROJECTS:**

- Clearview Public Library, Township of Clearview, Ontario
- Gowan Park Pavilion, Creemore, Ontario
- Collingwood Ethanol Plant, Town of Collingwood, Ontario
- UPS Warehouse Renovations, Oakville, Ontario
- Nipissing Woodlands Condominium, Town of The Blue Mountains, Ontario
- Clearview Administration Building, Township of Clearview, Ontario
- Innisfil Water Treatment Plant, Town of Innisfil, Ontario
- Blue Mountain Resorts Pumping Station, Town of the Blue Mountains, Ontario
- Scenic Caves Outbuildings, Town of The Blue Mountains, Ontario
- Craigleith Summer Club, Craigleith, Ontario
- Goodyear Addition Roofing Design, Napanee, Ontario
- Alliston Rotary Outdoor Pool, Alliston, Ontario
- Stayner Outdoor Pool Revitalization, Stayner, Ontario
- Ontario Court Renovations, Midland Civic Centre, Midland, Ontario.

## **Building Investigation and Repair**

Engineer-of-record for onsite investigation and preparation of reports involving cause of structural and building envelope failures, restoration of fire damaged buildings, building code conformity, structural restoration of aging buildings, condominium inspections and technical audits. These investigations were completed for a broad spectrum of clients ranging from private homeowners to insurance companies.

## **REPRESENTATIVE PROJECTS:**

- Collingwood Sewage Treatment Plant, Brick Replacement - Digestors #2 and #4, Town of Collingwood, Ontario
- Collingwood Water Treatment Plant, Roofing Replacement, Town of Collingwood, Ontario
- Simcoe Condominium Corporation 86 - Fire Damage Restoration (3 dwelling units), Collingwood, Ontario
- Hume Street Commercial Building - Roof Fire Damage and Repairs, Collingwood, Ontario
- 1289 Gerrard Street East - Commercial Building Fire Damaged Floor Investigation and Repairs, Toronto, Ontario
- 347 Dalhousie Street - Residence Fire Damage Restoration, Brantford, Ontario • Hurricane Ivan Damage Assessments (35 properties), Grand Cayman Island
- York Region Condominium Corporation 1141 – Floor Tile Failure Investigation, Woodbridge, Ontario
- Collingwood General & Marine Hospital – Floor Tile Failure Investigation, Collingwood, Ontario
- 2 Toronto Street Condominium – Floor Tile failure Investigation, Barrie, Ontario
- 329 Blake Street – Parking Garage Column Repairs, Deck Repairs and Waterproofing Replacement, Barrie, Ontario
- Residential Tornado Damage Assessment, Durham, Ontario and Town of the Blue Mountains, Ontario
- Grey Condominium Corporation 1 - Tornado Damage Assessment and Repair, Craigleith, Ontario
- Bargain Store - Tornado Damage Assessment, Goderich, Ontario
- 130 Bell Farm Road - Commercial Building Roofing Failure Claim, Barrie, Ontario
- Creemore Arena - Roof Condition Assessment, Creemore, Ontario
- Simcoe Condominium Corporation 86 - Roofing Replacement, Collingwood, Ontario
- Mountain Springs Lodge - Roof Leak Investigation and Repairs, Town of The Blue Mountains, Ontario
- Sandy Lake Nursing Station - Roof Replacement, Sandy Lake FN, Ontario
- Trinity Anglican Church - Roof Replacement, Barrie, Ontario
- ABB Inc. - Curtain Wall Leakage Investigation, Brampton, Ontario
- RotoMill Inc. - Window Wall Leakage Investigation and Repairs, Orangeville, Ontario
- 291 Augusta Avenue - Building Envelope Leakage Investigation, Toronto, Ontario
- Butterfly Learning Centre - Wall Leakage Investigation, Waterloo, Ontario
- Simcoe Condominium Corporation 167 - Building Envelope Replacement (wall cladding, windows, roof membrane), Collingwood, Ontario
- York Region Police District 3 HQ - Building Envelope Failure Investigation and Repairs, Sutton, Ontario
- Stratford Festival Theatre - Cladding Failure Investigation, Stratford, Ontario
- LFCA TC Meaford Buildings M203 and M205 - Brick Failure Investigation and Repairs, Meaford, Ontario
- LFCA TC Meaford - Buildings M207 and M209 Brick Failure Investigation, Meaford, Ontario
- Westside Secondary School - Brick Failure Investigation and Repairs, Orangeville, Ontario

- ODCVI - Slab-on-Grade Moisture Investigation, Orillia, Ontario
- Beaver Valley Log Cabin - Structural Damage Assessment, Markdale, Ontario
- Wells Street Public School - Structural Investigation and Repairs, Aurora, Ontario
- Clearview Public Library - Floor Structure Investigation and Repairs, Stayner, Ontario•
- Markdale Old Firehall - Structural Assessment, Markdale, Ontario
- Alpine Ski Resort - Landslide Risk Assessment, Craigeleith, Ontario
- 160 Pellisier Street - Fuel Oil Spill and Foundation Underpinning, Eugenia, Ontario
- Community Hall Assessments, Clearview Township, Ontario

### **Building/Property Condition Assessment Experience:**

Preparation of building component inventories and condition assessment for the purpose of planning for future capital expenditures.

### **REPRESENTATIVE PROJECTS:**

- One Care Building Condition Assessment, Clinton, Ontario
- Township of Clearview Facilities Assessments, 30 Buildings, Township of Clearview, Ontario
- Durham Furniture Building Condition Assessment, Chesley, Ontario
- Town of Collingwood Facilities Assessments, 27 Buildings, Collingwood, Ontario
- Butterfly Learning Centre Building Condition Assessment, Waterloo, Ontario
- Huntsville Library Building Condition Assessment, Huntsville, Ontario
- Town of Erin Facilities Component Inventory, Erin, Ontario
- Guelph Hydro Operations Building Component Inventory, Guelph, Ontario
- Salvation Army Building Condition Assessment, Dundas, Ontario
- Cinema 4 Building Condition Assessment, Collingwood, Ontario

### **Building Code Consulting:**

Extensive experience in matters involving the Ontario Building Code and Fire Code including consulting, expert witness reports and providing part-time inspection assistance to municipal building departments.

### **REPRESENTATIVE PROJECTS:**

- Acting Chief Building Official for the Town of the Blue Mountains from April 1996 to April 2000 on a part-time basis. Efforts concentrated on the identification and resolution of Ontario Building Code deficiencies in occupied condominiums. Work involved enforcement of the Building Code Act including attendance at Building Code Commission hearings and legal proceedings.
- Acting Chief Building Official, Township of Tay from August 2000 to November 2000 and Building Inspector in August 2008. Duties involved issuance of building permits and enforcement of the Building Code Act.
- Southlake Regional Care Facility, Newmarket, Ontario. Performed OBC Part 3 and 4 plans examination for 5-storey high hospital building.
- Village at Blue, Town of the Blue Mountains, Ontario Performed OBC Part 4 plans examination for two 4-storey, wood frame, commercial/residential condominium buildings.
- Provided technical support and performed peer review of reports prepared by colleagues in support of building envelope related litigation. Noteworthy projects include:
  - Metro Toronto Zoo Pavilions
  - York Region District #3 Police Headquarters
  - Defence of a Class Action Lawsuit against the Province of British Columbia for Leaky Condominiums Built after 1985. The reports were instrumental in the decision by the B.C. Supreme Court to quash the action.

# Gerald R. Genge

C.Arb., Q.Med., P.Eng., C.Eng., BDS, BSS,

## Education and Supplementary Certificate Courses

- B.A.Sc., (Honours), University of Toronto, 1975.
- University of Wisconsin-Extension, November 1983 - Bridge Inspection and Evaluation.
- Queen's University, Executive Development Program, September - October 1992, Certificate in Quality Management.
- University of Toronto, 1984, Building Science-Post-Graduate Course.
- University of Toronto, 1994, Arbitration I. 1995, Arbitration II.
- Ontario Society of Professional Engineers Courses toward BCIN
  - Large Buildings – May 2005,
  - Building Code Act, for Registered Code Agency – May 2005,
  - Building Structures – June 2005.
- Construction Law, Toronto Construction Association, 2005.
- Society of Ontario Adjudicators and Regulators - Front Line Adjudicator Training – April 5 - 6, 2016.
- The Advocate's Society Construction Law: Arbitration and Adjudication Advocacy April 27, 2018.
- Osgoode Hall Law School/ York University – Ontario's New *Construction Act*. Transitioning & Applying the Modernization Provisions December 7, 2018.
- Osgoode Hall Law School/ York University – Ontario's New *Construction Act*. New Prompt Payment and Adjudication Regimes, April 29, 2019.
- Advanced Certificate in Adjudication for Administrative Boards and Tribunals, May 2019.
  - Osgoode Hall Law School/ York University – Mediation for Adjudicators, October 3, 2018.
  - Osgoode Hall Law School/ York University – Effective Hearing Management December 3-4, 2018.
  - Osgoode Hall Law School/ York University – Managing Evidentiary Challenges January 28, 2019.
  - Osgoode Hall Law School/ York University – Advanced Decision Writing April 25-26, 2019.
- Ontario Dispute Adjudication for Construction Contracts – Stitt Feld Handy – November 26, 27, 2019



## Professional Licenses and Certifications

- ODACC Qualified Adjudicator (ODACC)
- Chartered Arbitrator (ADR Institute of Canada)
- Qualified Mediator (ADR Institute of Canada)
- Consulting Engineer Designation (Association of Professional Engineers), Ontario
- Member (Association of Professional Engineers and Geoscientists), Newfoundland and Labrador
- Building Design Specialist (Association of Professional Engineers), Ontario
- Building Science Specialist (Ontario Building Envelope Council)
- Holder of Certificate of Authorization, Ontario (PEO)
- Member, Ontario Society of Professional Engineers (OSPE)
- Member ADR Institute of Ontario (previously Arbitration and Mediation Institute of Ontario) and ADRIC.
- BCIN Qualification for "Complex Buildings", "Large Buildings", "Building Structures", "Small Buildings", "House", and "Designer – Legal" per the revised Building Code Act 2003 (MMAH Qualifications not required after May 2007).
- Osgoode Hall Law School, York University - Advanced Certificate in Adjudication, May 2019

## Boards, Committees, and Commissions

### CURRENT

- Board of Directors: Building & Concrete Restoration Association of Ontario (B&CRAO) (2018 to Present).
- Chair: CSA S478, Durability of Buildings (2017 to present)
- Public Member of Discipline and Complaints Committees: Real Estate Council of Ontario (2016 to Present)
- Member and Task Force Chair: CSA A500 Building Guard Technical Committee, writers' committee, and author of initial working draft (2012 to Present)

- Member: CSA A770 Home Inspection Technical Committee and author of initial working draft (2013 to Present)
- Member: CSA A82 Fired Clay Brick Made from Clay or Shale (2004 to Present)
- Chair: Georgina Property Standards Appeal Committee (2014 to Present)

## PREVIOUS

- Vice Chair: Ontario Ministry of Municipal Affairs and Housing - Building Materials Evaluation Commission (2006 to November 2016)
- President: Ontario Building Envelope Council (1988-1989, 2009-2011)
- Director: National Building Envelope Council (1989, 2010 to 2018)
- Chair: Georgina Local Architectural Conservation Advisory Committee (1995 to 1998)
- Georgina Property Standards Appeal Committee Co-Chair (1992-1995), Alternate Member (1998-2010), (2011-2013)
- Chair: Sutton Public School Council (1999-2000)
- Member: OBEC Building Science Specialist Designation Academic Board (2012 to 2018)
- Member and Associate Member: CSA Concrete Standards Steering Committee (1988 to 2004)
- Chair: CSA S438, Concrete for Housing and Small Buildings (1994 to 2004)
- Member: CSA Building Products and Systems Standards Steering Committee (2004 to 2012)
- Member: Ministry of Municipal Affairs and Housing Expert Panel on Glass Balcony Guards for preparation of MMAH Supplementary Standard SB-13 (2012)

## Awards and Recognition

- Fellow of Ontario Building Envelope Council – 2018.
- Ontario Building Envelope Council - President's Award Recipient (now the Anthony A. Woods Award of Excellence) – 1999.
- Mayor's Certificates of Appreciation for Committee work - 1993 & 1997.

## Professional Practice History

- 2018 to Present: President, Pretium Engineering Inc.
- 2018 to Present: President, Pretium Anderson Holdings Inc.
- 2017 – 2018: President, Pretium GRG Building Engineers Inc.
- 2005 – Present: Principal, Arbitech Inc.
- 1993 - 2017: President, Gerald R. Genge Building Consultants Inc.
- 2009 – 2012: Vice President Engineering, Asset Project Management Inc.
- 1991 -1993: Vice President, Technical Services/Quality Management: Morrison Hershfield Limited.
- 1990 -1991: Director Building Engineering Division (Building Science, Building Envelope Engineering, Structural Engineering: Morrison Hershfield Limited.
- 1989 -1990: Discipline Manager, Building Envelope Engineering Division: Morrison Hershfield Limited.
- 1987 -1989: Discipline Manager, Building Science Division: Morrison Hershfield Limited.
- 1986 -1987: Assistant Discipline Manager, Building Science Division: Morrison Hershfield Limited.
- 1985 -1986: Project Manager/Senior Engineer, Building Science Division: Morrison Hershfield Limited.
- 1983 -1985: Senior Engineer, Building Science Division: Morrison Hershfield Limited.
- 1982 -1983: Intermediate Engineer, Building Science Division: Morrison Hershfield Limited.
- 1979 - 1982: Project Engineer Materials and Geotechnical Engineering: Golder Associates.
- 1977 - 1979: Project Engineer/Civil Inspector Bechtel Canada, Brockville Ontario.
- 1975 - 1977: Project Engineer, Site Supervisor at Stelco Nanticoke for Warnock Hersey Professional Services Ltd.

## Litigation Support, Neutral Evaluation, and Expert Services

Jerry's experience in the field of building engineering has allowed him to be recognized as an expert in the field. Clients range from professional bodies and insurers on matters of duty of care of professionals and compliance with applicable governing statutes to major construction claims in centres across Canada. Claim value for his assignments range from \$250,000 to over \$15 million. Following is a sampling of the assignments.

- Consultant to the Association of Professional Engineers of Ontario (PEO) for validation/rebuttal of disciplinary actions against engineers for various matters including building roof repairs, storage building design, building envelope design, and masonry anchorage testing.

- Consultant to the Ontario Architect's Association (OAA) for validation/rebuttal of claims against architects for various matters including roofing and ice dams, masonry wall construction, hardboard siding, attic ventilation, site grading, and log home design and construction.
- Performance Bond Claim Support to Guarantee Company of North America for two office towers in Ottawa, (Claim Dismissed), a Hospital in Oakville (Work Completed), a residential high-rise in Peterborough (Claim Settled), a residential high-rise in Leamington (Claim Dismissed), and a townhouse complex in Sudbury involving pavements, curtainwall, hardboard siding and residential windows (Claim Settled).
- Consultant to Tarion Warranty Corporation (formerly Ontario New Home Warranty Program) for various License Appeal Tribunal (LAT) claims since 1993 regarding house construction including flooring, masonry and other cladding, windows, roofing, slabs on grade, retaining walls, HVAC systems, and pavement.
- Consultant to Lawyers Professional Indemnity Plan for claim regarding alleged title infraction regarding building permit infractions (Settled).
- Litigation support including technical and cost validation for 9-storey hotel building exterior wall EIFS and window leakage deficiencies in Ottawa Ontario involving Steel Stud back-up walls. (Settled)
- Litigation support including technical and cost validation for senior's home flooring deficiencies in Peterborough Ontario involving wood frame construction. (Settled)
- Litigation support including technical and cost validation for building settlement in Timmins Ontario due to drilled well construction. (Settled)
- Litigation support including technical and cost validation for foundation wall collapse in Sault Ste. Marie, Ontario. (Settled)
- Litigation support including technical and cost validation for foundation, roof framing, drainage, and thermal barrier defects in Innisfil, Ontario. (Settled)
- Litigation support including technical and cost validation for office complex in Renfrew involving air-barrier construction. (Settled)
- Litigation support to Region of Peel regarding construction defects in high-rise masonry buildings. (Settled)
- Consultant to Tarion for Builder Arbitration Forum (BAF) appeal regarding fire safety in a high-rise building (Appeal withdrawn).
- Consultant to the Ontario New Home Warranty Program for validation/rebuttal of claim for repair of building envelope in high-rise condominium in Toronto (Claim Dismissed).
- Litigation support for aging paint coating on industrial facilities in Burlington, Ontario (Settled).
- Consultant to Tarion on EIFS –clad high – rise building in Orillia. (LAT directed repairs based on Genge report).
- Consultant to the Ontario New Home Warranty Program for validation/rebuttal of claim for replacement of windows in high-rise condominium in Ottawa (Claim Dismissed).
- Consultant to the Ontario New Home Warranty Program Warranty Claim for CRAT/LAT Hearings on high-rise condominium recladding (Claim settled at 1% of claim amount), and several houses (Claims Rejected by CRAT/LAT) providing claim validation, recommendations for repair, settlement, defense and conciliation.
- Consultant to various high-rise and homebuilders regarding validation of/rebuttal to warranty claims.
- Litigation support for multiple defendants on claim in London Ontario for demolition of home rather than repair. (Two Settled, Two Pending).
- Litigation support for high-rise brick veneer repair by others for Region of Peel (Settled).
- Litigation support for Builder on Seniors Home in Windsor involving EIFS, window, roofing, structural, flooring, and drywall defects. (In Progress).
- Litigation support for homeowner claiming damage due to renovation of attached building in Toronto (Settled).
- Litigation/mediation support for vendor /builder on \$10.25 Million building envelope claim in Toronto. (Settled).
- Expert services – masonry deterioration, Grimsby Water Treatment facility (Settled).
- Expert Services and Valuation – Renovation to Masonic Temple Lindsay - (Settled).
- Expert services – Balcony guard glass class action suits against three architects. (Two dismissed - one in progress).
- Expert services – New Fleming college addition in Peterborough – general litigation support and claim mitigation (Settled).
- Expert services – New Municipal Works yard and renovation claim triage. (Settled).
- Expert services – Extensive renovation on Funeral Home in Bolton – lien claim. (In progress).
- Expert services – Spandrel glass damage on high-rise condominium in Toronto. (Settled).
- Expert services - Hardie panel siding and Window replacement claim on Marriot hotel in St. John's NL. (Settled).
- Litigation support including technical and cost validation for 4-storey hotel building in Niagara Falls including complete interior renovation lien claim and countersuits (In progress).
- Litigation support including technical and cost validation for home constructed without attic insulation in Vaughan (Settled).
- Expert report on Lakehead University construction deficiencies (In Progress).

- Litigation support including building code obligations for alleged damages to adjacent building in London (Settled).
- Litigation support including technical and cost validation for three home foundation subsidence in London (Settled).
- Neutral evaluation of Allegations against engineer performing reserve fund studies for a conversion of rental properties (Settled).
- Neutral evaluation of extras and delay claim for deep water well contract in Brant County (Settled).
- Litigation support including technical and cost validation for Slip/fall claim in Sudbury (Settled).
- Expert report support including technical and cost validation for building envelope and roof code violations of home in North Bay (Settled).
- Expert report support including technical and cost validation for foundation wall adfreezing in Sudbury (Settled)
- Expert report support regarding breach of Condominium Act Section 98 Agreement in Toronto (Concluded at Arbitration).
- Expert report support including technical and cost validation for foundation wall failure in Adzila Ontario (Settled).
- Neutral Evaluation of highway modifications – Eastern Ontario. (Settled after my initial consultation).
- Neutral Evaluation of window construction claim for insurer of window supplier – GTA (Settled).
- Expert report support including technical and cost validation for foundation wall failure in Chelmsford Ontario (Settled).
- Expert report support including technical and cost validation for claim regarding inadequate legal counsel associated with a building envelope and roof code violations claim on a home in North Bay (Succeeded at Jury Trial – Succeeded at Court of Appeal).
- Expert services for Wood ceiling finish performance at UP station at Pearson International Airport (In Progress)
- Expert services for exterior door thermal performance at custom house in Aurora ON (In Progress).
- Neutral evaluation of municipalities 3<sup>rd</sup> party claim against designer on 15 km road repairs in Hastings Highland ON. (Consulting Only)
- Expert services regarding a claim on failed EIFS overcladding on a hotel building in Winnipeg. (In Progress).
- Expert services regarding industrial building fire loss and liability of the municipality, in London Ontario (Settled).
- Expert report/Neutral Evaluation of varying sloped curtainwall for recreation facility in Brampton (Case Discontinued).
- Expert report on Tarion claim for high rise building garage and building envelope deficiencies in Toronto (In Progress).
- Expert report on Architect's Negligence claim on design build contract for services on a recreation facility in Belleville (Settled).
- Expert report on construction valuations for custom home in Vaughan (Report Inadmissible).
- Expert report on Architect's negligence for ProDemnity on commercial property in Ancaster (In Progress).
- Expert report on ICF construction of home in Oakville, (Settled).
- Expert report on ICF construction of home in Hamilton, (In Progress).
- Expert on Lien Claim and construction deficiency claim for custom home construction in Uxbridge Ontario. (In Progress).
- Expert on remedial work valuation for leased industrial facility in Woodbridge Ontario. (In Progress).
- Expert on damage alleged from adjacent construction and damages valuation on two homes in Brampton (in Progress).
- Expert on construction deficiencies of home in Melancthon Ontario (In Progress).
- Expert report on ICF construction of home in Keswick, (In Progress).
- Expert report on glass guard collapse and personal injury claim in Vancouver (Settled).
- Architect's alleged negligence on a mixed-use multi-storey building in Bowmanville Ontario (In Progress).
- Engineer's alleged negligence on a storage building in Lambton Ontario (Settled).
- Expert reports on alleged structural defects and delay claim in Toronto subject to NDA (Settled).
- Expert support on adhered stone cladding, EIFS and HVAC adequacy n low-rise buildings in Mississauga (In Progress)
- Construction deficiencies on custom cottage in Muskoka (In Progress).
- Architect's negligence on a custom home in Ancaster (Settled).
- Architect's negligence on a custom home in Toronto (In Progress).
- Opinion on compliance of construction with the Condominium Declaration of an apartment to condominium conversion in Toronto (In Progress).
- Opinion report on façade supplier's claim for extras on mall project in Milton Ontario (Claim Abandoned).
- Opinion report and trial evidence on the effectiveness of a drainage design in connection with flooded properties in Brockville Ontario (Court Decision Pending).

- Opinion report ability of a homeowner to execute the provisions within a prior settlement agreement and building code violation assessment(In Progress).
- Opinion report on retrofit windows in multi-home rental property in Waterloo Ontario (In Progress).
- Opinion report on adequacy and code compliance of adhered stone cladding installation in Muskoka Ontario (In Progress).
- Opinion report on window wall installation in Mallorytown Ontario (In Progress)
- Opinion report on Roofing and HVAC installation at Deerhurst (In Progress)
- Expert Report on Hydronic heating system deficiencies in Highrise Toronto Condominium (In Progress)
- Expert Report on Heritage Designated home and property in Mississauga concerning compliance with Order to Comply (In Progress)
- Expert Report with respect to floor finish failure at large retail building retrofit in Aurora Ontario (In Progress)

## ADR Experience

He is a member of the ADR Institute of Ontario and designated a Chartered Arbitrator and Qualified Mediator by the ADR Institute of Canada. Within ADRIO, he sits on a committee dedicated to review and adjudication of disputes involving the revised Construction Lien Act. Jerry is a strong proponent of dispute resolution guided by persons with subject matter expertise and evidence-driven findings.

In 2016 he was appointed to the Real Estate Council of Ontario Complaints and Discipline Committee.

Building on this background, Jerry has been requested to prepared neutral evaluations and provide expert witness testimony. As a past manager of engineers, Jerry is adept at facilitating meetings involving technical specialists and as such is a Hot-Tub meeting facilitator. Typical of Jerry's experience are the following:

## REAL ESTATE COUNCIL OF ONTARIO

Public member of the Discipline Committee of the tribunal to concerning alleged breach of the Real Estate Business Brokers Act. A civil procedure for entry of evidence is employed. Parties are represented by counsel.

1. April – July 2018: Lee and Bakhtiari - Case heard and decided, Penalty rendered January 22, 2019.
2. March 2018 – a Member – case settled.

## PROPERTY STANDARDS APPEAL TRIBUNAL CHAIR

Chairman of the tribunal to hear appeals against Orders to Remedy and given authority under the Building Code Act and Building Code to confirm, rescind, or amend the Order. A simplified civil procedure for entry of evidence is employed.

1. December 1995: Owner and Municipality – Pasadena Drive– Appeal of Order to Remedy.
2. January 1999: Owner and Municipality – Church Street– Appeal of Order to Remedy.
3. June 1999: Owner and Municipality – Lake Drive East – Appeal of Order to Remedy.
4. June 1999: Owner and Municipality – Glenwoods Avenue – Appeal of Order to Remedy.
5. November 1999: Owner and Municipality – Franklin Beach Road – Appeal of Order to Remedy.
6. February 2000: Owner and Municipality – Shady Lane– Appeal of Order to Remedy.
7. April 2000: Owner and Municipality – Dalton Road– Appeal of Order to Remedy.
8. May 2000: Owner and Municipality – Irene Drive– Appeal of Order to Remedy.
9. August 2000: Owner and Municipality – Lake Drive East – Appeal of Order to Remedy.
10. October 2001: Owner and Municipality – Riveredge Drive – Appeal of Order to Remedy.
11. November 2001: Owner and Municipality – McNeil Road – Appeal of Order to Remedy.
12. January 2002: Owner and Municipality – Tampa Drive – Appeal of Order to Remedy.
13. February 2003: Owner and Municipality – Rayners Road – Appeal of Order to Remedy.
14. July 2003: Owner and Municipality – Riverview Beach Road. – Appeal of Order to Remedy.
15. July 2003: Owner and Municipality – Riverglen Drive. – Appeal of Order to Remedy.
16. August 2003: Owner and Municipality – Irene Drive. – Appeal of Order to Remedy.
17. October 2003: Owner and Municipality – Lakeview Blvd. – Appeal of Order to Remedy.
18. March 2004: Owner and Municipality – Lake Drive North – Appeal of Order to Remedy.
19. September 2004: Owner and Municipality – Brule Lakeway – Appeal of Order to Remedy.
20. March 2005: Owner and Municipality – Pinery Lane – Appeal of Order to Remedy.
21. June 2005: Owner and Municipality – Glenwoods Avenue – Appeal of Order to Remedy.
22. March 2006: Owner and Municipality – Old Homestead Road– Appeal of Order to Remedy.
23. February 2007: Owner and Municipality – Metro Road– Appeal of Order to Remedy.
24. June 2007: Owner and Municipality – Lowndes Drive – Appeal of Order to Remedy
25. August 2007: Owner and Municipality – Wyndehurst Blvd. – Appeal of Order to Remedy

26. July 2008: Owner and Municipality – Irene Drive – Appeal of Order to Remedy.
27. November 2009: Owner and Municipality – Kennedy Road – Appeal of Order to Remedy.
28. November 2014: Owner and Municipality – Hardwood Drive – Appeal of Order to Remedy.
29. May 2015: Owner and Municipality - Warden Avenue – Appeal of Order to Remedy.
30. January 2016: Owner and Municipality- Lake Drive North – Appeal of Order to Remedy.
31. March 2016: Owner and Municipality- Lake Drive North – Appeal of Order to Remedy.
32. October 2016: Owner and Municipality- Kennedy Road – Appeal of Order to Remedy.
33. March 2017: Owner and Municipality – Pinery Lane – Appeal of Order to Remedy.
34. January 2018 Owner and Municipality – Irving Drive – Appeal of Order to Remedy.
35. September 2018 Owner and Municipality – Holmes Point Drive – Appeal of Order to Remedy.
36. December 2018 Owner and Municipality – Lake Drive – Appeal to Order to Remedy.

### Expert (Hot Tub) Meeting Facilitation

- Two experts' meetings on \$10M condominium building envelope claim involving 17 defendants. (Claim Subsequently Settled).
- Experts' meeting on claim on a potentially \$10M claim regarding curtainwall and cladding on a new hospital addition in Peterborough building involving 3 defendants (repair work now in progress and claim is in abeyance).
- Experts' meetings (several) on EIFS cladding claim in Mississauga. Claim amount not defined. (repair work completed while claim in abeyance).
- Experts' meeting facilitator ordered by judge for alleged remedial work to commercial facility in Bancroft Two meetings and two conference calls to arrive at a joint submission by engineers of damages. (Claim Subsequently Settled).

### Lawyer Clients

1. Advocates LLP
2. AECON (Internal counsel)
3. Aird & Berlis LLP
4. Benson Buffet PLC Inc.
5. Benson, Percival, Brown LLP
6. Blaney McMurtry Barristers and Solicitors
7. Boghosian + Associates Professional Corporation
8. Borden Ladner Gervais LLP
9. Cambridge LLP
10. Capos Sgro LLP
11. Chernos Flaherty Svonkin LLP
12. Clyde & Co Canada LLP
13. Constantine Legal
14. Crangle Law LLP
15. Davis Webb LLP
16. Deacon Spears Fedson + Montizambert
17. Dueck Sauer LLP
18. Dufferin Construction (Internal Counsel)
19. Elias Associates
20. Equilibrium LAW
21. Fireman, Steinmetz, Daya
22. Fine & Deo LLP
23. Fogler Rubinoff LLP
24. Forbes Chochla LLP
25. Fraser Milner Casgran LLP
26. Gardiner Miller Arnold LLP
27. Garfinkle Biderman
28. Gibbs & Associates Barristers & Solicitors
29. Glaholt LLP
30. Gowlings WLG (Canada) LLP
31. Halpenny O'Dowda Evenden
32. Hammond Flesias LLP
33. Harrison Pensa LLP
34. Heal & Co. LLP
35. Heenan Blaikie LLP
36. Hill Hunter Losell LLP
37. Klain & Sconblum Associates
38. Koskie Minski LLP
39. Lloyd Burns McInnis LLP
40. London, City of, - Internal Counsel
41. McCague Borlach Barristers & Solicitors
42. Miller Thomson LLP
43. Minden Gross LLP
44. Moodie Mair Walker LLP
45. Murphy Battista LLP
46. Paliare Roland Rosenberg LLP
47. Paquette & Paquette Professional Corporation
48. Region of Peel, City of Internal Counsel
49. Powell Barrister Professional Corporation
50. Rogers Partners LLP
51. Rutherford & Mathews Professional Corporation
52. Sandra L. McNeely Barrister & Solicitor
53. Shibley Righton LLP
54. Siskinds LLP
55. Smith Valeriotte Law Firm LLP
56. Solnik & Solnik Professional Corporation
57. Soloway Wright LLP
58. Steiber Berlach LLP
59. Sutherland Law
60. Tarion Warranty Corporation, - Internal Counsel
61. Taylor McCaffery LLP
62. Templeton Menninga LLP
63. Peplinski Colson LLP
64. Terence G. Gain Barrister & Solicitor
65. Thornton Grout Finnigan LLP
66. Torys LLP
67. Ward & Ward
68. Weinman Arnold LLP
69. Weir Foulds LLP

## Engineering Experience

Gerald R. Genge has directed over 4,000 investigations of building performance problems, over 2,000 design and construction review assignments and over 100 expert reports and neutral evaluations across Canada. He has lead research teams, organized numerous technical seminars and developed standards of practice for services provided by other consulting firms that previously employed him.

His technical experience includes contracts and contract administration, building enclosure design and repair, construction materials deterioration and remediation, geotechnical engineering and construction contract management. As a recognized building assessment and repair expert, Jerry is frequently called upon to give seminars and author articles on contract management, building materials, deterioration and methods of investigation and repair. Typical of Jerry's engineering experience are the following:

### Consulting Services (typical projects)

#### STRUCTURAL CONCRETE CONSULTING

- Investigation of Toronto Pearson Airport Terminal One Parking Garage prior to repairs.
- Investigation of Gardiner Expressway Eastbound from Cherry to Jarvis for repair planning.
- Investigation of over 5,000,000 sq ft of parking garage suspended floor and roof slabs in Ontario.
- Investigation and design of repairs for of Post-Tensioned garage floor slabs.
- Investigation of the Broadway Street bridge in Saskatoon (7 span across South Saskatchewan River).
- Investigation of bridges over HWY 401, at Don Valley Parkway, at 427/QEW interchange, along HWY 17 from Sault Ste. Marie to Marathon, and various bridges along HWY 401 from Waterloo to London.
- Investigation of cracked 50-year old slab on joist structure at a municipal office building.
- Investigation of Wood bridge piers and design of repairs at Briars Golf Club, Jacksons Point Ontario.
- Investigation of wood piles at Marina in Pefferlaw Ontario.

#### Building ENVELOPE CONSULTING

- Balcony glass guard and window consulting TSCC 2058
- Window replacement PCC 22
- Window replacement and EIFS overcladding YCC 118
- Window replacement MCC 87
- Building envelope peer review services for Wm. Osler Hospital Brampton Ontario.
- Building envelope design and construction review services for: BCE Place, Toronto: SkyDome roof; CBC Headquarters; and Hazelton Lanes Expansion, Toronto.
- Evaluation and recommendations for repair of high-rise building in Trenton involving sealants, windows and TTW brick.
- Design of EIFS overcladding, garage waterproofing roofing, and masonry repair of high-rise building in Mississauga, Ontario.
- Design of EIFS overcladding for cast-in-place concrete walls in Brampton, Ontario.
- Principal-in Charge of condition evaluation, design of repairs and implementation of the reinforcing of a masonry veneer-steel stud wall system of two high-rise buildings in Belleville, Ontario. Services also included litigation support.
- Design of EIFS repairs to high-rise condominium in Orillia.
- Design of EIFS overcladding and window replacement to high-rise condominiums in Toronto.
- Consultation on envelope design of senior's home, Barrie Ontario

#### BUILDING CONDITION ASSESSMENTS AND DATABASE DEVELOPMENT

- Principal in Charge of City of Mississauga/CMHC Rental Apartment Condition Study involving a sample of 40 buildings in the City of Mississauga.
- Principal in Charge of CMHC Condominium Condition Study involving a sample of 200 buildings in the GTA.
- Principal-in-charge of over 500 Technical Audits and Reserve Fund Studies of Residential High-Rise and Townhouse projects.
- Principal in Charge of building condition assessments of 95 social housing projects in Kitchener-Waterloo.
- Principal in Charge of roof condition assessments of over 75 School Buildings across Ontario.
- Advisor to City of Toronto for a feasibility study on high-rise apartment conservation.
- Project Manager for building condition assessment of the Etobicoke Olympium and the North Toronto Memorial Arena for Economic Development, Culture and Tourism - City of Toronto including development of a relational database for future expenditure planning and recording historic expenditures.
- Project Manager for a City of Toronto Housing/CMHC study of high-rise buildings including development of a relational database for asset evaluation and recommendations for research funding.
- Principal in Charge of the evaluation and recommendations capital expenditure planning of Sutton Arena in Georgina, including development of a conceptual remedial designs.

- Evaluation and recommendations capital expenditure planning of over 120 schools including development of a relational database for asset evaluation.
- Upgrades feasibility study for 22 subway stations on the Bloor-Danforth and University Lines for the Toronto Transit Commission.
- Principal-in Charge of Condition Evaluation and Cost Study and Reserve Fund for redevelopment of 30 year-old rental residential building to cooperative housing for Tenants Non-Profit Redevelopment Cooperative Inc.
- Development of long-term rehabilitation and maintenance plans for a variety of complexes including Sault College of Applied Arts and Technology, Sault Ste. Marie and St. Jamestown (18 residential high-rise buildings), Toronto.

## RESEARCH

- White paper on climate change and CSA Standard S478 Durability of Buildings
- Author of research report for Canada Mortgage and Housing "Cost-Effective Concrete Repair - Research, Investigation, Analysis and Implementation" prepared for building owners and managers to assist in restoration of concrete.
- Principal Investigator for CMHC on a Study of the State-of-the-Art of Concrete Investigation and Repair Techniques.
- Principal in charge of study to assess Residential Insulation Standards (CSA, CGSB, ASTM) and develop recommendations for restructuring standards. Standards are now being revised under the management of ULC.
- Author of research report for Canada Mortgage and Housing of "Condition of Condominiums in the GTA".
- Developed "Condition Index" as a tool for tracking capital expenditures to minimize fluctuations in cash flow and overfunding for repair and replacement of building components and systems in condominium buildings.
- Developed "Capital Expenditure to Income Index" as a tool for tracking capital expenditures to reconcile funding for repair and replacement of building components and systems in Rental and social housing buildings.

## Technology Transfer

### TECHNICAL WRITING

- Author of White Paper on Climate Change and the CSA S478 Guideline on Building Durability.
- Author of initial draft of new CSA Standard for Building Guards CSA A500.
- Author of initial draft of new CSA Standard for Home Inspection CSA A770.

### TEACHING

- "Residential Building Repair" for EPIC, 2009 to 2012 in various centers across Canada.
- "Building Envelope Typology", Building Science Certificate Course, University of Toronto, 2002-2003.
- "Building Condition Assessments", Facility Management Course, University of Toronto, 1999, 2000, 2001, 2002, 2003, 2004.
- Examiner for TE 4 "Applied Architectural Sciences" Course for Royal Architectural Institute of Canada Syllabus Program 1988 to 2002.
- Course coordinator for Building Envelope Materials – University of Toronto Building Science Certificate program.

### TECHNICAL PUBLICATIONS

- "Everyone into the Hot Tub", ADR Update, Fall 2015.
- "The Value of Neutral Assessments", ADR Update, Spring 2015
- "Wood – The Whys and Why-nots of Mid-rise Condominium Wood Frame Construction in Ontario" - CondoVoice Spring 2015, with Dale D. Kerr.
- "Assessing the Effects of Climate Change on Buildings Using the Engineers Canada PIEVC Process" – 14th Canadian Conference on Building Science and Technology October 28, 2014, with Dale D. Kerr.
- "Retrofit for Resiliency" – Historic Climate Data and Environmental Loads in Flux - Canadian Property Management June 2014, with Brian Burton.
- "Balcony Glass Breakage – Don't Panic". The Condo Voice Vol. 17 No. 1 Fall 2012.
- "Why you should hire and Engineer". Building Codes and Regulations, Part 2 CCI Huronia Newsletter Fall 2011.
- Standing Column in Pushing the Envelope "Genge's Gripe" published twice annually 2009 to 2015.
- "The CCDC 2 ADR Conundrum" ADR Update, Spring 2009 Newsletter of the ADR Institute of Ontario, Inc.
- "Condominium Dispute Resolution", CM Condominium Manager, Fall 2007 with Trisha Niemeyer.
- "How Arbitration and Mediation Affects Condominium Repair Projects", CM Condominium Manager, Fall 2006.
- "Repair Needs for Older Highrises Analysed in Study", CM Condominium Manager, Fall 2001, with Dale D. Kerr.

- “When Condominiums Get Old: What Repair Costs to Expect”, CondoBusiness, August 1999, with Dale D. Kerr.
- “Engineering Needs and the Building Turnover”, Condominium Manager, June 1999.
- “Waking Up to Window Performance”, Canadian Architect, July 1998, with D.D. Kerr.
- “Making Alternative Dispute Resolution Work for You”, Condominium Magazine, May 1997.
- “Concrete Repair – Know What You’re Paying For” Condominium Magazine, June 1996.
- “Weeping Windows, Tips for Controlling Temperature, Humidity”, Condominium, March 1996, with Dale D. Kerr.
- “Repair of Faults in Masonry Building Envelopes”, The Seventh Canadian Masonry Symposium June 6, 1995.
- “Repair of Design Flaws in Building Envelopes” NBEC Building Science Treatise, Construction Canada July/August 1993.
- “Engineering the New Works Yards,” Government Business, April, 1990.
- “Curtain Wall Reaches New Heights: Innovative Cladding Methods and Materials,” Southam Building Guide, April, 1990.
- “From Warehouse to Housing,” The Canadian Architect, October 1989.
- “Natural Building Stone for Claddings,” Paper delivered at Fourth Conference on Building Science and Technology, Toronto, February, 1988 with D. D. Kerr.
- “Parking Structure Restoration Philosophies - How Much to Spend,” Paper delivered at Canadian Engineering Centennial Convention, Montreal, May 1987, with J. W. Warren.
- “Building a Better Building Envelope,” The Canadian Architect, January 1988.
- “A Breath of Fresh Air,” Canadian Property Management, September 1986 with D.D. Kerr.
- “Design Considerations for Working Wall Joints,” Construction Canada, November, 1986.
- “Waterproofing the Building Envelope,” The Canadian Architect, April, 1985.
- “Protecting Concrete Garage Floors,” The Canadian Architect, March, 1985.
- “Requesting Proposals for Investigation of Parking Garages,” ACO Condominium Manager, No. 1, 1985.
- “Leakage of In-ground Structures and Example of Design Dilemma,” ACO Condominium Manager, March/April, 1983.

#### LECTURES AND SEMINARS GIVEN

- “Climate Change and Building Codes” Construct Canada November 28, 2018.
- “Contracts and Contract Management”, to FirstService Residential Management education program, January 10, 2018.
- “Peer Review of an Expert Report”, The Canadian Institute Expert Witness Forum West (Vancouver), May 29-31, 2017.
- “Peer Review of an Expert Report”, The Canadian Institute Expert Witness Forum (Toronto), February 28 – March 1, 2017.
- “Construction Contracts” Building & Concrete Restoration Association of Ontario (October 2016).
- “Everyone into the “Hot Tub”, The Canadian Institute Expert Witness Forum West (Vancouver), June 16, 2016.
- “Everyone into the “Hot Tub”, The Canadian Institute Expert Witness Forum, (Toronto) November 25-26, 2015.
- “Assessing the Effects of Climate Change on Buildings Using the Engineers Canada PIEVC Process” – 14th Canadian Conference on Building Science and Technology October 28, 2014, with Dale D. Kerr.
- “The Expert Witness Made Easy”, Ontario Bar Association Construction Committee Meeting, October 7, 2010.
- “The Impacts of Codes and Regulations: How to Avoid Traps When Designing the Envelope”, Construct Canada December 3, 2009.
- “Green Energy and Green Economy Act, 2009”, Building Envelope Solutions, Toronto, April 16, 2009.
- “Moisture Management of the Vertical Building Envelope”, Building Envelope Solutions, Toronto, April 16, 2009.
- “Legal Issues in Building Envelope Claims the Expert’s Perspective”, Building Envelope Solutions, March 29, 2007
- “Brick Assessment and Performance Testing in Canada”, Construct Canada, November 30, 2005.
- “Brick Assessment and Performance Testing in Canada”, Construct Canada, December 2003.
- “Condominium Condition Index, Repair Needs Funding, and Where the Money Will be Spent” for BECOR, October 15, 2003.
- “Cost-Effective Reserve Fund Plans” ORSHG/OMSSA Forum for Service Managers on Social Housing, June 19-20, 2003.
- “Balcony Repair (Railings)” Construct Canada, December 4, 2002
- “Building Envelope Maintenance” Construct Canada, December 4, 2002
- Second International Workshop on Developments in Repair Materials, Techniques, and Maintenance Strategies for Infrastructure and Buildings, Session Chairman, NRCC/ACI/CANMET, April 29, 2002

- Second International Workshop on Developments in Repair Materials, Techniques, and Maintenance Strategies for Infrastructure and Buildings, "Standardized Protocols for the Repair of Concrete Structures", NRCC/ACI/CANMET, April 30, 2002
- Preventive Maintenance of Buildings, "Building Envelope Maintenance", EPIC April 26, 2002
- "Building Envelope Maintenance" PM Expo/Construct Canada Seminars, November 2001
- "How Does Your Apartment Stack Up?" with Sandra Marshall, PM Expo/Construct Canada Seminars, November 2000
- "Building Condition Assessments", Facility Management Course, University of Toronto, 1999 and 2000.
- "Collaboration or Competition", Ontario Building Envelope Council President's Award Ceremony, 2000.
- "High-Rise Apartment Survey Results", Ontario Building Envelope Council, Ontario Association of Architects, Jan. 1999.
- "Building Physical Management", Basic Condominium Course, Canadian Condominium Institute, April 1998.
- McGill University for Montreal Structural Engineers "Parking Structure Design for Life-Cycle Cost Benefit", Montreal, Quebec, January 19, 1995.
- University of Toronto and Educational Program Innovations Center "Masonry Walls - Successful Design, Construction and Restoration", Toronto, Ontario, November 9, 1993.
- 13th National Canadian Condominium Conference "Fine Tuning Your Building - Matching Repairs to Faults Restoration of Walls and Windows", Toronto, Ontario, October 23, 1993.
- "Concrete Technology Update" Concrete Research and Repair, presentation to Ontario Association of Architects Continuing Education Program on Toronto, Ontario, April 21, 1993.
- "Matching Repairs to Design Flaws" Ontario Building Envelope Council, April 8, 1993.
- "High Rise Condominium Defect Prevention Program", presented at the Building Better Multis Conference, Toronto, October 1992.
- Session Chairman on Fifth Conference of Building Science, Toronto, March 1990.
- Forum on Building Materials, Insight Seminar, Toronto, January 22, 1990.
- "Air Barrier Systems: Thinking in 3D" Seminar to Ontario Building Envelope Council, Toronto, Ontario, February 11, 1988.
- "Constructing an Air Barrier" Air Barrier Construction Seminar, Toronto, February 5, 1988.
- "Repair Techniques and their Effect on Structural Longevity," "Joint Design, Materials, Care & Repair," Session Chairman for Joints, Horizontal & Vertical Surfaces and Parking Garage Workshop Moderator, Concrete Deterioration and Restoration Technical University of Nova Scotia (TUNS), Seminar and Workshop, Halifax, December, 1987.
- "Case Study of Investigation, Repair and Monitoring of a Parking Garage Slab and Roof," and Precast Parking Garage Workshop Moderator, TUNS Parking Garage Deterioration, Rehabilitation and Upgrading Seminar and Workshop, Toronto, Ontario, November, 1987.
- "Masonry Cladding Failures," Seminar on Deterioration of Construction Materials, Toronto, Ontario, March, 1987.
- "Building Science for Townhouses," Seminar on Roads, Foundations, Air Sealing and Air Quality, Hamilton, Ontario, November, 1986.
- "Waterproofing and Sealants," Seminar - Parking Garage Repairs, Ottawa, Ontario, Feb. 1986.
- "Case Study of an investigation of Masonry Deterioration and Repair," Seminar on Infrared Thermography, North York, Ontario, February, 1986.
- "Concrete Materials and Methods of Repair," Rehabilitation of Parking Structures Seminar, Transport Canada, July 1985.
- "Case Study — Masonry Deterioration and Repair," Toronto Board of Education, May 1984.
- "Reinforced Earth – Sherman Cut, Hamilton Case Study of a Missed Opportunity, to Hamilton Construction Association 1975.

***APPENDIX B - Property Standards Order dated September 17,  
2019***

Office Address:  
8850 McLaughlin Road South, Unit 2  
Brampton, ON L6Y 5T1  
Tel: 905-458-3307  
Fax: 905-458-5224

**VACANT BUILDING  
ORDER TO COMPLY**

**By-law No. 155-2012, as amended**

Issued pursuant to section 128

of the *Municipal Act, 2001*, S.O. 2001, c.25. Sec. 8, 9, 11

<p><b>Legal Description:</b> PT LT 17 CON 5 WHS CHINGUACOUSY DES PT 5 PL 43R- 14163</p>	<p><b>Officer:</b> Rory Payton</p>	<p><b>Telephone No.:</b> 905-458-3307  <b>Email:</b> rory.payton@brampton.ca</p>
<p><b>Municipal Address:</b> 11722 Mississauga Road Brampton, ON</p>		
<p><b>Compliance Date:</b> October 08, 2019</p>		
<p><b>Owner:</b> 584572 ONTARIO LIMITED C/O Kathy Ghinis 12 Queen Street East Brampton ON L6V 1A2  584572 ONTARIO LIMITED Tony Ghinis 6205 Airport Road Building A Suite 300 Mississauga ON L4V 1W1  584572 ONTARIO LIMITED Kathy Ghinis Tony Ghinis 34 Ravinder Court Brampton ON L6Z 3M8</p>	<p><b>Issued To:</b></p> <p>Owner <input checked="" type="checkbox"/></p> <p>Tenant <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p>	<p><b>Delivery Type:</b></p> <p>Registered Mail <input checked="" type="checkbox"/></p> <p>Personal Service <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p> <p><b>Date:</b> September 17, 2019</p>

I, **Rory Payton**, Property Standards Officer for the City of Brampton hereby give notice that the property identified above does not comply with the **Vacant Building By-law No. 155-2012**, as amended, the particulars of which are described in Schedule A attached to this Order.

11722 Mississauga Road  
Brampton, ON

**YOU ARE HEREBY ORDERED** to carry out the repairs necessary to correct the defects as set out in Schedule A attached to this Order. This Order shall be complied with and the property brought into a condition of compliance with the prescribed standards **on or before the compliance date of October 08, 2019**

**WHERE** it has been determined that the necessary repairs have not been completed in accordance with this Order, in addition to any possible court action the City of Brampton may cause the property to be repaired and the costs of such actions may be registered as a lien on the land and shall be deemed to be municipal real property taxes and may be added by the Clerk of the municipality to the assessment roll and collected in the same manner and with the same priorities as municipal real property taxes.

September 17, 2019

Date Order Issued

  
\_\_\_\_\_  
Rory Payton  
Property Standards Officer

Please note that this Order does not represent an exhaustive list of possible violations of other applicable statutes and by-laws.

You are responsible for ensuring compliance with the *Ontario Fire Code*, the *Ontario Building Code*, the *Planning Act*, the *Ontario Heritage Act* and other applicable statutes or regulations such as Zoning By-laws in relation to this property, whether any such requirements have been identified in this Order or not.

**SCHEDULE A**

MUNICIPAL ADDRESS: 11722 Mississauga Road, Brampton ON

LEGAL DESCRIPTION: PT LT 17 CON 5 WHS CHINGUACOUSY DES PT 5 PL 43R-14163

NO.	DEFECTS	NECESSARY REPAIR	BY-LAW SECTION
1	Every owner of a vacant building shall ensure that the vacant building is secured against unauthorized entry	Board all exterior doors, windows, openings with plywood on the exterior using proper counter sunk screws on all buildings of the property. Paint wood to match walls with a protective coating of paint or equivalent weather resistant material. Maintain in good repair, and ensure boarding materials used prevent precipitation and wind from entering the buildings, and to secure the buildings from unauthorized entry, and shall be installed within the reveal of the opening frame or cladding, where feasible	4.1 a)

# **APPENDIX E**

## **Structural Condition Assessment Bank Barn Assessment – Tacoma Engineers**

**Date:** January 20, 2021

**No. of Pages:** 7

**Project:** Bank Barn Investigation

**Project No.:** TE-37355-20

**Address:** 11722 Mississauga Road, Brampton

**Client:** Letourneau Heritage Consulting

**Distribution:** Hayley Devitt Nabuurs LHC  
Marcus Letourneau LHC

hnabuurs@lhheritage.com  
mrletourneau@lhheritage.com

### Background

Tacoma Engineers has been retained by Letourneau Heritage Consulting (LHC) to carry out a structural condition assessment of wood-framed bank barn located on the farm property at 11722 Mississauga Road, Brampton. This condition assessment will be included as an addition to a heritage impact assessment to be completed by LHC.



**Photograph 1: North elevation**

A site visit was carried out by Gerry Zegerius, P.Eng. on December 10<sup>th</sup>, 2020, accompanied by Marcus Letourneau and Hayley Devitt Nabuurs, to complete the condition assessment.

## Limitations

This report is based on a visual inspection from grade only and does not include any destructive testing. The barn is in relatively poor condition and the structural integrity is such that access to the interior of the building was not available at the time of the review. No further structural analysis or building code analysis has been carried out as part of this report unless specifically noted. This report is not being prepared as a response to an Order, recommendations, or request by any regulatory body.

A report completed by ArbiTECH and dated March 4<sup>th</sup>, 2020 was provided to the undersigned for reference.

## Observations

### Construction

The barn is constructed as a typical heavy-timber bank barn, constructed with a series of heavy timber frames, or bents. Secondary framing, including lateral purlins and girts, are installed between the frames in order to support roof rafters and wall cladding. The barn measures approximately 45'-0" wide by 75'-0" long and includes a total of 7 frames (2 exterior and 5 interior).

Foundation walls are constructed with rubblestone mass masonry and appear to have been repaired at various times during the building history.

While not accessible at the time of the review, it is likely that the upper floor is constructed with heavy timber joists supported on intermediate beams and columns aligned with the upper structure interior columns.

### Conditions

The upper interior frames appear to be in fair condition, with more advanced deterioration noted on the two (2) exterior frames. When viewing the interior frames from the south end of the barn, most of the interior frames appear to be square, straight, and free of debris. Pegged connections appeared for the most part to be intact and there did not appear to be a significant number of notches or empty mortises that would result in a reduction in load capacity.



**Photograph 2: Interior heavy timber frames (viewed from south)**

The exterior frames have deflected significantly from plumb and the separate elements of these frames are expected to have sustained structurally significant damage.



**Photograph 3: Damaged south endwall frame**

As can be seen in the photograph above, the southeast endwall column has fallen away from the frame, allowing the horizontal wall girts to twist towards the interior of the building.



**Photograph 4: Deflected north endwall frame**

While the columns remain in place at the north endwall, the frame has deflected outwards, resulting in twisting of the frame members and distortion of the roof framing.

Exterior wall and roof cladding is compromised in many locations, and the conditions of frame members on the interior will have been negatively impacted where they have been exposed to the elements for protracted periods of time.

Foundation walls are in poor condition throughout, and in some locations are showing signs of destabilization.



**Photograph 5: Destabilized rubblestone foundation wall**

Large sections of the foundations have been reconstructed or repaired with a combination of concrete block and poured-in-place concrete. Portland cement based materials are not compatible with the original foundation materials, and will not properly integrate as reliable repairs.

As previously noted, access to the interior of the building was not available at the time of the review; however, the exterior floor framing sill plate, which rests on top of the foundation and connects the floor framing to the foundation walls, was found to be in very poor condition where visible.



**Photograph 6: Deteriorated sill plate, south endwall**

The deteriorated sill plate is also visible in many of the previous photographs.

## Recommendations

The barn was found to be in generally poor condition. The global structural integrity has been compromised to the extent that the building is no longer stable. Should a restoration in place be carried out, it should be noted that the following order-of-magnitude work should be expected:

- Remove and replace all exterior cladding, including roof deck and steel.
- Review all secondary framing members, including roof purlins and rafters and wall girts, and reinforce or replace damaged members as required. Based on the experience of the undersigned, it is expected that the roof rafters in particular will be significantly undersized and will require additional framing to meet current building code requirements.
- Review all heavy timber framing members and connections and reinforce or replace damaged members as required. It is expected that approximately half of the frame members will require some remedial work.
- Review all floor framing and reinforce or replace damaged members as required. While not visible during this review, it is expected that the majority of the floor framing will require remedial work. The entire sill plate will require removal and replacement.
- Remove and reconstruct the existing foundation walls. Existing foundation stone can be used as part of the reconstructed walls if preferred.

In lieu of a restoration of the existing building, it may be possible to salvage certain parts of the building and to use them as part of a reconstruction or other project. It is expected that approximately half of the heavy-timber frames will be suitable for re-use, less than one-quarter of the exterior cladding, and none of the foundation. Care should be taken to ensure that salvaged material is reviewed in detail and found to be of acceptable condition for its new use.

**Per**

\_\_\_\_\_  
Gerry Zegerius, P.Eng., CAHP  
Structural Engineer, Senior Associate  
Tacoma Engineers

**Encl.** nil.