



Heritage Markham Committee Agenda

August 12, 2020, 7:00 PM

Electronic Meeting

The Seventh Heritage Markham Committee Meeting of
The Corporation of The City of Markham in the year 2020.

Alternate formats are available upon request.

Pages

1. CALL TO ORDER

2. DISCLOSURE OF PECUNIARY INTEREST

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

B. New Business from Committee Members

Recommendation:

That the August 12, 2020 Heritage Markham Committee agenda be approved.

3.2 MINUTES OF THE JULY 8, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

7

See attached material.

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on July 8, 2020 be received and adopted.

3.3 NEW MEMBER - UNIONVILLE

16

HERITAGE MARKHAM COMMITTEE (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

See attached memorandum.

Recommendation:

That Heritage Markham Committee welcomes Lake Trevelyan to the committee.

4. PART TWO - DEPUTATIONS

5. PART THREE - CONSENT

5.1 COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION

18

**206 MAIN STREET UNIONVILLE
PROPOSED BUSINESS PROFESSIONAL OFFICE USE ON GROUND
FLOOR (16.11)**

FILE NUMBER: A/077/20

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

See attached staff memorandum and material.

Recommendation:

That Heritage Markham has no comment from a heritage perspective to the requested variance to permit a business professional office on the ground floor of 206 Main Street Unionville.

5.2 COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION

24

**CONSENT APPLICATION
40 ALBERT STREET, MARKHAM VILLAGE
MINIMUM LOT FRONTAGE VARIANCE AND PROPOSED SEVERANCE
OF THE PROPERTY (16.11)**

FILE NUMBERS:

• A/071/20

• B/11/20

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

See attached staff memorandum and material.

Recommendation:

1. That Heritage Markham has no comment from a heritage perspective on the variance application (A/071/20) to permit a minimum lot frontage of 74 ft. for a pair of semi-detached dwellings at 40 Albert St.; and,

2. That Heritage Markham has no objection to the proposed severance of 40 Albert St. to provide for separate ownership of each semi-detached dwelling, subject to the owner being required as a condition of approval to enter into a Heritage Conservation Easement Agreement with the City.

5.3 BUILDING OR SIGN PERMIT APPLICATION

31

33 DICKSON HILL ROAD**326 MAIN ST. N. MARKHAM VILLAGE HCD****DELEGATED APPROVALS, BUILDING PERMITS APPROVED BY
HERITAGE SECTION STAFF (16.11)**

FILE NUMBERS:

- HP 20 119547
- HP 20 117735

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

See attached staff memorandum and material.

Recommendation:

That Heritage Markham receive the information on building permits approved
by Heritage Section staff under the delegated approval process.

5.4 HERITAGE PERMIT APPLICATION

32

94 JOHN ST. THORNHILL HCD**19 PETER ST. MARKHAM VILLAGE HCD****15 COLBORNE ST. THORNHILL HCD****180 MAIN ST. N. MARKHAM VILLAGE HCD****105 MAIN ST. UNIONVILLE HCD****158 MAIN ST. UNIONVILLE HCD****7181 REESOR ROAD****DELEGATED APPROVALS, HERITAGE PERMITS APPROVED BY
HERITAGE SECTION STAFF (16.11)**

FILE NUMBERS:

- HE 20 119790
- HE 20 120061
- HE 20 120063
- HE 20 121534
- HE 20 119939
- HE 20 119936
- HE 20 118689

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

See attached staff memorandum and material.

Recommendation:

That Heritage Markham receive the information on heritage permits approved by

Heritage Section staff under the delegated approval process.

5.5 TREE REMOVAL APPLICATIONS

34

26 ALBERT ST. MARKHAM VILLAGE HCD

22 COLBORNE ST. THORNHILL HCD

8 DAVID GOHN CIRCLE, MARKHAM HERITAGE ESTATES

**DELEGATED APPROVALS, TREE REMOVAL PERMITS APPROVED BY
HERITAGE SECTION STAFF (16.11)**

FILE NUMBERS:

- 20 118800
- 20 119005
- 20 119287

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

See attached staff memorandum and material.

Recommendation:

That Heritage Markham receive the information on the tree removal permits approved by Heritage Section staff under the delegated approval process.

5.6 SITE PLAN CONTROL APPLICATION

35

**33 ALBERT STREET, MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT**

**PROPOSED ONE STOREY DETACHED ACCESSORY BUILDING SHED
(16.11)**

File Number: SPC 20 118228

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

See attached staff memorandum and material.

Recommendation:

That Heritage Markham has no objection to design of the proposed accessory building at 33 Albert Street received on June 21, 2018 from a heritage perspective, and delegates final review of any development application required to permit its construction to Heritage Section Staff.

6. PART FOUR - REGULAR

6.1 APPLICATIONS FOR A DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT

43

**4551 ELGIN MILLS DEVELOPMENTS LTD., MAJOR KENNEDY
DEVELOPMENTS LTD., AND MAJOR KENNEDY SOUTH
DEVELOPMENTS LTD.**

CULTURAL HERITAGE RESOURCES

10225-10227 KENNEDY ROAD

4638 MAJOR MACKENZIE DRIVE (16.11)

File Number: PLAN 20 113780

Extracts:

R. Hutcheson, Manager of Heritage Planning

D. Brutto, Senior Planner, North District

See attached staff memorandum and material.

Recommendation:

1. That Heritage Markham does not support the proposed Zoning Amendment and Draft Plan of Subdivision applications at this time as they do not appropriately address the retention of the identified cultural heritage resources as per the cultural heritage policies of the City's Official Plan, the Robinson Glen Secondary Plan and the Community Design Plan, and encourages the applicant to continue to work with staff and the Committee; and,
2. That Heritage Markham recommends that the Homer Wilson House and J.P Carr Cottage be retained on their original sites on appropriately sized lots and remain connected from a contextual perspective, and that the standard heritage conditions of approval be secured (i.e. heritage easement agreement, site plan approval/restoration plan, Markham Remembered plaques, etc); and,
3. That Heritage Markham recommends the Pingle Cemetery area be sensitively integrated with adjacent development in a respectful manner to protect and preserve its integrity including the requirement for appropriate fencing, landscaping and a Markham Remembered plaque; and,

Options

That Heritage Markham recommends the Pingle-Brown House be retained in its c.1940 style at its original site on an appropriately sized lot in either a residential or an adaptive re-use, and that the standard heritage conditions of approval be secured (i.e. heritage easement agreement, site plan approval/restoration plan, Markham Remembered plaques, etc);

Or

That Heritage Markham supports the recommendation of the Cultural Heritage Impact Assessment report which would allow the resource to be deconstructed and documented during demolition to provide an opportunity to learn more about the mid-19th century construction methods and materials and allow the possible salvage of building components, and that these findings would be

provided to the municipality.

6.2 SIGN PERMIT APPLICATION

203

STABBY'ZZ TATTOO STUDIO

209 MAIN STREET UNIONVILLE (16.11)

File Number: 20 120109 SP

Extracts: R. Hutcheson, Manager of Heritage Planning

See attached staff memorandum and material.

Recommendation:

That Heritage Markham has no objection to the design submitted for Stabby'Zz Tattoo Studio, 209 Main Street Unionville (sign permit application 20 120109) from a heritage perspective subject to compliance with the City's Sign By-law requirements.

7. PART FIVE - STUDIES/PROJECTS AFFECTING HERITAGE RESOURCES - UPDATES

The following projects impact in some manner the heritage planning function of the City of Markham. The purpose of this summary is to keep the Heritage Markham Committee apprised of the projects' status. Staff will only provide a written update when information is available, but members may request an update on any matter.

- a) Doors Open Markham 2020
- b) Heritage Week, February 2020
- c) Unionville Heritage Conservation District Plan Amendments/ Update
- d) Unionville Heritage Centre Secondary Plan
- e) Unionville Core Area Streetscape Master Plan (2019)
- f) Update to Markham Village Heritage Conservation District Plan (2020)
- g) New Secondary Plan for Markham Village (2020)
- h) Comprehensive Zoning By-law Project (2019) – Review of Development Standards – Heritage Districts

8. PART SIX - NEW BUSINESS

9. ADJOURNMENT



Heritage Markham Committee Minutes

Meeting Number: 6
July 8, 2020, 7:00 PM
Electronic Meeting

Members	Councillor Keith Irish Councillor Karen Rea Councillor Reid McAlpine Graham Dewar David Nesbitt Evelin Ellison	Ken Davis Doug Denby Shan Goel Anthony Farr Jason McCauley
Regrets	Paul Tiefenbach	
Staff	Regan Hutcheson, Manager, Heritage Planning Peter Wokral, Senior Heritage Planner George Duncan, Senior Heritage Planner	Laura Gold, Council/Committee Coordinator Scott Chapman, Election & Committee Coordinator

1. CALL TO ORDER

Graham Dewar, Chair, convened the meeting at 7:05 PM by asking for any disclosures of interest with respect to items on the agenda.

2. DISCLOSURE OF PECUNIARY INTEREST

Ken Davis declared a conflict on Agenda Item 5.2 - Heritage Permit Applications, as his house is listed under this item.

Anthony Farr advised that he will declare a conflict of interest on item 6.1 - Fire at 32 Colborne Street if an in-depth discussion occurs, as he lives next door to this property.

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

B. New Business from Committee Members

The following item was added under new business:

- Announcement of George Duncan's Retirement, including remarks from Shane Gregory.

Committee discussed removing items 5.1, 5.2, 6.1, and 6.2 from the agenda as the items were information items, and were not urgent in nature. Initially when the use of electronic meetings were being considered, it was contemplated that agendas would primarily include urgent items.

Staff advised that these types of agenda items are included on the agenda to communicate the activities Heritage Staff have approved on behalf of the Committee. The City is also now moving in the direction of have regular meeting agendas.

The Committee voted against removing the items from the agenda.

Recommendation:

That the July 8, 2020 Heritage Markham Committee agenda be approved, as presented.

Carried

3.2 MINUTES OF THE JUNE 10, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on June 10, 2020 be received and adopted.

Carried

4. PART TWO - DEPUTATIONS

4.1 REQUEST FOR FEEDBACK

**33 DICKSON HILL ROAD – PROPOSED DESIGNATION
UPDATE ON THE INTENTION TO DESIGNATE A PROPERTY UNDER
PART IV OF THE ONTARIO HERITAGE ACT, JOSEPH & LEAH
PIPHER FARMHOUSE AND SMOKEHOUSE (16.11)**

Extracts:

R. Hutcheson, Manager of Heritage Planning
P. Wokral, Senior Heritage Planner

Regan Hutcheson presented the staff memorandum on the proposed designation of 33 Dickson Road under Part IV of the Ontario Heritage Act, which included a brief history of the property. The proposed designation was originally brought forward to the Development Services Committee on June 22, 2020, but the matter was deferred at the June 23, 2020 Council meeting and referred back to the Heritage Markham Committee for its feedback on the designation. After the Committee provides its feedback, the designation request will be placed on the July 14th, 2020 Council Agenda for Markham Council's consideration.

Heritage staff, and two of the Heritage Markham Committee Councillor Liaisons visited the property to view the home.

Staff are recommending that the following be restored or replicated: 1) the historic windows be restored, at minimum the windows located at the front elevation of the house; 2) the front entrance feature be restored (including the sidelights and the transom), with the possible replication of the wooden door to address security concerns; 3) the shutters preferably be restored and mounted on traditional hardware or fixed in place, but could possibly be replicated if in too poor condition; and 4) the smokehouse be restored preferably in its current location.

The property owner has also proposed an addition to the building that will be reviewed by the Committee once a formal application has been submitted.

Shane Gregory, Consultant, representing the property owner advised that his client generally supports the staff recommendations in regards to the heritage features that should be restored or replicated. To date a tree removal application, an engineering permit, and a building permit have been submitted to the City for this property.

Adam Marmo, property owner advised that he is unfamiliar with the heritage process, but is committed to working with the City and the Committee. He was supportive of the proposed heritage designation of the property, but questioned if Site Plan Approval was needed, as the Building Permit Application was submitted to the City prior to any designation of the property.

Regan Hutcheson advised that that the requirement for Site Plan Approval to be reviewed by the Heritage Markham Committee would need to be discussed internally by staff, as this is a unique situation.

Committee briefly discussed recent modifications made to the home by the property owner, including removing a one storey back porch constructed circa 1940 where the new addition to the house is being proposed, as well as one storey portions to the east of the main house that were extensively modified in the 1940's that the owner reported were infested with animals.

Committee Members provided the following feedback on the heritage attributes and designation of the property:

- Admired the stonework on the house;
- Agreed the house should be designated as a heritage property;
- Suggested most of the shutters will likely need to be replicated due to their poor condition;
- Most of the Members agreed that the windows could be restored, but that a compromise may need to be considered such as allowing the shutters to be mounted in a way that does not compromise the integrity of traditional storm windows. It was also noted that if the shutters are to be reinstalled with the existing shutter hardware, storm windows could not be used.
- Suggested the front door could be restored, but also suggested it could be replicated;
- Most of the Members supported the restoration of the smokehouse;
- Asked that no further modifications be made to the house until after the designation is considered by Council.

Adam Marmo advised that he is committed to restoring or replicating the significant heritage features of the house. The smokehouse will be restored and likely kept in its existing location, and will probably be used for storage. The front entrance feature will also be restored, but the preference is to replace the wooden door with a more secure door. The windows and shutters need to be made compatible with each other. Therefore, the preference is to restore the windows in the front of the property to maintain the heritage look, and replace the rest of the windows with proper storm windows and remove the shutters. Mr. Marmo provided his commitment that he would not make any further modifications to the property prior the designation being considered by Council on July 14, 2020.

The property owner's step father recognized the heritage significance of the property, but emphasized that the house needs to be restored into a livable family home.

It was suggested that the review of the Building Permit application be delegated to the Committee's Architectural Review Sub-Committee so that the Sub-Committee could comment on behalf of the Heritage Markham Committee and not delay the project.

Recommendation:

1. That Heritage Markham continues to support the intention to designate the Joseph and Leah Pipher Farmhouse and Smokehouse 33 Dickson Hill Road, including the identification of the original windows, shutters, front entry and former smokehouse building as significant heritage attributes to be conserved; and,
2. That Heritage Markham delegate the review and consideration of the building permit to the Architectural Review Sub-Committee.

Carried

4.2 HERITAGE PERMIT APPLICATION

**6041 HIGHWAY 7 EAST, MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT
MARKHAM VILLAGE COMMUNITY CENTRE – REPLACEMENT OF
NON-COMPLIANT ELECTRONIC MESSAGE BOARD (16.11)
FILE NUMBER: HE 20 118874**

Extracts:

R. Hutcheson, Manager of Heritage Planning
M. Creighton, Director, Recreation Services
L. deHaas, Supervisor, Community Facility

George Duncan, Senior Heritage Planner provided a summary of the staff memorandum.

Mary Creighton, Director of Recreation made a deputation to the Committee requesting that an exemption to Markham's Sign By-Law be permitted to allow for the replacement of the existing non-compliant electronic message board at the Markham Village Community Centre. The proposed electronic message sign is used to promote and educate the public on City programs and services, and can be used to provide notification to the community during an emergency.

Members provided the following feedback on the request:

- The City should lead by example, and be in compliance with its own by-law;

- The sign benefits the community by providing emergency notifications, and other City communications;
- The sign matches the building on the site and does not conflict with the neighboring properties;
- The City should consider updating its Sign By-law to include digital signs that have a heritage look (i.e. using colours and fonts that provide the digital sign with a heritage look, and that do not loop as frequently so that each frame is displayed for a longer duration of time);
- The City can provide notification to the community via their cell phones, or through another communication channels;
- The entire ground sign could be redesigned to create a visually aesthetic heritage style unit if the electronic message board is permitted.

Recommendation:

1. That Heritage Markham Committee recommends that the City should lead by example and comply with the Sign By-law and the Markham Village Heritage Conservation District Plan policies both of which prohibit the use of electronic message boards in heritage conservation districts; and,
2. That the Recreation Department investigate other approaches to having changeable messages as part of its signage.

Carried

5. PART THREE - CONSENT

5.1 BUILDING OR SIGN PERMIT APPLICATIONS

**9350 MARKHAM ROAD, MARKHAM MUSEUM
6088 HIGHWAY 7 EAST, MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT**

DELEGATED APPROVALS: BUILDING (16.11)

FILE NUMBERS:

- 20 107244 AL
- 20 112079 AL

Extracts: R. Hutcheson, Manager of Heritage Planning

Recommendation:

That Heritage Markham receive the information on Building Permits approved by Heritage Section staff under the delegated approval process.

Carried

5.2 HERITAGE PERMIT APPLICATIONS

25 COLBORNE STREET, THORNHILL HCD

115 MAIN STREET, UNIONVILLE HCD

17 EUCLID STREET, UNIONVILLE HCD

147 A MAIN STREET, UNIONVILLE HCD

19 PETER STREET, MARKHAM VILLAGE HCD

180 MAIN STREET NORTH, MARKHAM VILLAGE HCD

276 MAIN STREET NORTH, MARKHAM VILLAGE HCD

16 MAPLE STREET, MARKHAM VILLAGE HCD

143 CASTLEVIEW CRESCENT, INDIVIDUALLY DESIGNATED

22 DAVID GOHN CIRCLE, MARKHAM HERITAGE ESTATES

7181 REESOR ROAD, INDIVIDUALLY DESIGNATED

DELEGATED APPROVALS: HERITAGE (16.11)

FILE NUMBERS:

- HE 20 118438
- HE 20 117231
- HE 20 118704
- HE 20 118714
- HE 20 118158
- HE 20 118319
- HE 20 118707
- HE 20 117240
- HE 20 118156
- HE 20 118904
- HE 20 118689

Extracts: R. Hutcheson, Manager of Heritage Planning

Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

Carried

6. PART FOUR - REGULAR

6.1 INFORMATION

FIRE AT 32 COLBORNE STREET

THORNHILL HERITAGE CONSERVATION DISTRICT (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson advised that there was a serious fire at 32 Colborne Street in the Thornhill Heritage Conservation District.

Committee thanked Anthony Farr and his dog for the instrumental role they played in saving the lives of the father and daughter that reside at 32 Colborne Street.

The Committee briefly discussed the extent of the damage the fire has caused to the non-heritage home, and the unlikeliness that it will be able to be restored.

Recommendation:

That Heritage Markham receive as information.

Carried

6.2 CITY OF MARKHAM TEMPORARY COMMERCIAL PATIO EXPANSION PROGRAM - COVID-19 (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson advised that the City has passed a Temporary Commercial Patio Expansion Program to assist restaurants during COVID-19 which involved alternate approval protocols. This includes restaurants in the City's heritage conservation districts.

Committee supported the by-law and understood the need to support businesses. Some concern was expressed with respect to the speed of the vehicles passing through Main Street Unionville now that people are sitting on patios closer to the road.

It was advised that staff are aware of this problem and that it is being addressed. Extra signage requesting drivers to slow down has already been erected.

Recommendation:

That Heritage Markham Committee receive as information the information on the temporary commercial patio program (July – December 2020).

Carried

6.3 THREATENED AND VACANT BUILDING SUB-COMMITTEE - SCHEDULING OF MEETINGS (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson advised that he will coordinate the Threatened and Vacant Building Sub-Committee meeting schedule by email. The tentative date of the first Sub-Committee meeting is Wednesday, August 5, 2020.

7. PART FIVE - STUDIES/PROJECTS AFFECTING HERITAGE RESOURCES - UPDATES

There was no update provided under this section.

8. PART SIX - NEW BUSINESS

Graham Dewar, Chair announced that George Duncan, Senior Heritage Planner will be retiring at the end of the month.

Committee congratulated Mr. Duncan and thanked him for his hard work, expertise, and commitment to the City's heritage conservation program as well as heritage initiatives in general.

Mr. Duncan was recognized for his many books including, Historic Unionville - A Village in the City, noting its importance to the Unionville community.

Shane Gregory, Consultant and Contractor thanked George Duncan for all his heritage expertise and advice he provided to the Gregory Design Group over the years.

The Committee encouraged Mr. Duncan to consider applying as a citizen member of the Heritage Markham Committee in the future.

George Duncan thanked Mr. Gregory and the Committee for their kind words, advising that he enjoyed working for the City of Markham, appreciated the commitment of staff and members of the community, and feels privileged to have had a career dedicated to heritage conservation. In near future, he plans to enjoy his hobbies, but may consider other opportunities in the future.

9. ADJOURNMENT

The Heritage Markham Committee adjourned at 9:12 PM.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: August 12, 2020

SUBJECT: New Member- Unionville
Heritage Markham Committee

Markham Council appointed a new member to the Heritage Markham Committee on July 14/16, 2020. Mr. Lake Trevelyan is a new Unionville representative and resides in the Unionville Heritage Conservation District. His term expires November 30, 2023.

The Heritage Markham Committee is now at its full complement. Term expiry dates are attached.

Unionville Representation

Doug Denby
David Nesbitt
Lake Trevelyan

Thornhill Representation

Evelin Ellison
Anthony Farr
Paul Tiefenbach
Evelin Ellison

Markham Village Representation

Graham Dewar (Chair)
Shan Goel
Jason McCauley

Other/Rural Representation

Ken Davis (V. Chair)

Council Representation

Councillor Keith Irish (Ward 1)
Councillor Reid McAlpine (Ward 3)
Councillor Karen Rea (Ward 4)

Suggested Recommendation for Heritage Markham

That Heritage Markham Committee welcomes Lake Trevelyan to the committee.

Q:\Development\Heritage\HERITAGE MARKHAM FILES\MEMBERS\New Members Welcome\HM Aug 2020
Lake Trevelyan.doc

Term Expiry Dates

November 30, 2019

Ken Davis (V. Chair)

30/11/19 (**Rural Area**) – remains until appointment replaced by Council

November 30 2020

Graham Dewar (Chair)

30/11/20 (**Markham**)

David Nesbitt

30/11/20 (**Unionville**)

Anthony Farr

30/11/20 (**Thornhill**)

Evelin Ellison

30/11/20 (**Thornhill**)

November 30, 2021

Doug Denby

30/11/21 (**Unionville**)

November 30, 2022

Paul Tiefenbach

30/11/22 (**Thornhill**)

Shan Goel

30/11/22 (**Markham**)

November 30, 2023

Lake Trevelyan

30/11/23 (**Unionville**)

Jason McCauley

30/11/23 (**Markham**)



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: August 12, 2020

SUBJECT: Committee of Adjustment Variance Application
206 Main Street Unionville, The Stiver House
File A/077/20

Property/Building Description: 1storey, single detached, Regency Style dwelling constructed in 1829, with 2 storey recent addition to rear, and a detached four storey residential building under construction

Use: Vacant Retail Store

Heritage Status: Designated under Part IV of the Ontario Heritage Act and classified as a Group A building or buildings that define the heritage character of the district.

Application/Proposal

- The City has received an application to the Committee of Adjustment requesting a variance to permit a Business and Professional office located on the ground floor in the recently constructed 2 storey commercial addition to the historic Stiver House, whereas the Zoning By-law does not permit Business and Professional offices to be located on the Ground Floor of the building;
- The applicant proposes to use this ground floor area as a sales office for residential units constructed by Ledgemark Homes across the GTA, which would also display various interior finishes that can be selected by the home buyer. This type of establishment is not considered to be a retail use by the Zoning By-law, which classifies the proposed use as a business and professional office;

Background

- The City's 2014 Official Plan does contains a site specific policy related to the Unionville Heritage Conservation District which states that business and professional offices, commercial schools, and health centres situated on the ground floor of properties fronting on to Main Street shall be required to be located a minimum of 10 metres back of the

front wall of the building, and have clearly defined separation of uses. This was introduced to maintain retail/restaurant animation and pedestrian activity/interest at the street level.

- The proposed use would be on the ground floor of the newly constructed 2 storey addition which is approximately 10m back of the front wall of the historic Stiver House and architecturally separated and distinct from the existing historic home. This would allow the Stiver House to be used for retail/other commercial uses.

Staff Comment

- Given that the proposed variance does not affect any of the heritage attributes of the property, Heritage Section Staff recommends that Heritage Markham have no comment from a heritage perspective regarding the requested variance.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no comment from a heritage perspective to the requested variance to permit a business professional office on the ground floor of 206 Main Street Unionville.

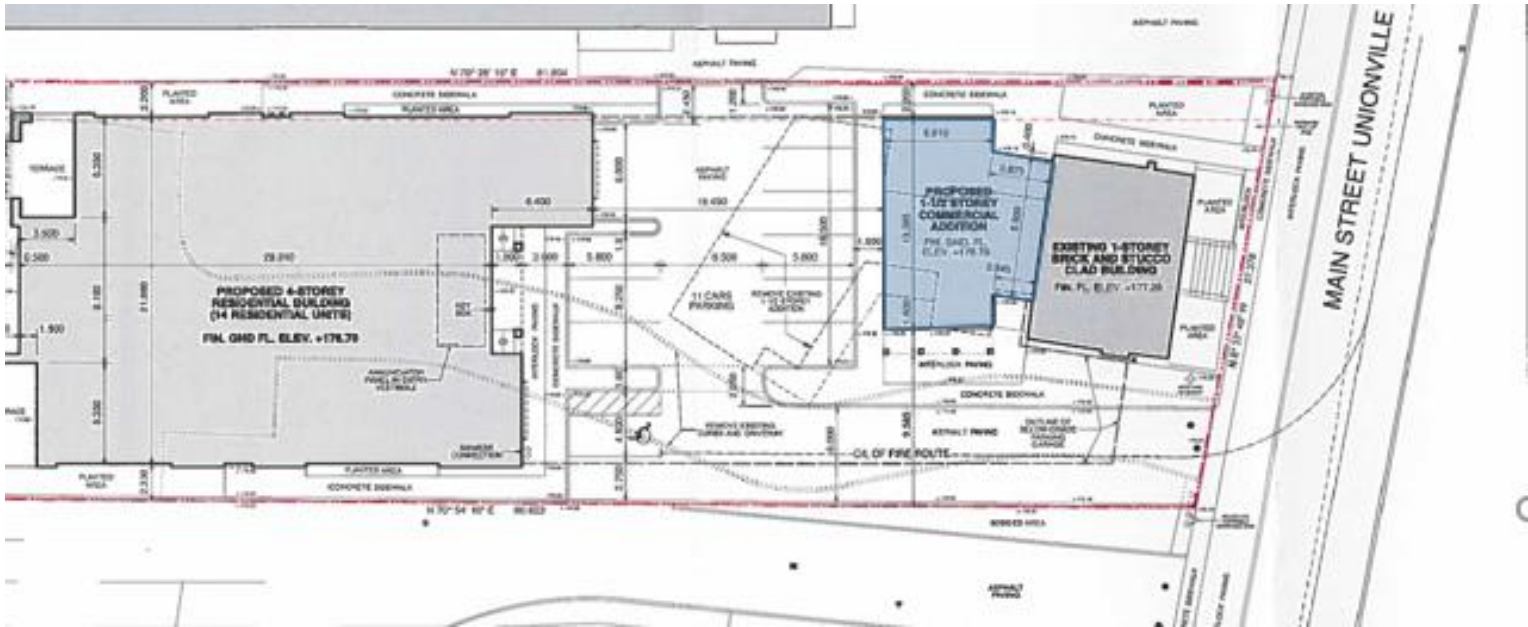
206 Main Street Unionville



206 Main Street Unionville



Proposed sales office shown in blue







MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Heritage Planner

DATE: August 12, 2020

SUBJECT: **Minor Variance and Consent Applications**
 40 Albert Street, Markham Village Heritage Conservation District
 Minimum Lot Frontage Variance and Proposed Severance of the Property
 A/071/20 & B/011/20

Property/Building Description: 1 storey single detached dwelling constructed in 1856

Use: Residential

Heritage Status: Designated under Part V of the Ontario Heritage Act and identified as a Type 'A' building or buildings that define the heritage character of the district.

Application/Proposal

- The owner of the property has submitted applications to the Committee of Adjustment seeking a variance to permit a pair of semi-detached dwellings to have a minimum lot frontage of 74 ft. whereas the By-law requires a minimum lot frontage of 75 ft. for a pair of semi-detached dwellings, and a severance that would permit each semi-detached dwelling to have separate ownership.

Background

- The City has already approved Site Plan and Minor Variance applications (SPC 19 121293 & A/48/19) permitting a pair of semi-detached dwellings, one of which incorporates the existing heritage dwelling on a new foundation, which is currently under construction (See attached approve Site Plan and Elevations);
- During the review of the Building Permit application, the City's Zoning Department identified the requirement for an additional variance to permit the existing lot frontage of 74 ft. whereas the By-law requires a minimum lot frontage of 75 ft. for a pair of semi-detached dwellings;

Staff Comment

- Heritage Staff has no objection to the requested variance given that the City has already approved the Site Plan application for the semi-detached dwellings currently under construction, and because the variance is minor in nature;
- Heritage Staff also have no objection to the proposed severance, as permitting separate ownership of each semi-detached dwelling has no impact from a heritage perspective on the approved development;
- Therefore Heritage staff recommends that Heritage Markham have no comment on the variance application (A/071/20) from a heritage perspective, and no objection to the consent application (B/011/20) subject to the owner entering into a Heritage Conservation Easement agreement with the City;
- In 2004, Council approved policies regarding when it is appropriate for the City to seek Heritage Conservation Easement agreements through development applications which include severance applications and situations where a heritage building is relocated from its original foundation, both of which apply to 40 Albert Street.

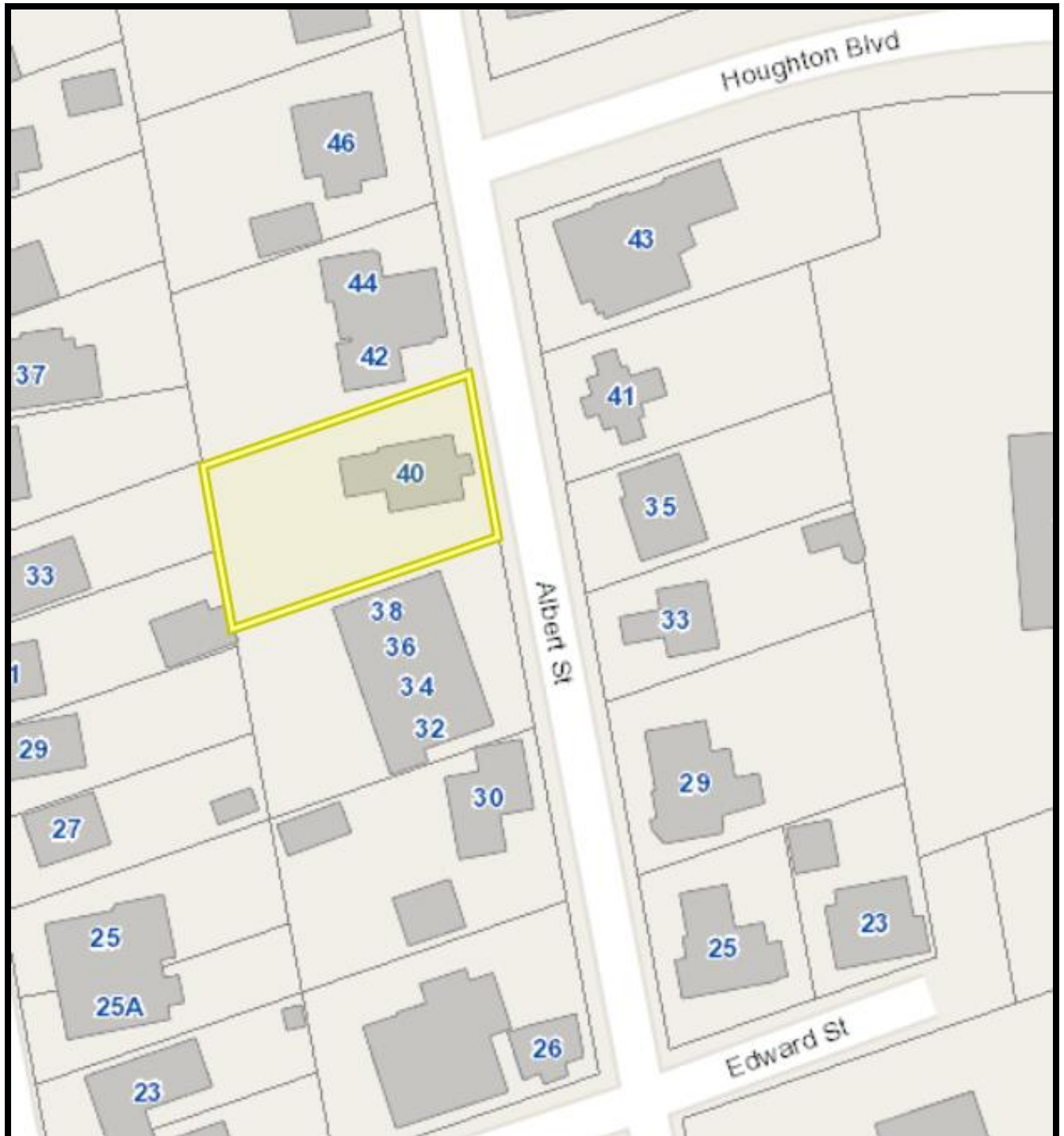
Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no comment from a heritage perspective on the variance application (A/071/20) to permit a minimum lot frontage of 74 ft. for a pair of semi-detached dwellings at 40 Albert St.;

AND THAT Heritage Markham has no objection to the proposed severance of 40 Albert St. to provide for separate ownership of each semi-detached dwelling, subject to the owner being required as a condition of approval to enter into a Heritage Conservation Easement Agreement with the City.

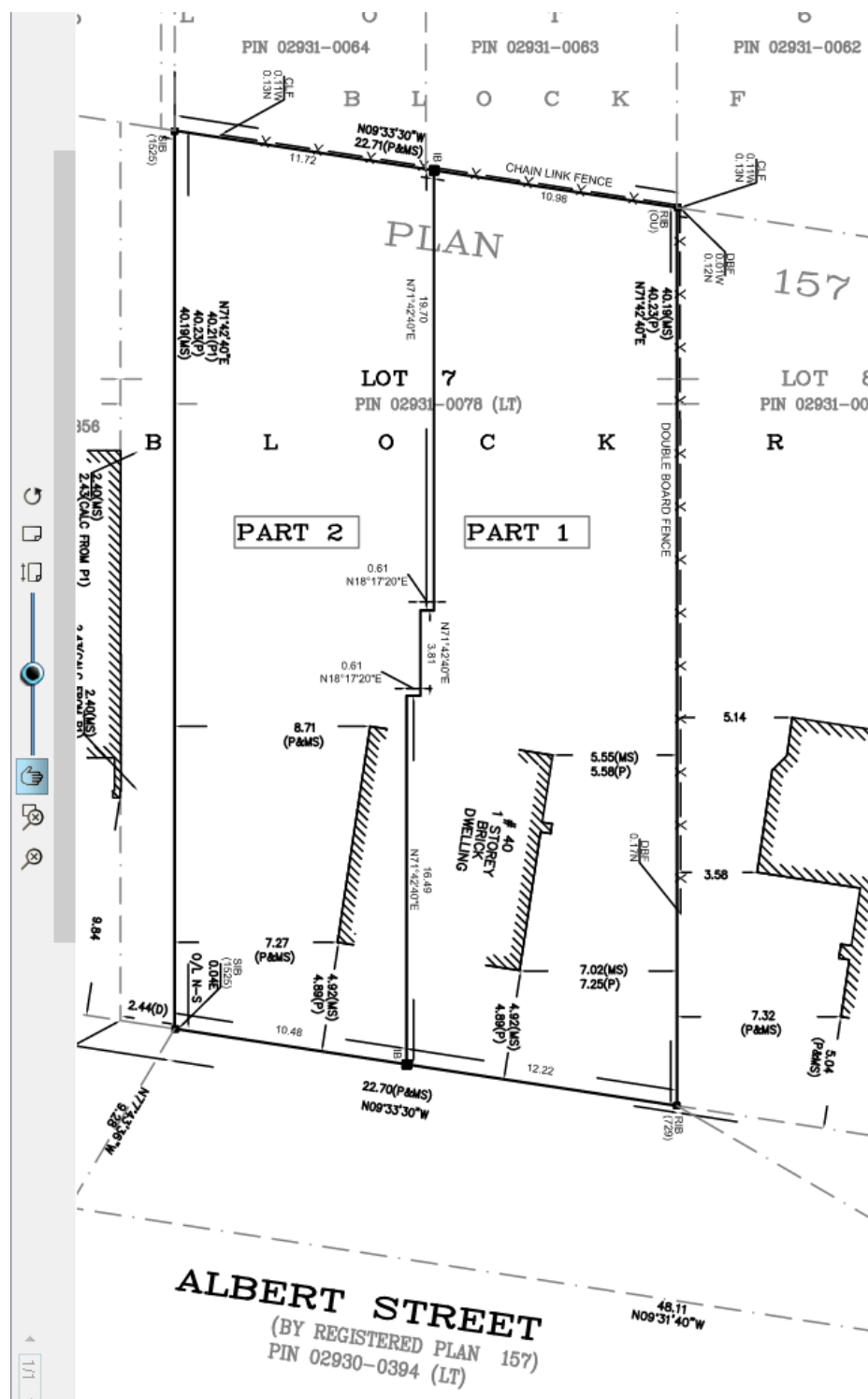
File: 40 Albert Street

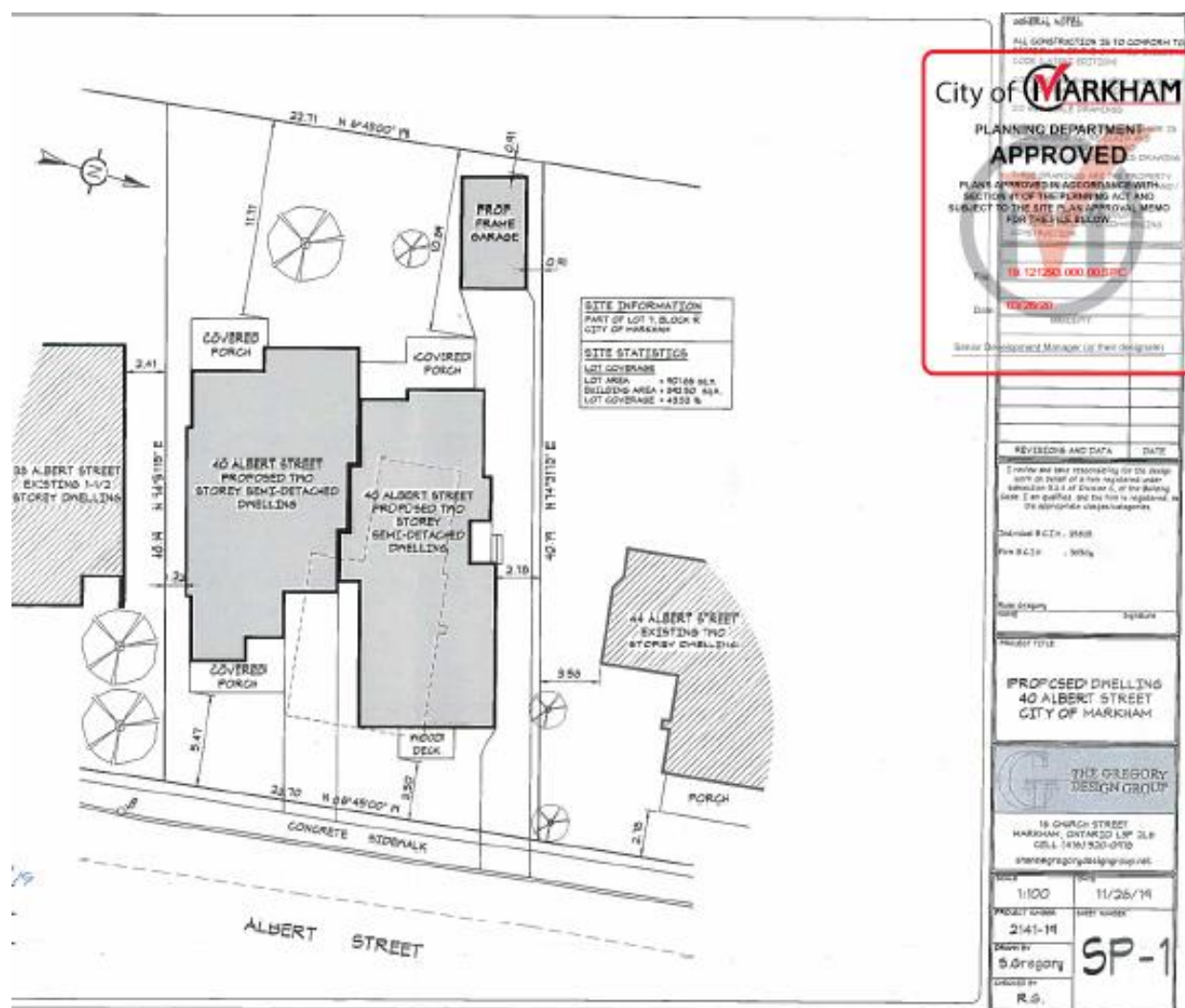
40 Albert Street, Markham Village Heritage Conservation District



40 Albert Street, Markham Village Heritage Conservation District











MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: August 12, 2020

SUBJECT: Building and Sign Permit Applications
Delegated Approvals
Building Permits Approved by Heritage Section Staff

The following Building Permits were approved by Heritage Section staff under the delegated approval process:

Address	Permit Number	Work to be Undertaken
33 Dickson Hill Road	HP 20 119547	Construction of new storage barn
326 Main St. N.	HP 20 117735	Construction of small rear porch not visible from public realm

Suggested Recommendation for Heritage Markham

THAT Heritage Markham receive the information on building permits approved by Heritage Section staff under the delegated approval process

File: 33 Dickson Hill Road and 326 Main St. N.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: August 12, 2020

SUBJECT: Heritage Permit Applications
Delegated Approvals
Heritage Permits Approved by Heritage Section Staff

The following Heritage Permits were approved by Heritage Section staff under the delegated approval process:

Address	Permit Number	Work to be Undertaken
94 John Street Thornhill HCD	HE 20 119790	Paving in asphalt of existing driveway
19 Peter Street Markham Village HCD	HE 20 120061	Painting of house in heritage colours
15 Colborne Street Thornhill HCD	HE 20 120063	Repairs to existing masonry chimney
180 Main St. N. Markham Village HCD	HE 20 121534	New windows in modern part of building
105 Main St. Unionville HCD	HE 20 119939	Painting of porch decks and railings
158 Main St. Unionville HCD	HE 20 119936	Front yard landscaping, new fence, painting of floor deck and railings of house
7181 Reesor Road Individually Designated	HE 20 118689	Repairs to historic wood siding. City-owned heritage building.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

File Path:

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MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: August 14, 2020

SUBJECT: Tree Removal Applications
Delegated Approvals
Tree Removal Permits Approved by Heritage Section staff

The following Tree Permits were approved by Heritage Section staff under the delegated approval process:

26 Albert St. Markham Village	Permit No. 20 118800	Removal of two Black Locust Trees	2 Native Replacement Trees Recommended
22 Colborne St. Thornhill	Permit No. 20 119005	Removal of decaying birch tree	2 Native Replacement Tree Recommended
8 David Gohn Circle, Heritage Estates	Permit No. 20 119287	Removal of Blue Spruce damaging cedar shingle roof	2 Native Replacement Trees Recommended

Suggested Recommendation for Heritage Markham

THAT Heritage Markham receive the information on the tree removal permits approved by Heritage Section staff under the delegated approval process.

File: 26 Albert St. 22 Colborne St. and 8 David Gohn Circle



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Heritage Planner

DATE: August 12, 2020,

SUBJECT: Site Plan Control Application
33 Albert Street, Markham Village Heritage Conservation District
Proposed one storey detached accessory building shed
SPC 20 118228

Property/Building Description: 1- ½ storey single detached dwelling constructed circa 1888

Use: Residential

Heritage Status: Designated under Part V of the Ontario Heritage Act and classified as a Type 'B' building or buildings that contribute to the heritage character of the district.

Application/Proposal

- The owner has submitted a site plan application to construct a new 32.7m² (352 ft²) detached accessory building in the rear of the property;

Background

- In 2018, the same owners obtained Site Plan approval to demolish a former accessory building and to construct a 40.63m² (437.4 ft²) detached accessory building/garage in the same location as the newly proposed slightly smaller structure;
- The applicant decided to apply for a scaled down accessory building after receiving quotes to construct the previously approved structure which proved to be higher than expected.

Staff Comment

- Staff has no objection to the architectural design of the newly proposed accessory building because it will have little impact on the Heritage District from the public realm due to its positioning on the property;
- Staff recommends that final review of any development application required to permit its construction be delegated to Heritage Section staff;

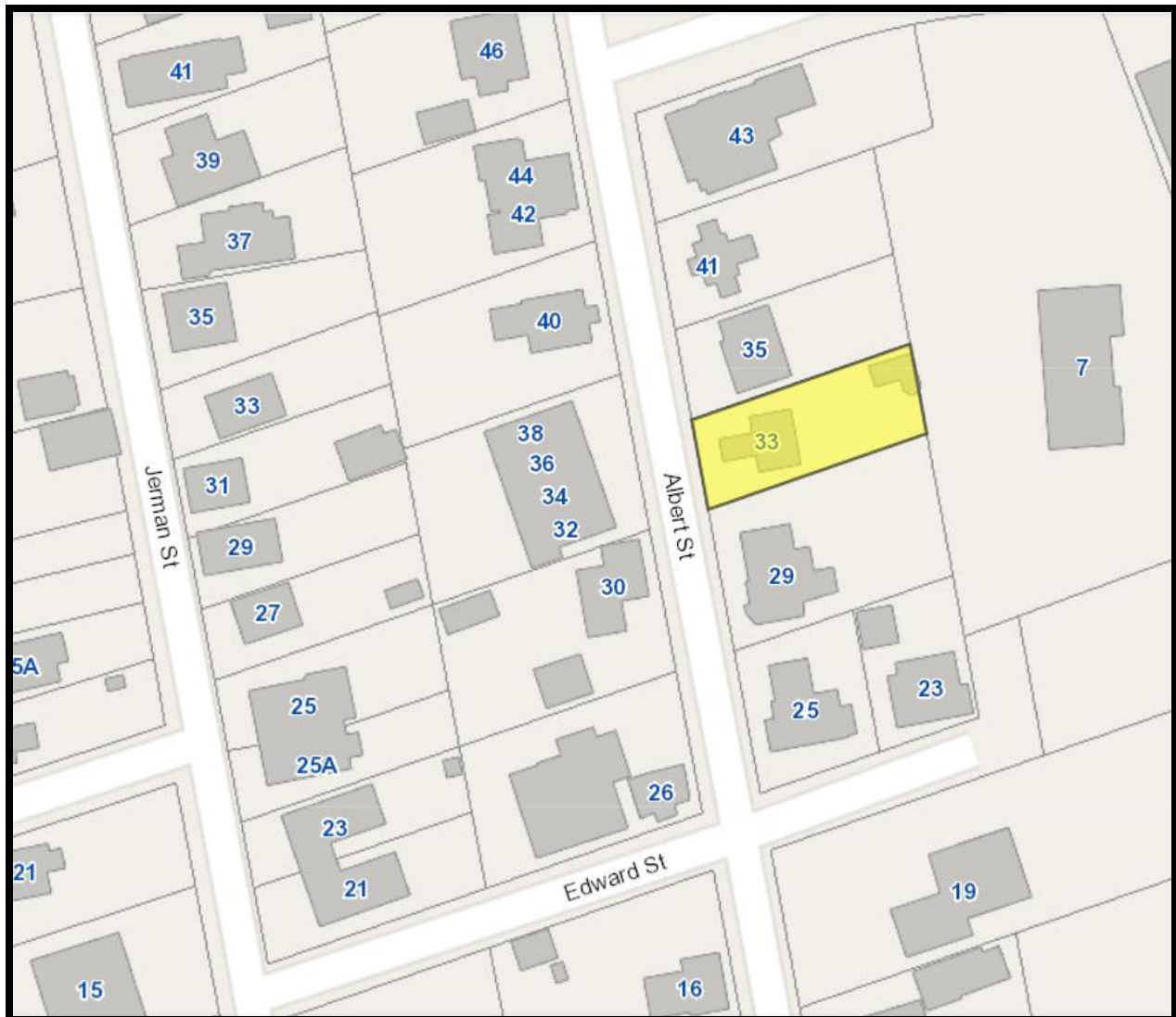
Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection to design of the proposed accessory building at 33 Albert Street received on June 21, 2018 from a heritage perspective, and delegates final review of any development application required to permit its construction to Heritage Section Staff.

File: 33 Albert Street

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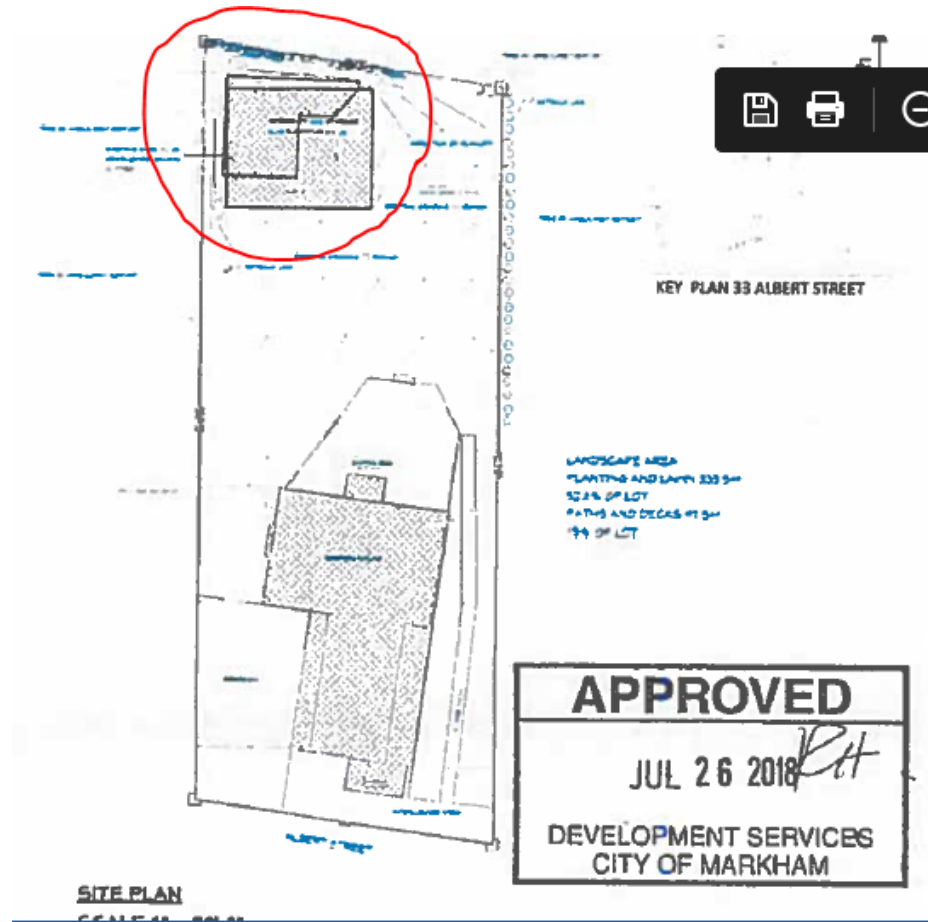
33 Albert Street
Markham Village Heritage Conservation District



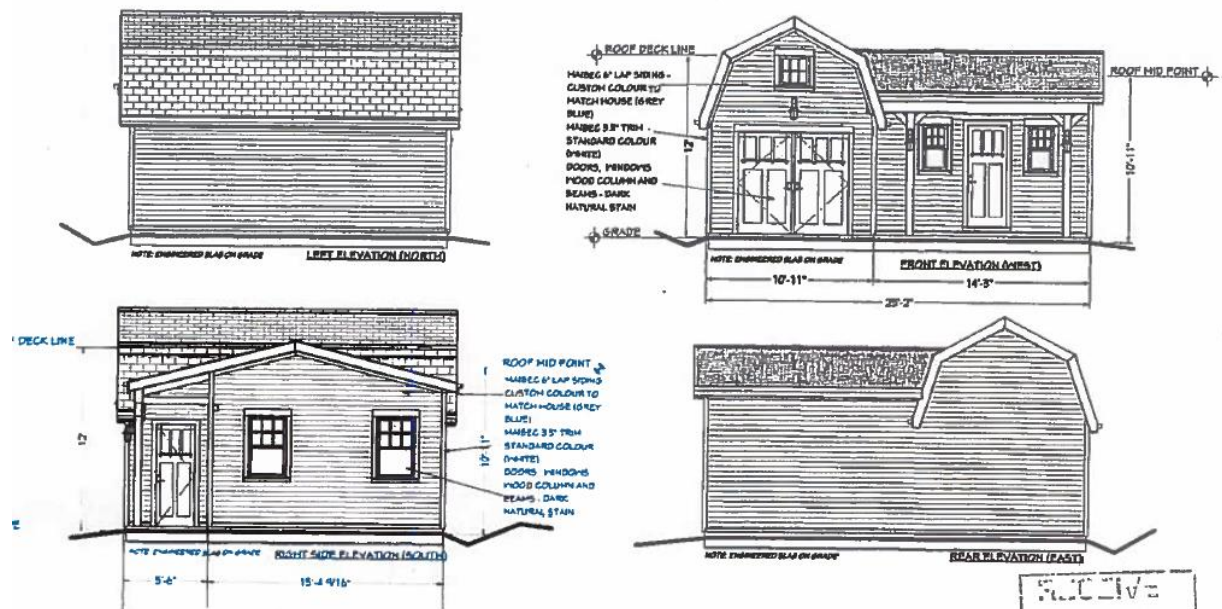
33 Albert Street
Markham Village Heritage Conservation District



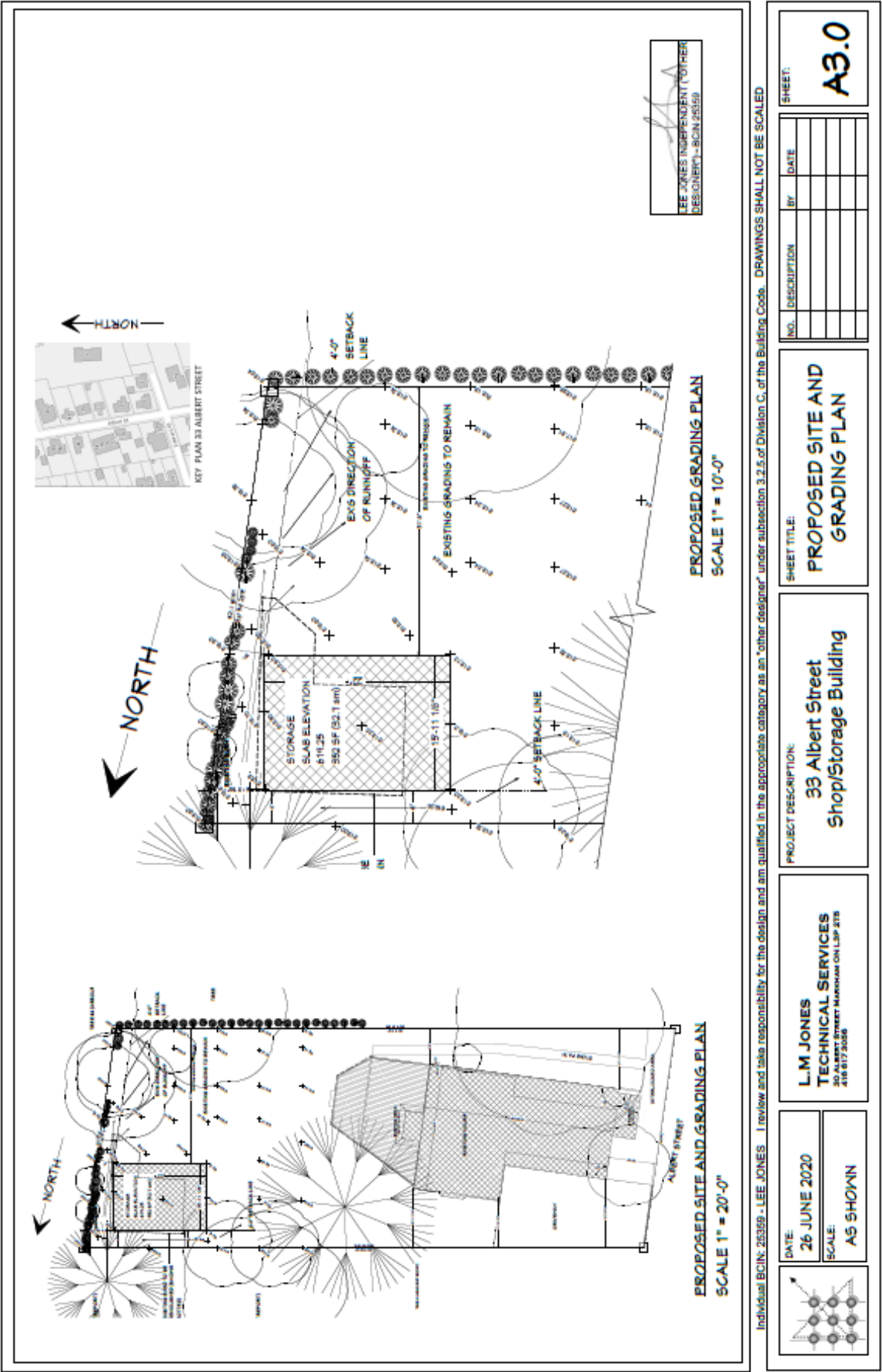
Previously approved site plan of 2018

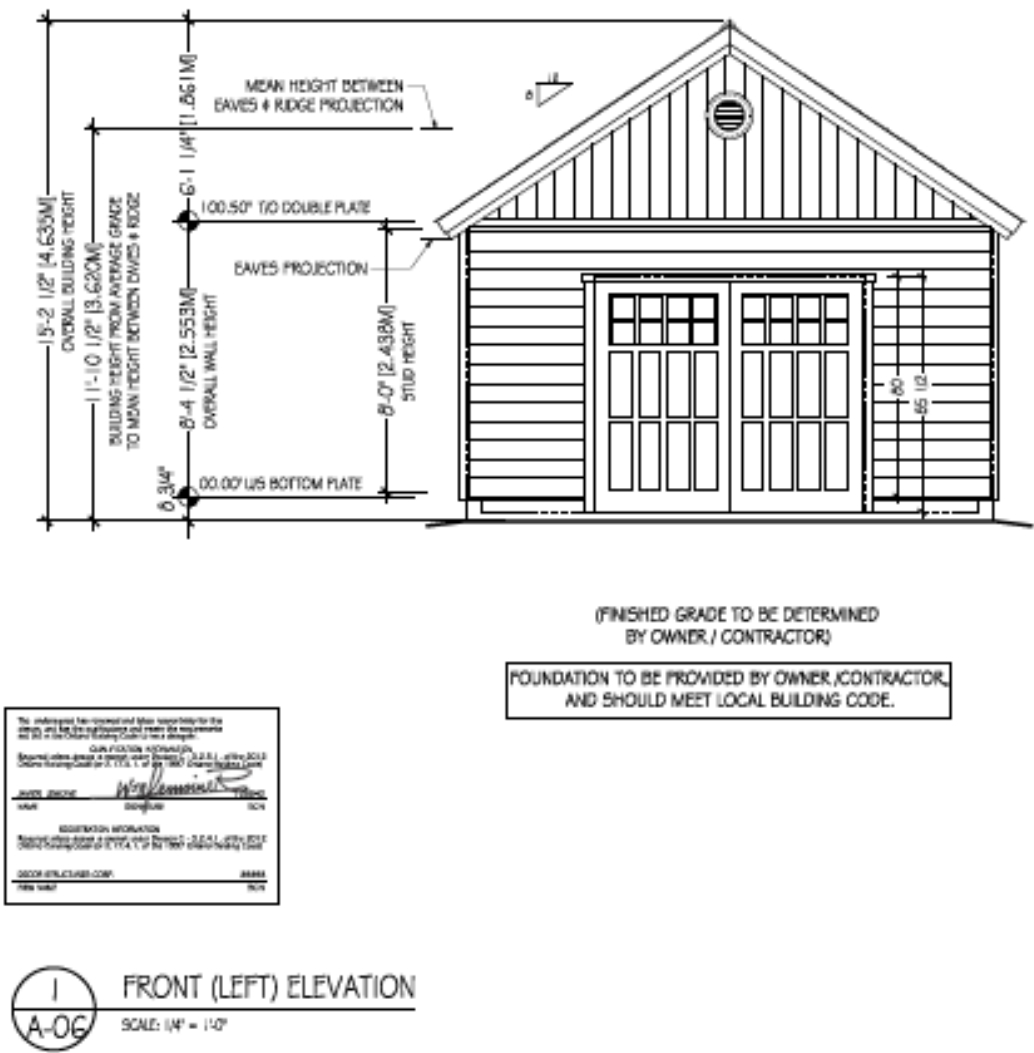


Previously approved elevations

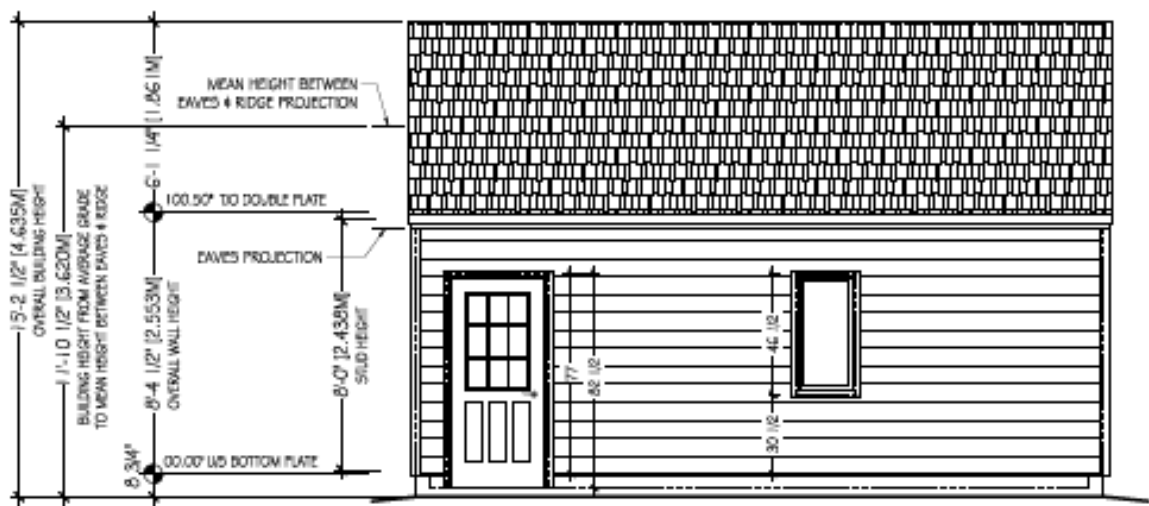


Proposed Site Plan





NOTES:
ALL DOOR AND WINDOW DIMENSIONS SHOWN
ARE R.S.O. (ROUGH STUD OPENINGS) UNLESS
OTHERWISE SPECIFIED.



(FINISHED GRADE TO BE DETERMINED
BY OWNER / CONTRACTOR)

FOUNDATION TO BE PROVIDED BY OWNER, CONTRACTOR,
AND SHOULD MEET LOCAL BUILDING CODE.

[illegible]

RIGHT (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: August 12, 2020

SUBJECT: Applications for a Draft Plan of Subdivision and Zoning By-law Amendment
4551 Elgin Mills Developments Ltd., Major Kennedy Developments Ltd., and
Major Kennedy South Developments Ltd.
Cultural Heritage Resources
10225-10227 Kennedy Road
4638 Major Mackenzie Drive
File No.: PLAN 20 113780

Property/Building Description: - Pingle Cemetery, Homer Wilson House and J.P. Carr Cottage
- Pingle-Brown House

Use: Residential, burial area

Heritage Status: Designated: 10225-10227 Kennedy Road (Cemetery, and two houses)(By-law 2008-22, Feb 12, 2008)

Listed: 4638 Major Mackenzie Drive, c. 1855, remodelled c. 1940

Application/Proposal

- Submission of a preliminary draft plan of subdivision to facilitate the creation of approximately 2,305 dwelling units (comprised of detached and townhouses), future development blocks for mixed use mid rise, mixed use high rise, residential mid rise, and residential high rise, as well as blocks for a community park, neighbourhood parks, parkettes, schools, stormwater management facilities, open space, greenway protection and the supporting road network
- There are three built heritage resources and a small burial area.
- Submission of:
 - Heritage Impact Assessment, 10225-10227 Kennedy Road, May 2020
 - Cultural Heritage Impact Assessment Report, 4638 Major Mackenzie Drive East (Revised July 2019)

Background

- The **Markham Official Plan** includes a series of robust cultural heritage policies on how significant cultural heritage resources are to be addressed in development applications including:
 - Protection and conservation of the resource using established guidelines and policies.
 - Imposing conditions of approval to ensure continued protection, including designation and heritage easements
 - Utilizing planning controls and tools to ensure new development is designed and regulated to protect and mitigate harm and negative impact to the resource including considerations such as scale, massing, height, building orientation and location relative to the resource.
 - Retention and conserving a resource in its original location and use as a first and preferred option followed by an option for an adaptive re-use. If on-site retention is demonstrated as neither appropriate or viable, relocation can be considered within the area of development/former property.
 - Ensuring continued use and restoration of the resource
- **Future Urban Area** – when this area was being planned, the City adopted **Future Urban Area Urban Design Guidelines** which included a section on how cultural heritage resources were to be addressed (ie. ensuring prominent lots of an appropriate size to accommodate requirements, integrated into the street pattern). See attached material.
- The **Robinson Glen Secondary Plan** also has heritage policies reflecting the conservation and incorporation of significant cultural heritage resources. The strategy for integration of these resources is to be detailed in the Community Design Plan. See attached policies.
- **Robinson Glen Community Design Plan** – the Plan identified the cultural heritage resources within the overall Robinson Glen community and provides guidelines on how to sensitively integrate the existing resources and mitigate any negative impacts associated with new development including guidance on lot fabric and siting, tree preservation and landscape features, adjacent development, interpretive opportunities and showcasing adaptive re-use and innovation. The relevant material is attached.

Staff Comment

- The draft plan of subdivision identifies the current placement of the cultural heritage resources, but does not place them in a context for preservation and integration into the development plan. Typically this information is worked out prior to draft plan approval so that the conditions can specify the location of heritage buildings on a particular lot or block which is appropriate to the resource's future use and is compatible with surrounding land uses/types of development.
- The City's Official Plan policies prioritize preservation of heritage buildings on their original sites. The proposed lotting and development concept does not appear to lend itself to on-site integration of the heritage buildings.
- Also, one of the cultural heritage resources is not proposed to be retained.
- Impacted cultural heritage resources: **10225 -10227 Kennedy Road**
 - Pingle Cemetery – this resource is individually designated and is located just outside the boundaries of the development parcel. It is on the regional road right-

of-way, but has always been connected to the adjacent farmstead as the family burial area. It includes a white marble obelisk-style monument honouring the early Pingles who are buried there. The design and conservation treatment of this cemetery area should be addressed as part of any Subdivision approval. The contextual relationship with the proposed adjacent development, the boundary/fencing/screening treatment, historical interpretation and potential below grade impacts need to be considered as conditions of subdivision approval.

- Homer Wilson House and J.P. Carr Cottage – these resources are individually designated. The older brick dwelling was built c. 1900 and the cottage was built c.1950 as a retirement dwelling for JP Carr when Albert Carr took over the farm from his father and moved into the main house.

The applicant has indicated that both dwellings will be incorporated into the subdivision, but will require relocation. The details of how that will happen are vague – relocation of the dwellings, but to where? The proposed form of development immediately around the current houses appears to be narrow lot townhouses. Also, these cultural heritage resource are physically and contextually connected and need to be preserved adjacent to one another. It would be preferable to retain both buildings at their original locations as part of a larger heritage block.

The Heritage Impact Assessment (HIA) also notes that details regarding the siting of these resources and the design of surrounding new structures is not yet available. The HIA indicates the houses are located in an area comprising of 161 units of back to back townhouses. The HIA states that with appropriate planning, design and implementation of mitigation measures, the concept of relocation is an appropriate alternative to conserve the cultural heritage value and heritage attributes of these two resources. The HIA does recommend:

- A Designated Substance Survey and structural assessment by a qualified engineer with heritage experience to confirm the viability of relocation and in order to identify all measures required to stabilize the structures for relocation and repairs required to allow for the renovation and re-use
 - The siting of the resources and design of surrounding uses be reviewed for compliance with guidelines in the Community Design Plan related to lot fabric and siting, adjacent development, interpretation
 - Amend the HIA once locations, orientation and lots sizes have been determined in order to review and mitigate specific impacts on the resources.
 - Consider a Conservation Plan to ensure the conservation of the resources during relocation.
- Impacted cultural heritage resource: **4638 Major Mackenzie Drive East**
 - Pingle-Brown House – this cultural heritage resource is listed in the City's Register and identified as a heritage resource in the Secondary Plan (identified at that time as the Jacob Pingle Sr House). The property was evaluated using the

City's Heritage Evaluation System and it was classified as Group 2 – to be preserved in future development. The building is considered an evolved dwelling originally constructed c.1855/60 as a one storey brick structure, modified c.1910 with the addition of a second storey and remodelled c. 1940s with an east side two storey addition. At some point, the building was clad in stucco. The applicant does not propose to retain this resource in the plan of subdivision.

The Cultural Heritage Impact Assessment Report prepared by This Land Archaeological Inc recommends as a conservation strategy that the resource be deconstructed and documented during demolition to provide an opportunity to learn more about the mid 19th century construction methods and materials and allow the possible salvage of building components. The consultant indicated that it came to this recommendation based on the results of the background research and a site visit, the building's design and physical condition, and the evaluation of the property using Ontario Regulation 9/06 to determine cultural heritage value or interest. The consultant notes that *"although a portion of the structure appears to date to c. 1860, in its current state, the property is legible as a mid-20th century residence"*. The evaluation appears to place no cultural heritage value on the building in its current state.

From a staff perspective, the Pingle-Brown House retains much of its 1940 character and is representative of a structure that has evolved as the needs and requirements of occupants changed over the years. Markham has a number of early houses that have been re-modelled over the years and they help tell a story about the community and how buildings change.

In the Cultural Heritage Impact Assessment, under mitigation options and proposed alternatives, the consultant did not support retention or relocation of the building. The proposed land use for this area is Mixed Use High Rise. The report notes that a retention option generally includes consideration of physical limitation for incorporating the former dwelling into any proposed development while considering structural integrity, Building Code compliance and designated substances. However, the reason the retention approach was not supported appears to be an aspiration to re-introduce/conservé the 1860's structure as opposed to the building as we see it today. The report notes:

"Given that the potential cultural heritage value and interest of this structure is related to the potential for the remaining one-storey c. 1860 brick structure, this alternative would require significant intervention. Furthermore, no archival information remains to guide this work, and it is unlikely that the structure could be retained in a form that would adequately and legibly conserve the cultural heritage value and interest of the brick structure without significant re-construction and conjecture."

The report recommends that demolition of the structure should be undertaken in a manner which would allow for the identification of portions of the early or original construction and that any remaining early brick construction be recorded.

Copies of the documentation should be deposited with the municipality and local archives.

Heritage Markham Committee needs to determine if it considers that the subject building has cultural heritage value and should be retained in-situ or within the development in some manner, or supports the consultant's recommended approach (sensitive demolition). As noted earlier, this building was evaluated by Heritage Markham Committee, and classified as Group 2 (worthy of retention and designation) and Markham has preserved other evolved buildings in new developments.

- Photographs are attached
- Given that the draft plan of subdivision has not appropriately considered these heritage resources nor try to retain them on their original locations as per the policies of the City's Official Plan, Heritage Section Staff does not support the applications as proposed.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham does not support the proposed Zoning Amendment and Draft Plan of Subdivision applications at this time as they do not appropriately address the retention of the identified cultural heritage resources as per the cultural heritage policies of the City's Official Plan, the Robinson Glen Secondary Plan and the Community Design Plan, and encourages the applicant to continue to work with staff and the Committee;

THAT Heritage Markham recommends that the Homer Wilson House and J.P Carr Cottage be retained on their original sites on appropriately sized lots and remain connected from a contextual perspective, and that the standard heritage conditions of approval be secured (i.e. heritage easement agreement, site plan approval/restoration plan, Markham Remembered plaques, etc)

THAT Heritage Markham recommends the Pingle Cemetery area be sensitively integrated with adjacent development in a respectful manner to protect and preserve its integrity including the requirement for appropriate fencing, landscaping and a Markham Remembered plaque;

Options

THAT Heritage Markham recommends the Pingle-Brown House be retained in its c.1940 style at its original site on an appropriately sized lot in either a residential or an adaptive re-use, and that the standard heritage conditions of approval be secured (i.e. heritage easement agreement, site plan approval/restoration plan, Markham Remembered plaques, etc);

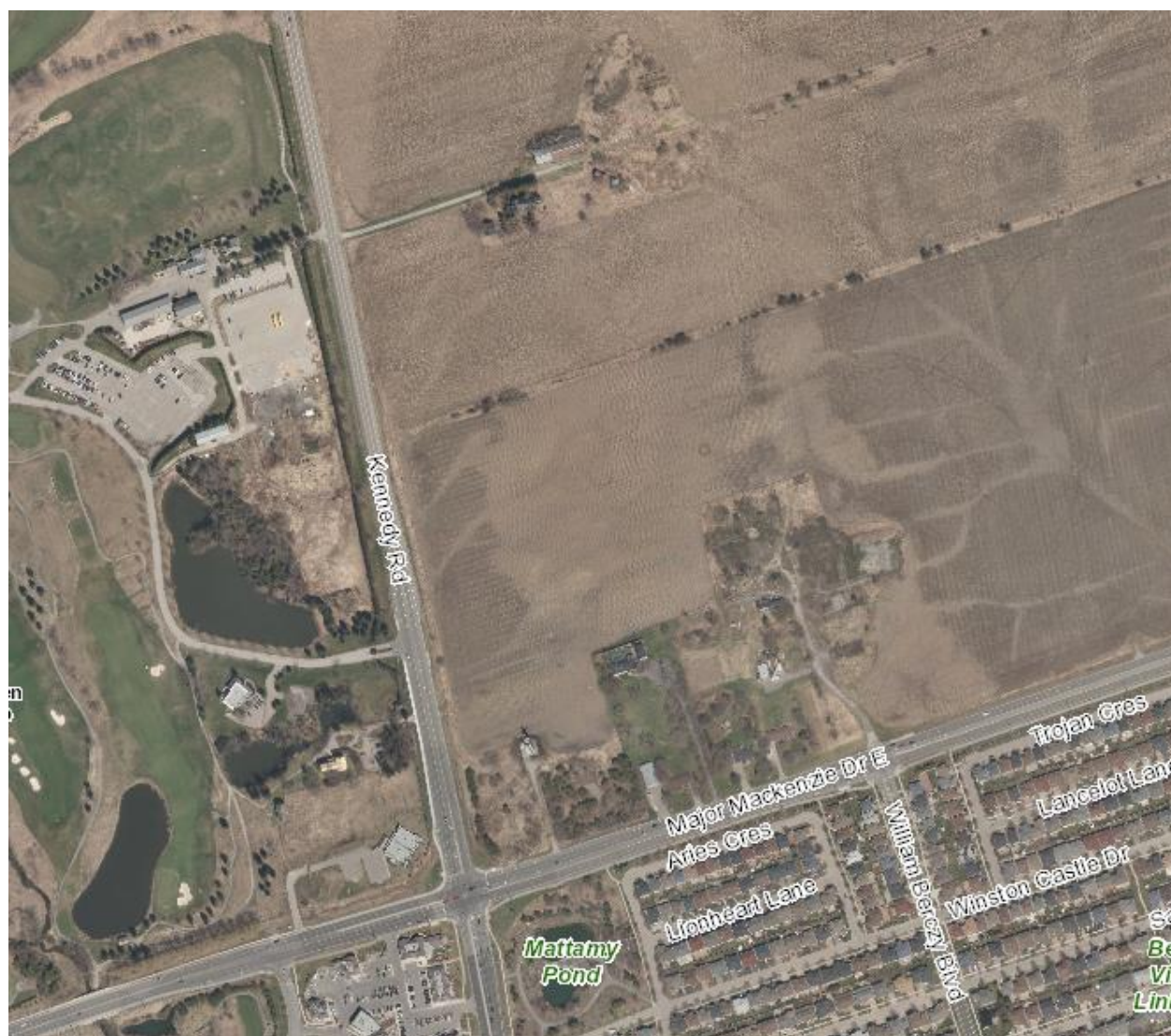
Or

THAT Heritage Markham supports the recommendation of the Cultural Heritage Impact Assessment report which would allow the resource to be deconstructed and documented during

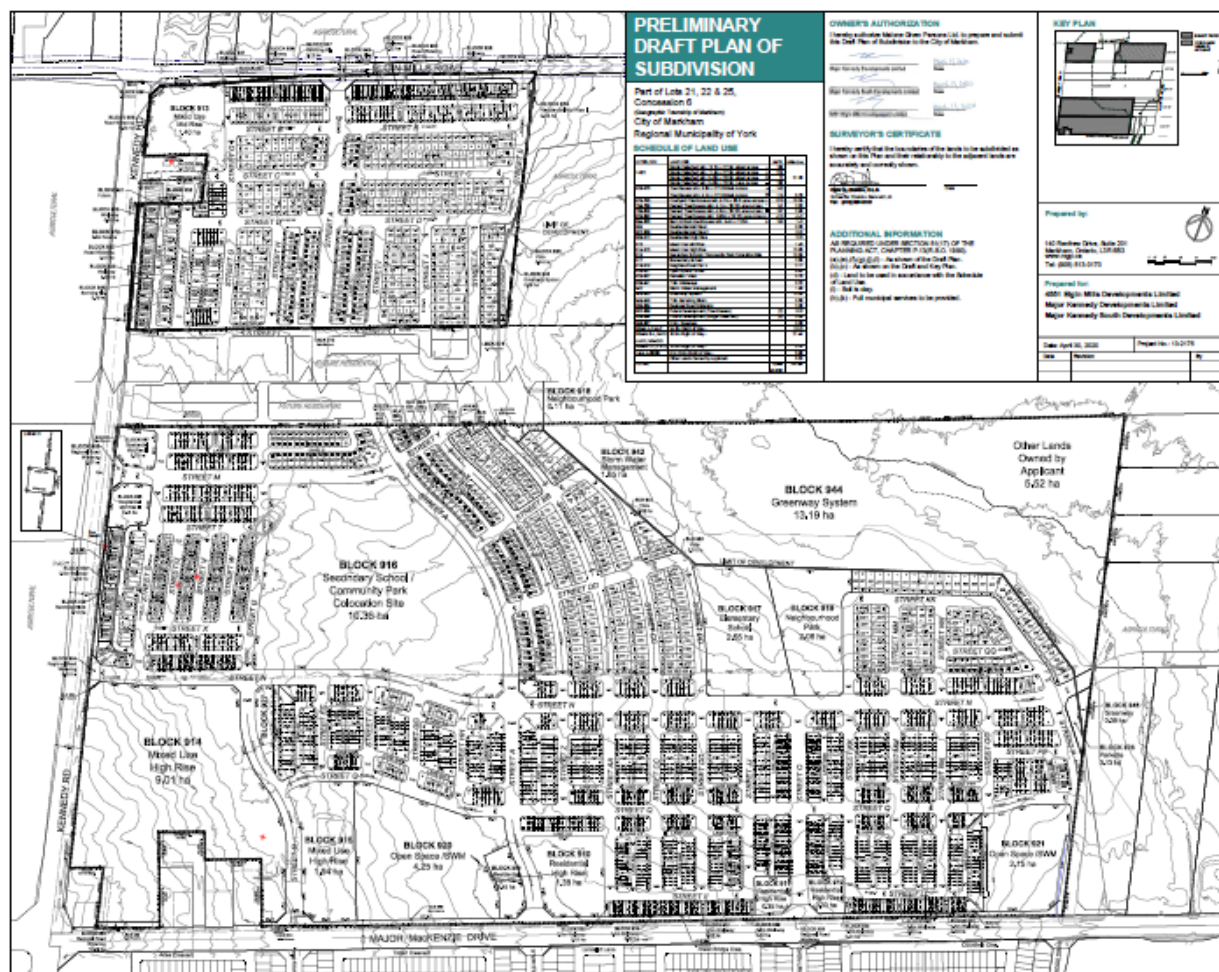
demolition to provide an opportunity to learn more about the mid 19th century construction methods and materials and allow the possible salvage of building components, and that these findings would be provided to the municipality.

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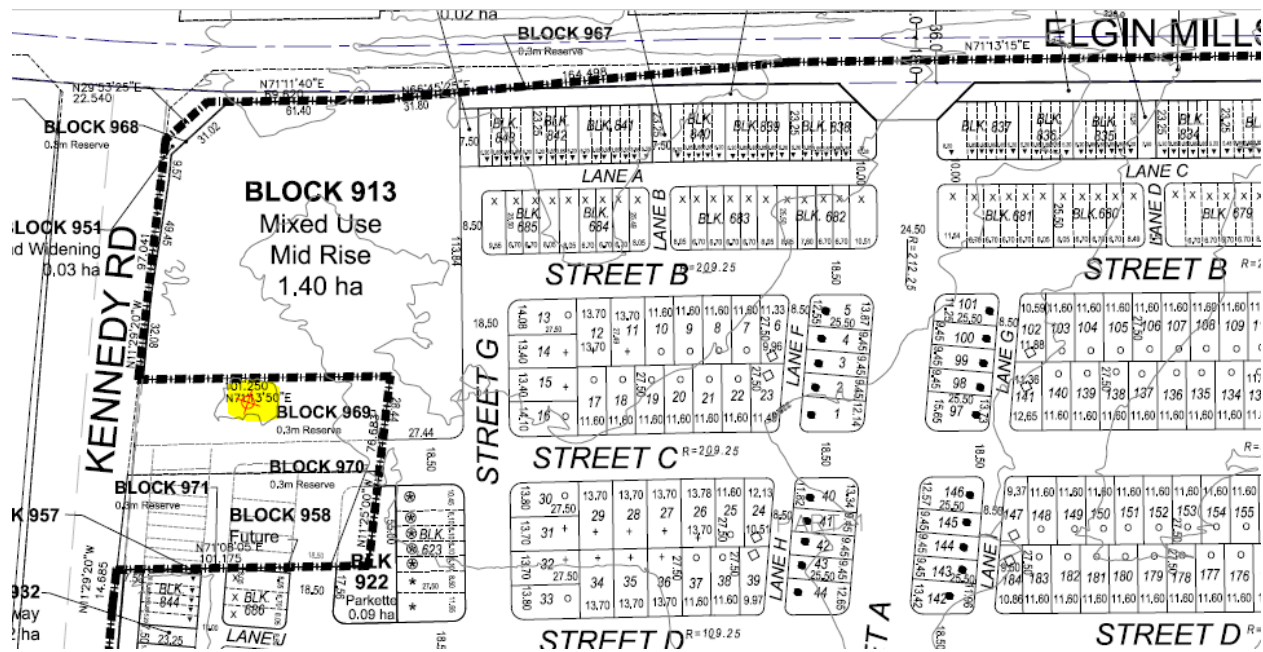
LOCATION



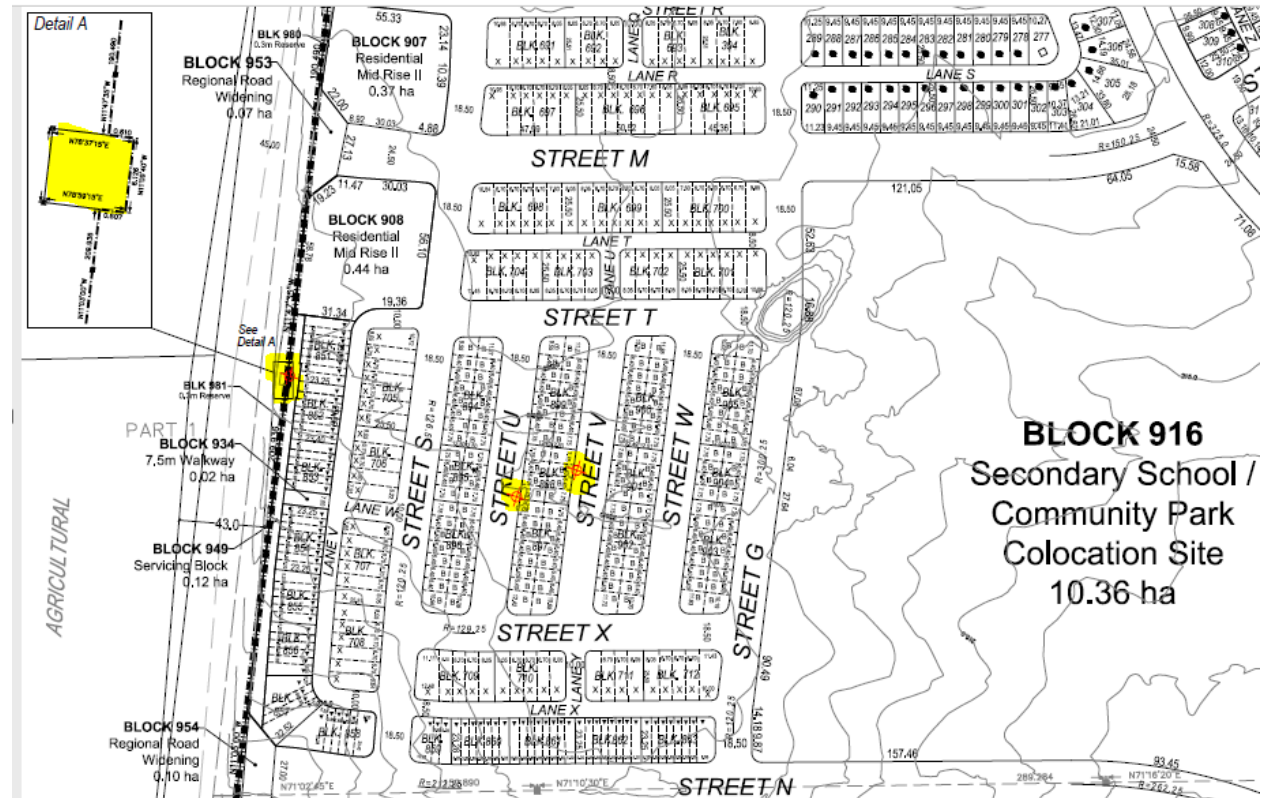
Plan of Subdivision



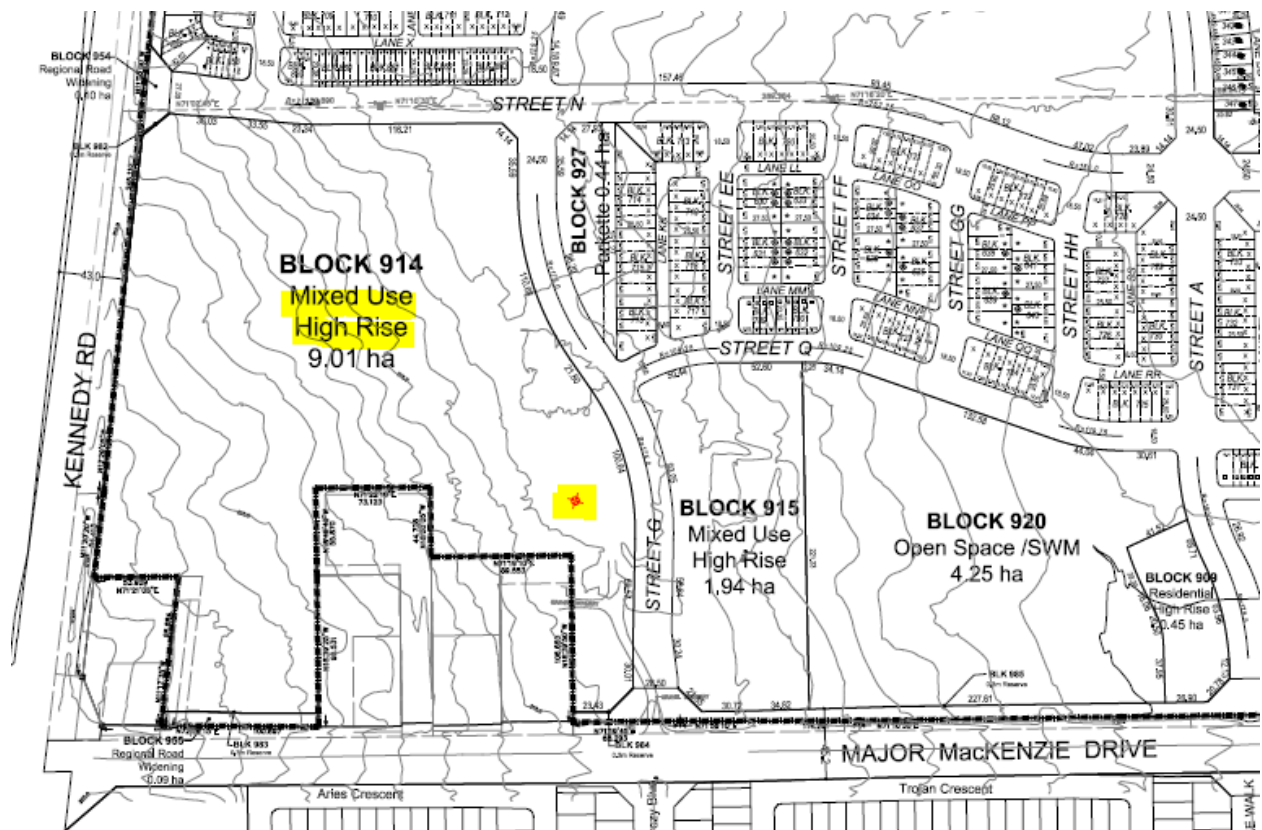
Cultural Heritage Resource at north west corner is not include in the current plan of subdivision submission – see highlight area



Three designated Cultural Heritage Resources are located mid-block within the current plan of subdivision. See highlighted area. Family burial plot locate adjacent to Kennedy Road



One Cultural Heritage Resource at the south end of the current plan of subdivision. See highlighted location marker.



Pingle Cemetery with heritage houses to the east



Homer Wilson House



J.P Carr Cottage



Pingle-Brown House
4638 Major Mackenzie Drive



Robinson Glen Secondary Plan (November 2018)

Cultural Heritage Policies

5.4 Cultural Heritage Resources

Seven residential properties within the Robinson Glen Secondary Plan Area are either designated or listed on the City's *Register of Property of Cultural Heritage Value or Interest*, together with the Pingle Farm Cemetery. The City's objective is to *conserve*, enhance and restore *significant cultural heritage resources* including *built heritage resources*, *archaeological resources* or *cultural heritage landscapes* that are valued for the important contribution they make to understanding the history of a place, event or a people, according to the policies of Section 4.5 of the Official Plan.

It is the policy of Council:

5.4.1 That consideration of *cultural heritage resources* within the Robinson Glen Secondary Plan Area shall be consistent with Section 4.5 of the Official Plan, and the policies of this Secondary Plan.

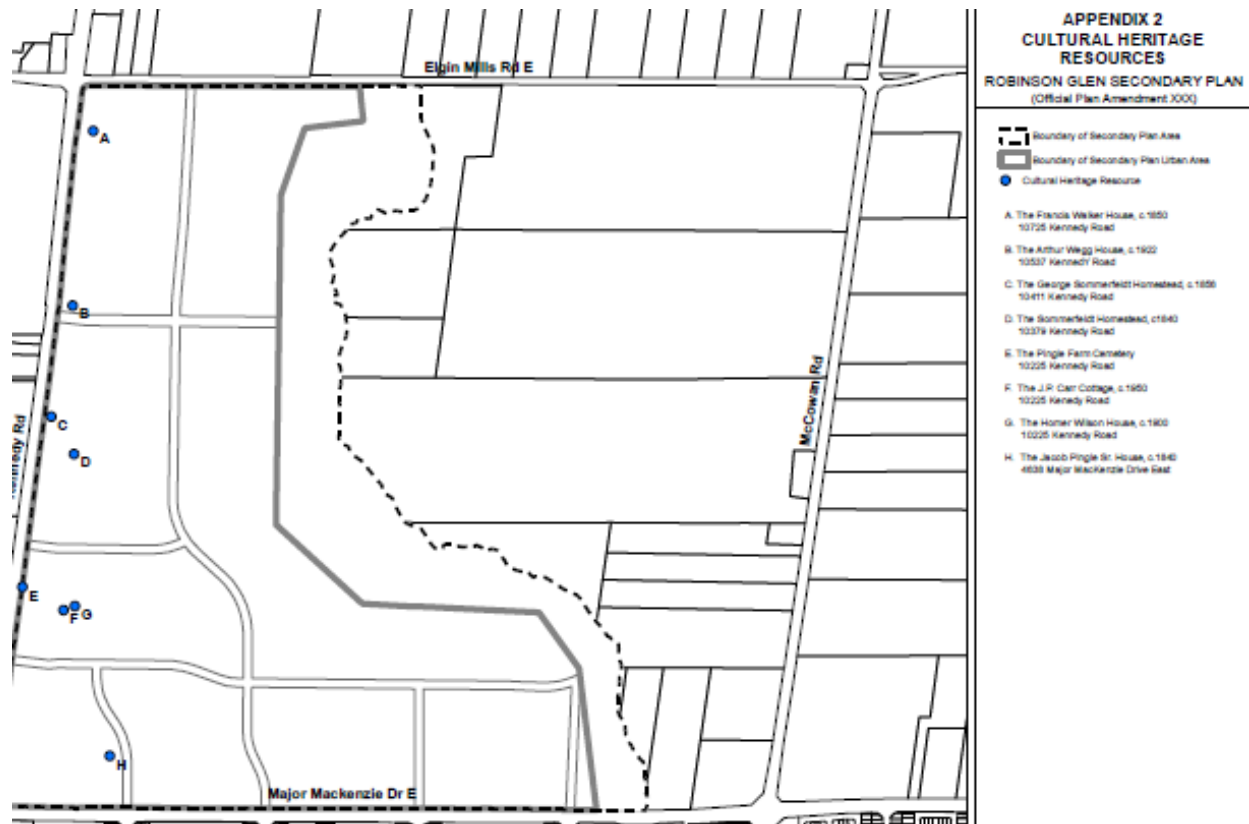
5.4.2 That the *cultural heritage resources* contained in the City's *Register of Property of Cultural Heritage Value or Interest* within the Robinson Glen Planning Area are identified in Appendix 2 – Cultural Heritage Resources.

5.4.3 That the retention and/or relocation of *cultural heritage resources* where required by Section 4.5 of the Official Plan will be considered in accordance with Section 4.5.3.12 and 4.5.3.13 of the Official Plan, and reflected in the Community Design Plan required in Section 6.2 of this Secondary Plan.

5.4.4 To ensure that development of a *significant cultural heritage resource* itself, or development on *adjacent lands* is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the *heritage attributes* of the resource, according to policy 4.5.3.11 of the Official Plan, including considerations such as scale, massing, height, building orientation and location relative to the resource. The strategy for integrating *cultural heritage resources* where required shall be outlined in the Community Design Plan.

5.4.5 To impose the following conditions of approval on development or *site alteration* containing a *cultural heritage resource* in addition to those provided in Section 4.5 of the Official Plan, where it has been determined appropriate subject to the policies in Section 4.5 of the Official Plan to retain a *cultural heritage resource*:

- a) securing of satisfactory financial and/or other guarantees to restore a *cultural heritage resource* or reconstruct any *cultural heritage resources* damaged or demolished as a result of new development;
- b) obtaining site plan control approval and a site plan agreement for the *cultural heritage resource* including the implementation of a restoration plan for the heritage building;
- c) requiring provisions in offers of purchase and sale which give notice of the *cultural heritage resource* on the property; and
- d) requiring the commemoration of the *cultural heritage resource* through the provision and installation of an interpretive plaque, in a publicly visible location on the property (i.e., Markham Remembered Plaque).



**APPENDIX 2
CULTURAL HERITAGE
RESOURCES**

ROBINSON GLEN SECONDARY PLAN
(Official Plan Amendment XXX)

- Legend:**
- Boundary of Secondary Plan Area
 - Boundary of Secondary Plan Urban Area
 - Cultural Heritage Resource

- A. The Francis Walker House, c.1850
10725 Kennedy Road
- B. The Arthur Wegg House, c.1922
10537 Kennedy Road
- C. The George Sommerfeldt Homestead, c.1856
10411 Kennedy Road
- D. The Sommerfeldt Homestead, c.1840
10379 Kennedy Road
- E. The Pingle Farm Cemetery
10225 Kennedy Road
- F. The J.P. Carr Cottage, c.1950
10225 Kennedy Road
- G. The Homer Wilson House, c.1900
10225 Kennedy Road
- H. The Jacob Pingle Sr. House, c.1840
4638 Major Mackenzie Drive East

Community Design Plan



Figure 2: Location of Identified Cultural Heritage Resources.

8 Community Design Plan | Robinson Glen

1.2.3 Cultural Heritage Resources

Markham's Register of Property of Cultural Heritage Value or Interest and Appendix A and B of the CMP identify eight resources of cultural heritage interest on the subject lands. Seven of the resources are detached residential buildings and were built between 1840 and 1922. One resource is the Pingle Farm Cemetery. The resources have either "designated" or "listed" heritage status, however all resources are anticipated to be retained and will be considered as such prior to the finalization of ongoing heritage studies. Opportunities for simple wayfinding gestures and public art integration should be explored to connect these cultural heritage features to one another and to the Greenway System, including painted lines on the pavement and a unified signage palette. Section 5.3.4 (page 86) of this CDP provides more information on the integration of cultural heritage resources. Figure 2 illustrates the location of the identified cultural heritage resources, including:

1 4638 Major Mackenzie Drive - Pingle Brown House c. 1855



The Jacob Pingle Sr. House has a "listed" heritage status, and was built on lands purchased from Joachim and Anna Maria Pingle, part of the original Berczy settler group of families. The house is considered an evolved building, containing three periods of major renovation since the original one-storey brick structure inhabited by Jacob and Henrietta Pingle. Today the house reflects Tudor Revival and Craftsman influences.

2 10225 Kennedy Road - Homer Wilson House, c.1900



The Homer Wilson House has a "designated" heritage status. The heritage property is a Classic Ontario Farmhouse with decorative woodwork. The Homer Wilson House was built on lands purchased from Joachim and Anna Maria Pingle, part of the original Berczy settler group of families. Although none of the original buildings built by the Pingle family remain on the property, the Pingle Farm Cemetery (no. 4) and the J.P. Carr Cottage (no. 3) are located on the same property as the Homer Wilson House.

mhwa | wsi

3 10225 Kennedy Road - J.P. Carr Cottage, c.1950

the Arts and Crafts Bungalow style, a built form popular in the early 20th century.

The J.P. Carr Cottage has a "designated" heritage status. J.P. Carr owned the Homer Wilson House (no. 2) and farmland following the Wilson family, and moved into the J.P. Carr Cottage after retiring from farming. Although built in 1950, the heritage building exhibits

4 10225 Kennedy Road - Pingle Farm Cemetery

Cemetery hosts a white marble obelisk-style monument and contains the remains of Joachim and Anna Maria Pingle, and their daughter Elizabeth.

The Pingle Farm Cemetery, also referred to as the Pingle Burying Ground, has a "designated" heritage status. The cemetery is located near to Kennedy Road, just north of the lane which connects to the Homer Wilson House (no. 2) and the J.P. Carr Cottage (no. 3). The Pingle Farm

5 10379 Kennedy Road - Sommerfeldt Homestead, c.1840

The Sommerfeldt family represents some of the early settlers of the Berczy area, those who cleared the land in order to produce productive farmland in the Markham area. An example of an early Georgian home, this two storey building exhibits architectural features such as a medium pitch gable, a wood boxed cornice, and returned eaves.

The Sommerfeldt Homestead has a "designated" heritage status and was built on the same property as the George Sommerfeldt House (no. 6). The heritage house was built by George Henry Sommerfeldt, after purchasing the property from his father, John Henry Sommerfeldt.

6 10411 Kennedy Road - George Sommerfeldt House, c.1856

The George Sommerfeldt Homestead has a "designated" heritage status and was constructed by George Henry Sommerfeldt on the same property as the Sommerfeldt Homestead (no. 5). The house is an example of a two storey regency style house, built of red brick and still appearing true to its original form.

7 10537 Kennedy Road - Arthur Wegg House, c.1922

constructed of red brick with a broad hipped roof.

The Arthur Wegg House has a "designated" heritage status. The property is known as the former house of Arthur and Hannah Wegg, who later passed on the home and farm to their son, Telfer. It is believed to have been built by the prominent local builder John Miller and is an example of Edwardian Classical architecture,

8 10725 Kennedy Road - Francis Walker House, c.1850

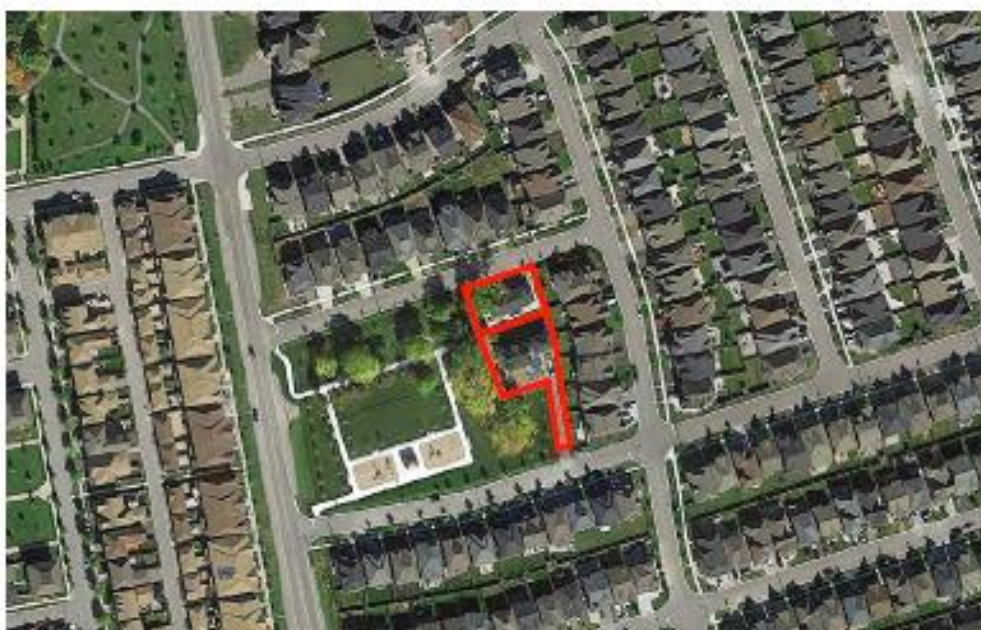
The Francis Walker House, also referred to as the Samuel Eakin House, has a "listed" heritage status and is located on lands owned by a non-participating landowner. This building is an example of the Ontario Cottage style of architecture.

**All images retrieved from: City of Markham Heritage Services*

5.3.4 Integration of Cultural Heritage Resources

As discussed in Section 1.2.3 and illustrated in Figure 2 (page 8) of this document, there are eight identified cultural heritage resources on the subject lands. The retention and sensitive integration of cultural heritage resources contribute to a sense of place and identity, while providing unique opportunities for placemaking that pay homage to the cultural heritage of Markham. Policy 4.5.3.12 of the City of Markham Official Plan prioritizes the retention of cultural heritage resources in situ, with the original use.

In order to sensitively integrate the existing cultural heritage resources and to mitigate any negative impacts associated with new development, the guidelines on the following pages should be considered. Cultural heritage resources often experience challenges relating to insulation, building heating and cooling, and energy consumption related to proposed preservation measures. Potential preservation and design solutions should consider the sustainability objectives of the FUA (identified in Section 2.0).



Integration of heritage properties within the lot fabric of Victoria Square, Markham.

Lot Fabric & Siting

- Lot layout, grading, road networks, and required infrastructure should have regard for existing cultural heritage resources, as to ensure a compatible context and interface for cultural heritage resources;
- Incorporate cultural heritage resources on lots that are of a sufficient size and shape to accommodate the anticipated use of the property, existing structures of significance, potential future additions, a garage or parking lot (if commercial), tree preservation, landscaping, and/or the provision of rear yard amenity space;
- Site heritage structures on prominent lots with a high degree of public visibility such as corner lots, focal lots, or lots adjacent to parks or open spaces to display and celebrate the resource; and
- Integrate cultural heritage resources into the street and block pattern to respect and retain the historic relationship between the front entrance and the street.



The John Reesor House is an example of sensitive integration of a cultural heritage resource with adjacent development.

Tree Preservation and Landscape works

- Preserve and integrate significant vegetation, mature trees, and hedges in landscaping works for heritage properties, where feasible;
- Design hard surface treatments for driveways, front walkways, and patios with authentic materials such as flagstone, pea gravel, or random tumbled paving;
- Design fencing styles to be appropriate to the period of the house. High decorative fencing and noise attenuation fencing should be avoided in both front and side yards; and
- Incorporate plant species for reclaimed heritage landscapes that are appropriate to the period of the house. Refer to the heritage species list in the City's Trees for Tomorrow Streetscape Manual (2009).

Adjacent Development

All new development adjacent to or incorporating a cultural heritage resource should, from an urban design perspective, be respectful of the resource having regard for scale, massing, shadows, setbacks, complementary building materials, and design features. Refer to Section 4.5.8 (page 72) of this document for more detailed guidelines for lots abutting cultural heritage resources.



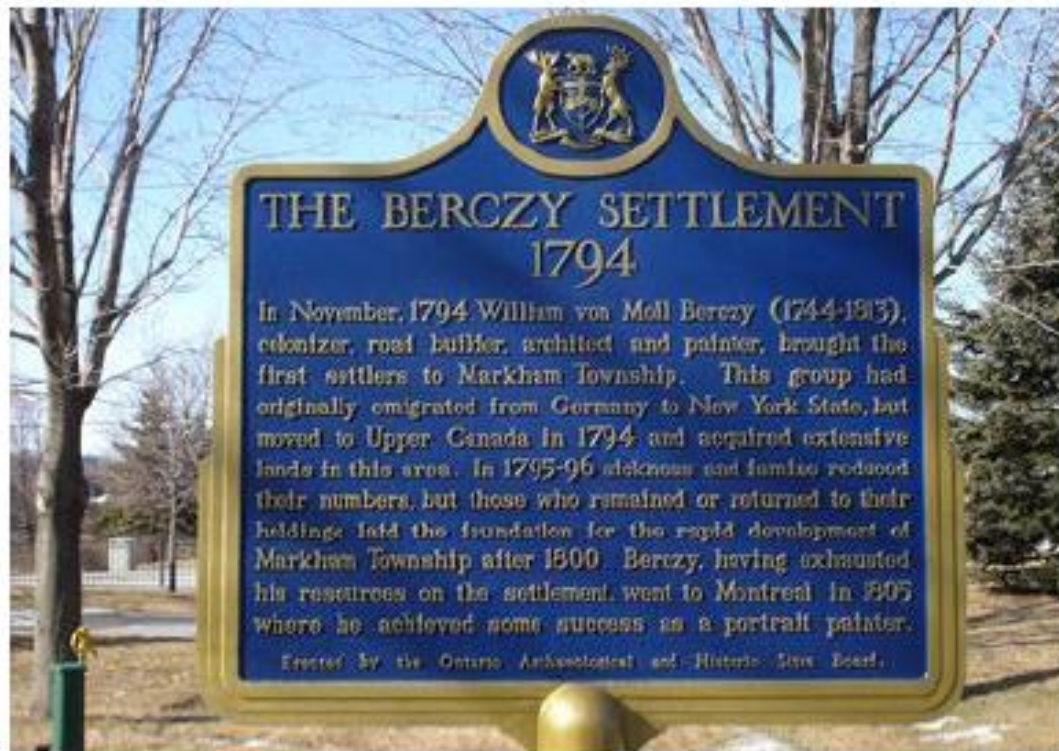
Integration of the William Forester House in Cornell, Markham, which represents an example of honouring the early landowner's legacy through the naming of the municipal street.

Interpretive Opportunities

- Where possible, celebrate existing cultural heritage resources through the installation of an interpretive plaque in a publicly visible location on the property (i.e. the Markham Remembered Program);
- Where applicable, commemorate any cultural heritage resource which may be lost as part of redevelopment activity through the introduction of one or more special development features such as retention of a specific feature from the former resource, a decorative wall or monument, or installation of an interpretive plaque;
- Where applicable, integrate remnant materials (i.e. salvaged fieldstone, barn materials, and other features as appropriate) into various park components such as signage, seatwalls, and shade structures, to commemorate the area's former agricultural heritage; and
- Where possible, honour the legacy of original or early landowners by utilizing their names for municipal street, trails, and park names.

Showcase Adaptive Re-use and Innovation

- Where the original use is no longer practical, adapt the cultural heritage resources to new uses to maximize use of the embodied energy and showcase innovation; and
- While cultural heritage resources can be challenging structures to retrofit, due to their prominence within the community, these properties can be excellent platforms to showcase innovative, low carbon design solutions to the public such as, but not limited to, rainwater harvesting, permeable surfaces, landscaping for shade, and urban agriculture. Other low carbon features such as green roofs or solar panels are appropriate for new additions and accessory structures on sites.



Example of an interpretive plaque in Markham.



The Major Milliken Pub: an example of adaptive re-use of a heritage property in Markham.

Section 3.7 – Cultural Heritage Resources

Future Urban Area Urban Design Guidelines

3.7

CULTURAL HERITAGE RESOURCES

1. Heritage structures should be sited on prominent lots within the community such as corner lots, focal lots, or lots adjacent to parks or open spaces.
2. Heritage structures should be integrated into the street/block pattern to respect and retain the relationship between the front door and the street.
3. Lot layout and grading should have regard for existing heritage structures.
4. Lots designated for heritage structures should be of sufficient size and shape to accommodate existing structures, future additions, tree preservation and landscaping.
5. Special development features, such as plaques and decorative walls, should be provided to interpret the existing/former cultural heritage resource.
6. Retained heritage structures should be considered for both residential and commercial use.
7. Where feasible and appropriate, cultural landscapes and other cultural heritage features such as ancillary buildings should be protected to add to local identity.



Heritage structure located on a corner lot, with strong relationship between front door and the street



Heritage structures on generous lots within a landscaped setting

REPORT

Heritage Impact Assessment

**10225-10227 Kennedy Road,
Markham, Ontario**



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May 2020

Project # LHC0203

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Report prepared for: Major Kennedy Developments Limited
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Report prepared by: Colin Yu, M.A.

Reviewed by: Christienne Uchiyama, M.A, CAHP

EXECUTIVE SUMMARY

Letourneau Heritage Consulting Inc. (LHC) has been retained by Major Kennedy Developments Limited to undertake a Heritage Impact Assessment (HIA) as part of the Zoning By-law Amendment and Draft Plan of Subdivision application for the property at 10225-10227 Kennedy Road. The property is designated under Section 29, Part IV, of the *Ontario Heritage Act* (By-law 2008-22). This HIA has been prepared in compliance with the City of Markham's Heritage Impact Assessment guidelines and *Ontario Heritage Toolkit* (2006).

Based on available information, it is LHC's opinion that, with appropriate planning, design and implementation of mitigation measures, the concept of relocation of the Homer Wilson Farmhouse and J.P. Carr Cottage is an appropriate alternative to conserve the cultural heritage value and heritage attributes of the two resources.

It is, however, recommended that both the Homer Wilson Farmhouse and J.P. Carr Cottage be subject to a Designated Substances Survey and structural assessment by a qualified engineer with heritage experience to confirm the viability of relocation and in order to identify all measures required to stabilize the structures for relocation and repairs required to allow for the renovation and reuse of the structures within the new development.

As project design progresses, the siting of the cultural heritage resources and the design of the surrounding neighbourhood, will need to be reviewed for compliance with the applicable guidelines outlined in the Robinson Glen Community Design Plan related to:

- Lot fabric and siting;
- Adjacent Development;
- Interpretive Opportunities; and,
- Showcasing adaptive re-use and innovation.

It is recommended that the HIA be amended further along in design – once the locations, orientation and lot size of the Homer Wilson House and the J.P. Carr Cottage have been determined and when design of surrounding residential structures is available - in order to assess and mitigate specific impacts on the cultural heritage resources.

In order to ensure the conservation of the cultural heritage resources during relocation, a Conservation Plan is recommended to be prepared by a qualified heritage professional(s).

The heritage attributes of the Pingel Cemetery are not anticipated to experience adverse impacts as the legal limits of the cemetery fall outside of the subject property. Potential impacts to belowgrade components of the cemetery are to be considered through the archaeological assessment process in accordance with the MHSTCI's *Standards and Guidelines for Consultant Archaeologists* (2011) and applicable legislation.

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1 BACKGROUND

Letourneau Heritage Consulting Inc. (LHC) has been retained by Major Kennedy Developments Limited to undertake a Heritage Impact Assessment (HIA) to review potential impacts of the development of the property at 10225-10227 Kennedy Road as part of the Zoning By-law Amendment and Draft Plan of Subdivision application for the property. The subject property is designated under Section 29, Part IV of the OHA (By-Law 2008-22).

This HIA has been prepared in accordance with the City of Markham's Heritage Impact Assessment guidelines and the *Ontario Heritage Toolkit* (2006).

1.1 Report Limitations

The qualifications of the heritage consultants who authored this report are provided at the end of this report. All comments regarding the condition of the structure relate only to observed materials and structural components that are documented in photographs and other studies. The findings of this report do not address any structural or condition-related issues.

With respect to historical research, the purpose of this report is to obtain sufficient material to evaluate the property. The authors are fully aware that there may be additional historical information not treated here. Nevertheless, the consultants believe that the information collected, reviewed and analyzed is sufficient to conduct an assessment of potential impacts.

This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

2 STUDY APPROACH

2.1 Definitions and Abbreviations

Definitions are based upon those provided within the *City of Markham Official Plan* (2014) where applicable, as well as the *Provincial Policy Statement* (2014) and *Ontario Heritage Act* (1990).

Adjacent Lands means those lands contiguous to a natural heritage or hydrologic feature where it is likely that development or site alteration can reasonably be expected to have a negative impact on the feature. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches that achieve the same objective. Generally, adjacent lands are considered to be within 120m from any part of the feature or as defined in the Official Plan. With respect to cultural heritage resources, *adjacent lands* means those lands within 60 metres of a cultural heritage resource (Markham OP, 2014).

Alter means to change in any manner and includes to restore, renovate, repair or disturb and "alteration" has a corresponding meaning; ("transformer", "transformation") (OHA, 1990).

Archaeological resources includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (Markham OP, 2014).

Areas of archaeological potential means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but

municipal approaches that achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (Markham OP, 2014).

Built heritage means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Part IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers (PPS, 2014).

Built heritage resources means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions (Markham OP, 2014).

Conserved means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensure their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (PPS, 2014).

Conservation/Conserved as it applies to cultural heritage resources means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained (Markham OP, 2014).

Cultural heritage conservation means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained (Markham OP, 2014).

Cultural heritage landscape means a defined geographical area of heritage significance that has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, main streets, neighbourhoods, and cemeteries (Markham OP, 2014).

Cultural heritage resources means built heritage resources, archaeological resources or cultural heritage landscapes that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (Markham OP, 2014).

Development means the creation of a new lot, a change in land use, or the construction of a building and structures requiring approval under the Planning Act, but does not include:

- a. activities that create or maintain *infrastructure* authorized under an environmental assessment process;

- b. works subject to the *Drainage Act*; or
- c. for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a) (PPS, 2014).

Heritage attributes means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property (Markham OP, 2014).

Heritage conservation plan means a document that details how a cultural heritage resource can be conserved. The recommendations of the plan should include descriptions of repairs, stabilization and preservation activities as well as long-term conservation, monitoring and maintenance measures (Markham OP, 2014).

Heritage impact assessment means a study to determine if any cultural heritage resources (including those previously identified and those found as part of the site assessment or in any areas of archaeological potential) are impacted by a specific proposed development or site alteration. It can demonstrate how the resource will be conserved in the context of redevelopment or site alteration. Mitigative or avoidance measures or alternative development or site alteration approaches may be recommended (Markham OP, 2014).

MHSTCI refers to the *Ministry of Heritage, Sport, Tourism, and Culture Industries*

OHA refers to the *Ontario Heritage Act*.

Protected Heritage Property means real property designated under parts IV, V or VI of the Ontario Heritage Act, heritage conservation easement property under Parts II or IV of the Ontario Heritage Act and property subject to a covenant or agreement between the owner and a conservation body or level of government, registered in title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or preventing its destruction, demolition or loss (Markham OP, 2014).

Register of Property of Cultural Heritage Value or Interest means the Markham Register of Property of Culture Interest, maintained, pursuant to the Ontario Heritage Act as an inventory of both designated and listed properties to include built heritage resources, cultural heritage landscapes, heritage conservation districts, areas with cultural heritage character and heritage cemeteries (Markham OP, 2014).

SCHVI refers to the Statement of Cultural Heritage Value or Interest.

Significant archaeological resources means First Nations or Métis archaeological resources that, in consultation with the Aboriginal community, may require protection and may include undisturbed sites of any nature, all cemeteries and ossuaries, all burials where possible, large tool stone acquisition sites with formal tools, large base camps used in multiple periods with formal tools, Late Woodland villages, historic Aboriginal villages, sacred sites (i.e. vision quest sites, rock art), fish weirs and village to ossuary connections (Markham OP, 2014).

Significant cultural heritage resources means cultural heritage resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or

a people. Criteria for assessing significance are provided by the Province in the form of regulations for determining cultural heritage value and interest and by Markham's Heritage Resources Evaluation System (Markham OP, 2014).

Site alteration means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. Site alteration in the Oak Ridges Moraine Conservation Plan Area does not include the construction of facilities for transportation, infrastructure and utilities uses by a public body, the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001. Site alteration in the Greenbelt does not include the construction of facilities for transportation, infrastructure and utilities uses by a public body; activities or works under the Drainage Act; or the carrying out of agricultural practices on land that was being used for agricultural uses on the date the Plan came into effect (Markham OP, 2014).

2.2 Methodology

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

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

This is consistent with the recommended methodology outlined by the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI)¹ within the 2006 publication *Heritage Property Evaluation*. The MHSTCI identifies three key steps: Historical Research, Site Analysis, and Evaluation.² This was augmented with a policy analysis to outline the provincial and local policy contexts.

Additional guidance provided by the MHSTCI's *Info Sheet #5 Heritage Impact Assessments and Conservation Plans* informs the assessment of potential adverse impacts to be considered with any proposed development or property alteration.³

2.3 Site Visit

A site visit was carried out on March 3, 2020 by Christienne Uchiyama. The primary objective of the site visit was to document and gain an understanding of the property and its surrounding context.

¹ Note, the original author of the publication was the Ministry of Tourism Sport and Culture (MTCS). The MTCS was the predecessor to the MHSTCI; which was renamed to the MHSTCI in 2019

² MTCS 2006. *Heritage Property Evaluation. A Guide to Listing, Researching and Evaluating Cultural Heritage Property in Ontario Communities* p19.

³ MHTCI 2005. *Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement*, 2005

3 POLICY AND LEGISLATION CONTEXT

3.1 Provincial Framework

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 Ontario Heritage Act, the *Planning Act*, and the Provincial Policy Statement (PPS) 2014. Other provincial legislation deals with cultural heritage indirectly or in specific cases. The *Environmental Assessment Act* and *Environmental Protection Act* use a definition of “environment” that includes cultural heritage resources and *The Funeral, Burial and Cremation Services Act* addresses historic cemeteries and processes for identifying graves that may be prehistoric or historic. These various acts and 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.

3.2 Legislative/Policy Review

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

3.3 The Planning Act, R.S.O. 1990, c. P.13

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

3.4 Provincial Policy Statement (2020)

It should be noted that an update of The Provincial Policy Statement (PPS) will be in effect as of May 1st, 2020 and is an important part of the Ontario Government’s *More Homes, More Choice: Ontario’s Housing Supply Action Plan*. This update may need to be considered depending on timing.

The Provincial Policy Statement (PPS 2020) is issued under the authority of Section 3 of *The Planning Act* (1990), providing further direction for municipalities regarding provincial requirements. The PPS sets the policy foundation for regulating the development and use of land in Ontario. 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 document asserts that cultural heritage and archaeological resources provide important environmental, economic and social benefits, and directly addresses cultural heritage in Section 1.7.1e and Section 2.6.

Section 1.7 of the *PPS* regards long-term economic prosperity and promotes cultural heritage as a tool for economic prosperity. The relevant subsection states that Long-term economic prosperity should be supported by:

- 1.7.1e 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 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. Subsections 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 (*PPS* 2020).

The *PPS* makes the consideration of cultural heritage equal to all other considerations in relation to planning and development within the province. In accordance with Section 3 of *The Planning Act*, a decision of the Council of a municipality, a local board, a planning board, a Minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” this Provincial Policy Statement.

The definition of significance in the *PPS* (see Section 2.1 above) states that criteria for determining significance for cultural heritage resources are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. The *PPS* also notes that while some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

3.5 Ontario Heritage Act, R.S.O. 1990, c. O.18

The *Ontario Heritage Act* 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.”

The property was designated under Part IV of the OHA through municipal By-law 2008-22

3.6 The Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe, 2019 came into effect on May 16, 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:

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

Within Section 4.1 Context, the Plan notes that the area covered by the Greater Growth Plan “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 (39).

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.
3. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.
4. 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.

5. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

3.7 City of Markham Official Plan

Markham's Official Plan (OP) was adopted by Council in December and approved by York Region in June 2014. Markham identifies its cultural heritage as a significant consideration in its future planning, stating in Section 1.2:

Markham has a wealth of *cultural heritage resources* within its boundaries. While having been inhabited for over 11,000 years by Aboriginal peoples including ancestors of the Huron-Wendat, Iroquois (Haudensaunee) and Anishnabeck Mississauga people, Markham also has a strong rural and colonial heritage, originating as an agricultural community served by the distinct villages of Unionville, Markham, Milliken and Thornhill. Remnants of this history remain to this day. Recognizing and preserving this cultural heritage is an important element of the City's identity.

The OP lays out its cultural heritage policies in Section 4.5 Cultural Heritage Resources, although cultural heritage conservation policies are integrated within policies throughout the OP.

Section 4.5 of the OP identifies cultural heritage resources as a fragile and non-renewable resource and lays out general policy for its conservation. Of particular relevance to the current assessment, Section 4.5.1.1 states that it is the policy of Council:

4.5.1.1 To promote conservation of Markham's *cultural heritage resources* by:

- a) identifying cultural heritage resources and maintaining a *Register of Property of Cultural Heritage Value or Interest*;
- b) recognizing the significance of these resources by designating individual properties, groups of properties, or a geographical area of historical significance under the Ontario Heritage Act;
- c) adopting and implementing policies and programs for the protection of these resources including:
 - i. requirements for heritage impact assessments and conservation plans, heritage conservation easements and heritage permits;
 - ii. reviewing any application for development approval, building permit or demolition permit that directly affects a cultural heritage resource itself and adjacent lands to ensure new development, site alteration and additions are contextually appropriate and maintain the integrity of any cultural heritage resources; and
 - iii. facilitating the rehabilitation, renovation and/or restoration of cultural heritage resources so that they remain in active use;

- d) participating in the management of these resources through acquisition, disposition, purchase, lease donation or other forms of involvement such as the review of development approvals, development incentives and property standards; and
- e) promoting stewardship of these resources by offering financial support and educational and commemorative programs, and fostering public and private partnerships.

Additional relevant policies related to protection options include:

- 4.5.3.1 To protect and conserve cultural heritage resources generally in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Venice Charter, 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 as opposed to removal or replacement will be the core principle for all conservation projects.
- 4.5.3.2 To give immediate consideration to the designation of any significant cultural heritage resource under the Ontario Heritage Act if that resource is threatened with demolition, inappropriate alterations or other potentially adverse impacts.
- 4.5.3.3 To use secondary plans, zoning by-laws, subdivision and site plan control agreements, signage by-laws, and other municipal controls, to ensure that development that directly affects a cultural heritage resource itself and adjacent lands, is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the heritage attributes of the resource, including considerations such as scale, massing, height, building orientation and location relative to the resource.
- 4.5.3.4 To impose conditions of approval on development containing a cultural heritage resource itself and adjacent lands to ensure the continued protection of the cultural heritage resources.

Section 4.5.3.5 lays out the requirement “where considered appropriate, the preparation of a *heritage impact assessment* or a *heritage conservation plan*, prepared by a qualified heritage conservation professional, for any proposed alteration, construction or development that directly affects a *cultural heritage resource* itself and *adjacent lands* to ensure that there will be no adverse impacts caused to the resource or its *heritage attributes*.” Policies related to provisions for Heritage Conservation Easements are outlined in Section 4.5.3.6.

Section 4.5.3.7 Heritage Permits applies to properties within a heritage conservation district (HCD) and individually designated properties.

Policies related to retention, relocation, and demolition are laid out in Sections 4.5.3.12, 4.5.3.13, and 4.5.3.15, respectively. Sections 4.5.3.12 and 4.5.3.13 are subject to appeal. These policies identify retention *in situ* and retaining three-dimensional integrity as the preferred, overarching, conservation strategy. Relocation is to be considered “where it has been

demonstrated that retention of the resource in its original location is neither appropriate nor viable". Relocation within the area of development is preferred, with a sympathetic site with Markham identified as an option where that is not possible.

OP policies related to demolition are, as follows:

4.5.3.15 To avoid the demolition of properties of significant cultural heritage resources as listed in the Register of Property of Cultural Heritage Value or Interest by:

- a) encouraging the conservation, and where appropriate, the restoration of these properties; and
- b) developing minimum standards for the maintenance of heritage attributes in a heritage property standards by-law.

4.5.3.16 That any proposal or permit to alter or demolish an individually designated property and any property within a heritage conservation district will be subject to the approval requirements of the Ontario Heritage Act in addition to Markham's municipal permit requirements.

4.5.3.17 To require, where a significant cultural heritage resource is to be demolished, the proponent to undertake, where appropriate, one or more of the following mitigation measures, at the expense of the proponent prior to demolition:

- a) documentation of the features that will be lost in the form of a photographic record and/or measured drawings;
- b) advertising the availability of the resource for salvage or relocation;
- c) preservation and display of components or fragments of the former resource's features or landscaping;
- d) marking the traces of former locations, shapes and circulation lines; and
- e) displaying graphic and textual descriptions of the site's history and former use, buildings and structures.

3.8 North Markham Future Urban Area

The City of Markham is in the process of developing a comprehensive plan for the future land-use of Northern Markham. This area encompasses 1,288 hectares of land (Figure 1).⁴ The City has commissioned two reports; *Future Urban Area Conceptual Master Plan, Volume 1: Community Structure Plan and Key Policy Direction*; and *Future Urban Area Conceptual Master Plan, Volume 2: Transportation, Water and Wastewater Master Plan, Class Environmental Assessment Study (Phase 1 and 2)*. Within these plans, of concern for cultural heritage are Sections 2.2.2 and Section 4.2 respectively.⁵

⁴ City of Markham 2020. North Markham Future Urban Area. Accessed from <https://www.markham.ca/wps/portal/home/about/city-hall/city-projects-initiatives/current/north-markham-future-urban-area/07-north-markham-future-urban-area>

⁵ Ibid.

Section 2.2.2 and Section 4.2 states:

Markham's *Register of Property of Cultural Heritage Value or Interest* identified 28 buildings of cultural heritage interest within the FUA lands (see Appendix B). Of the 28 properties, seven are designated for protection under the Ontario Heritage Act.

The remaining 21 properties of cultural value or interest have been given a preliminary evaluation rating by Markham Heritage staff, based on examination of existing photographs and documentation contained in the *Register* and property files, as well as examination of historic maps, deed abstracts and census data. The preliminary evaluation assigned a Group "1" or Group "2" rating to most of the remaining 21 properties. A Group "1" rating, assigned to five properties, indicates buildings of major significance to the City and is worthy of designation under the Ontario Heritage Act. A Group "2" rating, assigned to 11 properties, indicates buildings of significance and worthy preservation. A Group "3" rating, indicating buildings considered noteworthy, was assigned to one property, and three have been assigned a combination Group "2" / "3" rating. One property has not yet been assigned a Group rating. The majority of the 21 non-designated properties will require in-depth research before a final evaluation using Markham's heritage building evaluation system can be undertaken.

Potential archaeological resources within the FUA lands were also evaluated based on mapping provided by York Region. The mapping indicates that although the majority of the FUA lands have potential for archaeological resources given their proximity to watercourses, there are no known archaeological sites within the FUA lands that need to be considered in the CMP. Further archaeological assessments will be undertaken at the secondary plan or plan of subdivision stages.⁶

⁶ Ibid. *Future Urban Area Conceptual Master Plan, Volume 1: Community Structure Plan and Key Policy Direction* p8 and *Future Urban Area Conceptual Master Plan, Volume 2: Transportation, Water and Wastewater Master Plan, Class Environmental Assessment Study (Phase 1 and 2)* p24

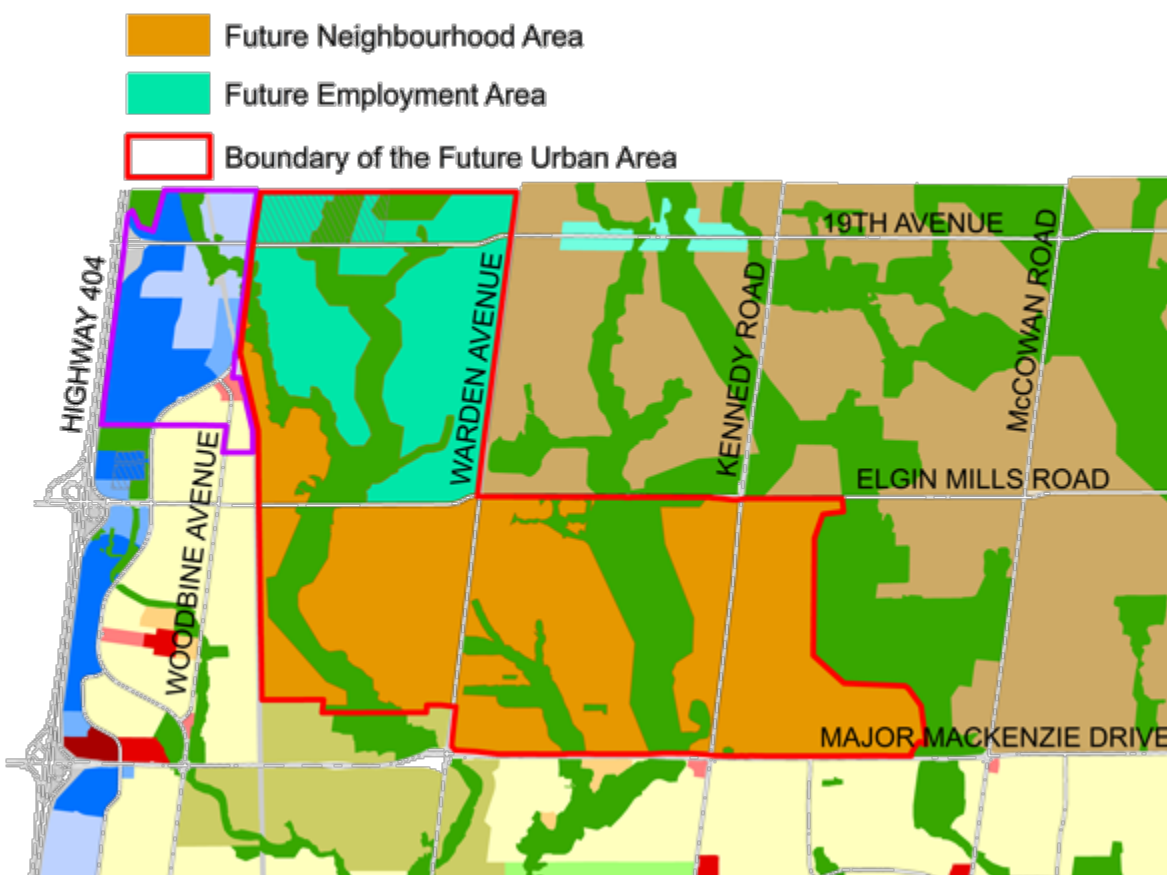


Figure 1: Markham's Future Urban Area (City of Markham 2020).

3.9 Robinson Glen Secondary Plan

The Robinson Glen Secondary Plan, OPA 26 was approved by Council in November 2018 and by the Regional Committee of the Whole in June 2019. OPA 26 includes the following policy regarding cultural heritage resources among the guiding principles of the Secondary Plan:

It is the policy of Council:

2.1.3 Building Compact Complete Communities

- g) To recognize, protect and conserve, and incorporate *cultural heritage resources* into new development opportunities within the community.

Further, section 5.0 of the Secondary Plan includes the following direction regarding the integration of cultural heritage resources:

The Robinson Glen community is being planned and designed as a healthy and compact community, with neighbourhoods that contain a variety of housing types, a range of parks and open space and required community facilities such as schools, and where cultural heritage resources are integrated as appropriate.

Section 5.4 of the Secondary Plan identifies seven residential properties within the Robinson Glen Secondary Plan Area which are designated or listed on the municipal *Register of Property of Cultural Heritage Value of Interest*, as well as the Pingle Farm Cemetery. This section provides further direction for cultural heritage resources within the Secondary Plan, in accordance with the policies of Section of the OP. These policies include:

5.4.1 That consideration of cultural heritage resources within the Robinson Glen Secondary Plan Area shall be consistent with Section 4.5 of the Official Plan, and the policies of this Secondary Plan.

5.4.2 That the cultural heritage resources contained in the City's Register of Property of Cultural Heritage Value or Interest within the Robinson Glen Planning Area are identified in Appendix 2 – Cultural Heritage Resources.

5.4.3 That the retention and/or relocation of cultural heritage resources where required by Section 4.5 of the Official Plan will be considered in accordance with Section 4.5.3.12 and 4.5.3.13 of the Official Plan, and reflected in the Community Design Plan required in Section 6.2 of this Secondary Plan.

5.4.4 To ensure that development of a significant cultural heritage resource itself, or development on adjacent lands is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the heritage attributes of the resource, according to policy

4.5.3.11 of the Official Plan, including considerations such as scale, massing, height, building orientation and location relative to the resource. The strategy for integrating cultural heritage resources where required shall be outlined in the Community Design Plan.

5.4.5 To impose the following conditions of approval on development or site alteration containing a cultural heritage resource in addition to those provided in Section 4.5 of the Official Plan, where it has been determined appropriate subject to the policies in Section 4.5 of the Official Plan to retain a cultural heritage resource:

- a) securing of satisfactory financial and/or other guarantees to restore a culture heritage resource or reconstruct any cultural heritage resources damaged or demolished as a result of new development;
- b) obtaining site plan control approval and a site plan agreement for the cultural heritage resource including the implementation of a restoration plan for the heritage building;
- c) requiring provisions in offers of purchase and sale which give notice of the cultural heritage resource on the property; and
- d) requiring the commemoration of the cultural heritage resource through the provision and installation of an interpretive plaque, in a publicly visible location on the property (i.e., Markham Remembered Plaque).

3.10 Robinson Glen Community Design Plan

On November 19, 2018, the City received recommendations for the Robinson Glen Community Design Plan (Ward 6).⁷ The purpose of the design plan is to guide future development within the boundaries of the Robinson Glen Community.⁸ Of interest in the design plan are Section 1.2.3 and Section 5.3.4.

Section 1.2.3 identified eight CHRs within the Robinson Glen Community. Three of the CHRs are identified as being within the subject property. The Homer Wilson Farmhouse, the J.P. Carr Cottage, and the Pingle Farm Cemetery.⁹ However, it should be noted that the legal limits of the Pingle Farm Cemetery are outside of the boundaries of the subject property.

Section 5.3.4 states:

In order to sensitively integrate the existing cultural heritage resources and to mitigate any negative impacts associated with new development, the guidelines on the following pages should be considered. Cultural heritage resources often experience challenges relating to insulation, building heating and cooling, and energy consumption related to proposed preservation measures. Potential preservation and design solutions should consider the sustainability objectives of the FUA (identified in Section 2.0).¹⁰

The design plan provides the following guidelines for the integration of existing cultural heritage resources into new development:

Lot Fabric & Siting

- Lot layout, grading, road networks, and required infrastructure should have regard for existing cultural heritage resources, as to ensure a compatible context and interface for cultural heritage resources;
- Incorporate cultural heritage resources on lots that are of a sufficient size and shape to accommodate the anticipated use of the property, existing structures of significance, potential future additions, a garage or parking lot (if commercial), tree preservation, landscaping, and/or the provision of rear yard amenity space;
- Site heritage structures on prominent lots with a high degree of public visibility such as corner lots, focal lots, or lots adjacent to parks or open spaces to display and celebrate the resource; and
- Integrate cultural heritage resources into the street and block pattern to respect and retain the historic relationship between the front entrance and the street

⁷ City of Markham 2018. Development Services Committee Minutes. Accessed from <https://pub-markham.escrimemeetings.com/Meeting.aspx?Id=8503b1be-036a-4505-a919-9ec2ca104276&Agenda=Agenda&lang=English>

⁸ MBTW Group 2018. Robinson Glen Block Community Design Plan: Markham Future Urban Area

⁹ Ibid. p8-9

¹⁰ Ibid. p86

Tree Preservation and Landscape works

- Preserve and integrate significant vegetation, mature trees, and hedges in landscaping works for heritage properties, where feasible;
- Design hard surface treatments for driveways, front walkways, and patios with authentic materials such as flagstone, pea gravel, or random tumbled paving;
- Design fencing styles to be appropriate to the period of the house. High decorative fencing and noise attenuation fencing should be avoided in both front and side yards; and
- Incorporate plant species for reclaimed heritage landscapes that are appropriate to the period of the house. Refer to the heritage species list in the City's Trees for Tomorrow Streetscape Manual (2009).

Adjacent Development

All new development adjacent to or incorporating a cultural heritage resource should, from an urban design perspective, be respectful of the resource having regard for scale, massing, shadows, setbacks, complementary building materials, and design features. Refer to Section 4.5.8 (page 72) of this document for more detailed guidelines for lots abutting cultural heritage resources.

Interpretive Opportunities

- Where possible, celebrate existing cultural heritage resources through the installation of an interpretive plaque in a publicly visible location on the property (i.e. the Markham Remembered Program);
- Where applicable, commemorate any cultural heritage resource which may be lost as part of redevelopment activity through the introduction of one or more special development features such as retention of a specific feature from the former resource, a decorative wall or monument, or installation of an interpretive plaque;
- Where applicable, integrate remnant materials (i.e. salvaged fieldstone, barn materials, and other features as appropriate) into various park components such as signage, seatwalls, and shade structures, to commemorate the area's former agricultural heritage; and
- Where possible, honour the legacy of original or early landowners by utilizing their names for municipal street, trails, and park names.

Showcase Adaptive Re-use and Innovation

- Where the original use is no longer practical, adapt the cultural heritage resources to new uses to maximize use of the embodied energy and showcase innovation; and

- While cultural heritage resources can be challenging structures to retrofit, due to their prominence within the community, these properties can be excellent platforms to showcase innovative, low carbon design solutions to the public such as, but not limited to, rainwater harvesting, permeable surfaces, landscaping for shade, and urban agriculture. Other low carbon features such as green roofs or solar panels are appropriate for new additions and accessory structures on sites.

4 INTRODUCTION TO THE DEVELOPMENT SITE

4.1 Property Location

The subject property is located at 10225-10227 Kennedy Road. The subject property is located east of Kennedy Road and north of Major Mackenzie Drive in the City of Markham, Ontario (Figure 2). The property is an approximately 61.8-hectare rectangular lot. The legal description is: Concession 6, Pt Lot 22, 65R19262 Pt 1. The property is accessed by a driveway located along the east side of Kennedy Road. There are currently two dwellings, one barn, and three silos on the subject property (Figure 3).

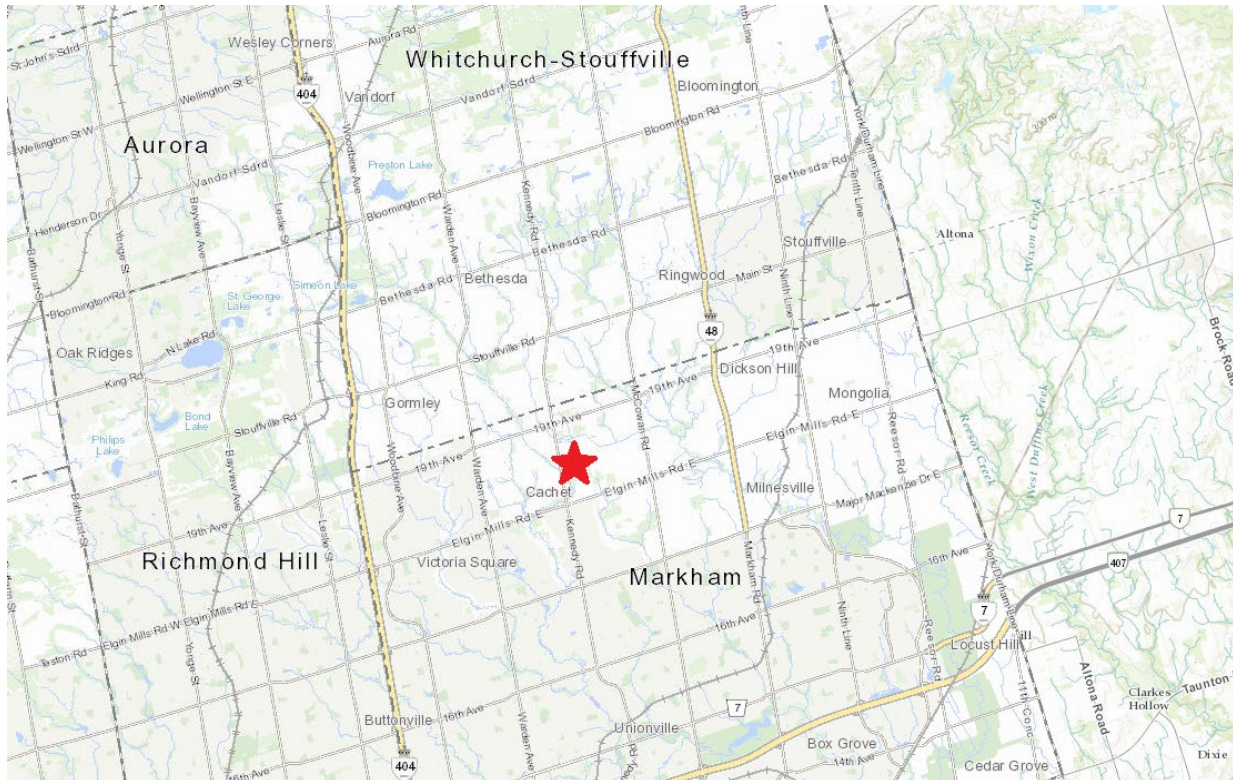


Figure 2: Location of 10225-10227 Kennedy Road (YorkMaps).



Figure 3: 10225-10227 Kennedy Road, current conditions (Navigate Markham 2020).

4.2 Surrounding Context

The nearest major intersection is Major Mackenzie Drive and Kennedy Road (Figure 4). Observed land use in and around the area is primarily agricultural (Figure 5 and Figure 6). The core of downtown Markham is located less than 10 km southeast of the subject property. To the west of the property lies the Angus Glen Golf Club. Kennedy Road, in the vicinity of the property, is a two-lane road with opposing traffic, bounded by hydro poles along the west.



Figure 4: Intersection of Major Mackenzie Drive and Kennedy Road, looking north (CU 2020).



Figure 5: View of farm fields, looking north (CU 2020).



Figure 6: View of farm fields, west of Kennedy Road, looking south (CU 2020).



4.3 Existing Heritage Designation

The subject property is designated under Section 29, Part IV of the OHA. The designation was approved by Council on February 12, 2008, under By-law 2008-22.¹¹

4.4 Adjacent Heritage Properties

The following table provides a list of adjacent heritage resources.¹² Applicable designation By-Laws are included as Appendix A of this HIA.

Table 1: List of adjacent heritage resources

Address	Heritage Recognition	Image
10228 Kennedy Road (George H. Pingle House)	Listed on City of Markham Heritage Register.	 <p>(Image source: City of Markham Heritage Register)</p>
10411 Kennedy Road (George Henry Sommerfeldt Sr. House)	Part IV Section 29 of the OHA, By-Law 2003-157	 <p>(Image Source: City of Markham Heritage Register)</p>

¹¹ The Corporation of the Town of Markham 2008. By-law 2008-22. A by-law to designate a property as being of historic and/or architectural value or interest: Homer Wilson Farmhouse, J.P. Carr Cottage and Pingel Farm Cemetery.

¹² Refer to "adjacent lands" in Section 2.1

Address	Heritage Recognition	Image
10379 Kennedy Road (Sommerfeldt Homestead)	Part IV Section 29 of the OHA, By-Law 2003-158	 <p data-bbox="932 642 1411 705">(Image Source: City of Markham Heritage Register)</p>
4638 Major Mackenzie Drive (Pingle-Brown House)	Listed on City of Markham Heritage Register.	 <p data-bbox="932 1073 1019 1094">(CU 2019)</p>
10192 McCowan Road	Listed on City of Markham Heritage Register.	 <p data-bbox="932 1413 1268 1434">(Image source: Google Earth Pro, 2020)</p>

5 RESEARCH AND ANALYSIS

5.1 Natural History and Early Indigenous Land Use

The pre-European contact (pre-contact) history of this area is long and diverse. Archaeologists generally divide the chronology of pre-contact land use in Southern Ontario into three primary periods based on characteristics of settlement patterns and material culture: Paleo; Archaic; and, Woodland.

The cultural history of southern Ontario began around 11,000 years ago, following the retreat of the Wisconsin glacier. During this archaeological period, known as the Paleo period (9500-8000 BCE), the climate was similar to the modern sub-arctic; and vegetation was dominated by spruce and pine forests. The initial occupants of the province, distinctive in the archaeological record for their stone tool assemblage, were nomadic big-game hunters (i.e., caribou, mastodon and mammoth) living in small groups and travelling over vast areas of land, possibly migrating hundreds of kilometers in a single year.¹³

During the Archaic archaeological period (8000-1000 BCE) the occupants of southern Ontario continued to be migratory in nature, although living in larger groups and transitioning towards a preference for 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 from Archaic archaeological sites point to long distance trade for exotic items and increased ceremonialism with respect to burial customs towards the end of the period.¹⁴

More notably, during the latter part of the Middle Archaic archaeological period (6000-4500 BCE) a Laurentian Archaic archaeological culture appeared in southeastern Ontario, northern New York and Vermont, and western Quebec. The Laurentian Archaic archaeological culture appeared around 6000-5500 BCE and lasted for more than a thousand years. This period is associated with the Canadian biotic province, which was characterised by a unique species community based in mixed deciduous-coniferous forest. A diversity of tool types can be found in Laurentian Archaic sites, including broad bladed projectile points, various chipped stone artifacts, and a range of ground and polished stone tools such as semi-lunar knives, adzes, gouges, and un-grooved axes. A variety of bone tools including needles, barbed harpoons, fish hooks, and bi-pointed gorges along with associated faunal remains provides evidence of specialised fishing and hunting practices.¹⁵ The appearance of copper by the Middle Archaic is indicative of an extensive trade network, while less extensive territories were utilized for subsistence.

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

¹³ Chris Ellis and D. Brian Deller, "Paleo-Indians," in *The Archaeology of Southern Ontario to A.D. 1650*. Edited by Chris J. Ellis and Neal Ferris. Occasional publication of the London Chapter, Ontario Archaeological Society, No. 5 (1990): 37.

¹⁴ Chris Ellis *et. al.*, "The Archaic," in *The Archaeology of Southern Ontario to A.D. 1650*. Edited by Chris J. Ellis and Neal Ferris. Occasional publication of the London Chapter, Ontario Archaeological Society, No. 5 (1990): 65-124.

¹⁵ Norman Clermont, "The Archaic Occupation of the Ottawa Valley," in Pilon ed., *La préhistoire de l'Outaouais/Ottawa Valley Prehistory*. Outaouais Historical Society. pp. 47-53. 1999: pp 47-49.

making. The Woodland period is sub-divided into the Early Woodland (1000–400 BCE), Middle Woodland (400 BCE–CE 500) and Late Woodland (500–1650 CE). During the Early and Middle Woodland, communities grew in size and were organized at a band level. Subsistence patterns continued to be focused on foraging and hunting. There is evidence for incipient horticulture in the Middle Woodland as well as the development of long-distance trade networks.¹⁶

Woodland populations transitioned from a foraging subsistence strategy towards a preference for agriculturally based communities around 500–1000 CE. It was during this period that corn (maize) cultivation was introduced into southern Ontario. The Late Woodland period is divided into three distinct stages: Early Iroquoian (1000–1300 CE); Middle Iroquoian (1300–1400 CE); and Late Iroquoian (1400–1650 CE). The Late Woodland is generally characterized 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. These village communities were commonly organized at the tribal level.¹⁷ By the 1500s, Iroquoian communities in southern Ontario – and northeastern North America, more widely – were politically organized into tribal confederacies. South of Lake Ontario, the Five Nations Iroquois Confederacy comprised the Mohawk, Oneida, Onondaga, Cayuga, and Seneca, while Iroquoian communities in southern Ontario were generally organized into the Petun, Huron and Attawandaron (or Neutral) Confederacies

The Late Woodland period (ca. 500–1650 CE) is marked by the establishment of larger village sites, sometimes containing dozens of longhouses and fortified with palisade walls. Agriculture increased during this period, as did regional warfare

The subject property currently lies within the Johnson-Butler Purchase. This treaty is also known as the ‘Gunshot Treaty’ and was entered into in 1787.¹⁸ The Treaty contained no exact description of the land covered and was meant to cover land as far as one can hear a gunshot from the shoreline.¹⁹ An approximately 52,000 km² territory was subsequently covered by the Williams Treaties, which were signed by seven Anishinaabe Nations and Crown representatives in 1923, to address lands that had not been surrendered.²⁰ However, Clause 2 of the treaty, where the current subject property lies, is not under dispute by any First Nations group

5.2 Survey and Early Settlement

In 1792, Markham Township was laid out by surveyors and named after Archbishop William Markham of York.²¹ The original survey laid out the area in ten concessions running north-

¹⁶ Michael Spence *et. al.*, “Cultural Complexes of the Early and Middle Woodland Periods,” in *The Archaeology of Southern Ontario to A.D. 1650*. (1990): 125–169.

¹⁷ William Fox, “The Middle Woodland to Late Woodland Transition,” in *The Archaeology of Southern Ontario to A.D. 1650*. (1990): 171–188 and David Smith, “Iroquoian Societies in Southern Ontario: Introduction and Historical Overview,” in *The Archaeology of Southern Ontario to A.D. 1650*. (1990): 279–290.

¹⁸ Ontario.ca 2019. Map of Ontario Treaties and Reserves. Johnson-Butler Purchase. Accessed from <https://www.ontario.ca/page/map-ontario-treaties-and-reserves#t4>

¹⁹ Ibid.

²⁰ William Treaties First Nations, *Maps of our Treaties*. 2018 <https://williamstreatiesfirstnations.ca/maps-of-our-treaties/> and Indigenous and Northern Affairs Canada (INAC), *Treaty Research Report, The Williams Treaties (1923)*. 2018 Accessed online at <https://www.aadnc-andc.gc.ca/eng/1100100029000/1100100029002>

²¹ Rayburn A. 1997. *Place Names of Ontario*. Toronto: University of Toronto Press.

south from Yonge Street to Pickering Town Line. The earliest European settlement in the area is attributed to William Berczy, who brought a group of 64 families from Hamburg, Germany to Markham Township in 1794. Berczy negotiated 64,000 acres (as the German Company) to be divided among these settlers; about two-thirds of whom remained after the first few years.²²

The hamlet of Reesorville (later referred to as Mannheim) was founded around Lot 11, Concession 8; which was acquired by Joseph Reesor in the first decade of the 19th century. Reesor was among a large group of Pennsylvania-Germans who arrived in Markham around this time. The hamlet's first post office, with mail arriving three times a week from York, was opened in 1828 and the name of Markham was adopted.²³

In 1846, William H. Smith's Canadian Gazetteer described the area as follows:

[Markham] is the second township in the province, in point of cultivation and amount of ratable property. It is well settled, and contains many excellent and well cultivated farms. The land is generally rolling and the timber a mixture of hardwood and pine. The village of Markham is situated in the south-east of the township; and the villages of Richmond Hill and Thornhill are partly in the township being situated on the Yonge Street Road. There are eleven grist and twenty-four saw mills in the township. Population in 1842, 5,698. Ratable property in the township, £86,577.

The Toronto and Nipissing Railway Company completed its Scarborough-Uxbridge line in 1871 with stations at Markham and Unionville and Markham was incorporated as a village in 1873, when its population numbered 954.²⁴ The population of Markham had risen to 1,110 by 1891.²⁵ Through the 20th century, the City of Markham developed as both an industrial centre and bedroom community to nearby Toronto. When the Regional Municipality of York was established in 1971, a large portion of the former Township of Markham, including the subject property, was incorporated into the Town of Markham.²⁶

5.3 10225-10227 Kennedy Road

The subject property is located within Lot 22, Concession 6 of the historic Markham Township, York County. The Crown patent for the entirety of Lot 22 was granted to Joachim Pingle²⁷ in 1805.²⁸ Joachim and his wife, Anna Margareta Pingle, had one daughter, named Elizabeth.²⁹ The couple were originally from the Holstein region of Switzerland and immigrated to North

²² Committee for the History of Markham Township, *Markham, 1793-1900*. Markham, Ont.: Markham Historical Society. 1979: 11-12.

²³ Mary Byers, Jan Kennedy and Margaret McBurney. *Rural Roots: Pre-Confederation Buildings of the York Region of Ontario*. 1976.

²⁴ Main Street Markham, *History of Main Street Markham*.

https://www.mainstreetmarkham.com/history_of_main_street_markham.php

²⁵ Ibid.

²⁶ Ibid.

²⁷ Naming variations include: Joachim, Jacob Sr., and/or Pingel

²⁸ Land Registry Office [LRO 65]. Land Title Abstract. York Region (65), Markham, Book 125 Concession 6; Lot 15 to 22. Instrument No. Patent

²⁹ Ancestry.ca. Find A Grave. Jacob [Joachim] Pingle. Accessed from https://search.ancestry.ca/cgi-bin/sse.dll?indiv=1&dbid=60527&h=149296250&tid=&pid=&usePUB=true&_phsrc=JKL66&_phstart=succ [essSource](#)

America in 1792.³⁰ In 1794, they arrived in Canada West and settled in Markham Township.³¹ In 1815, Joachin transferred all 200-acres³² to Joachin Jr. and in 1822, Joachin Sr. passed away.³³ Joachin Jr. operated a farm³⁴³⁵ on Lot 22, and in 1859 sold it to William Pingle for £500.³⁶ In 1860, William sold 50 acres to another Pingle, Jacob Pingle, for \$3110.³⁷

In 1878 William bought the 150-acre parcel from Jacob Pingle for \$10,000.³⁸ The only portion that was not sold was the family cemetery, which was also excluded from future transactions. In 1878 James Dymond purchased the 150-acre parcel.³⁹ In 1888, Samuel Wilson purchased the property for \$10,000⁴⁰ and operated the property as tenant housing.⁴¹ In 1894, Samuel sold the parcel to his son Homer for \$2100.⁴²

Homer Wilson, was born in 1867, to Samuel and Mary Jane Wilson. He married Elizabeth Ann Lundy in February 1890. His occupation was listed on the Register of Marriages as a farmer.⁴³ It is likely that Homer Wilson constructed the extant two-storey brick farmhouse following his purchase of the property. The 1911 Nominal Census lists Homer Wilson as owning and farming the property. Also living with Wilson and his wife, Elizabeth, was their son, William Samuel (aged 20) and a labourer, Lukis [sic] Donald.⁴⁴ Homer owned the property until 1919, when he and his wife, sold it to William Hay for \$18,500.⁴⁵ The Wilsons retired on the east half of Lot 35, Concession 3.⁴⁶ It is unknown if the Hays inhabited the lot, but in 1925, John Preston (J.P.) Carr purchased the parcel for \$19,000.⁴⁷ Carr built a second one-and-a-half-storey residence (J.P.

³⁰ Ibid.

³¹ Ibid.

³² LRO 65. Instrument No. 3058

³³ Ancestry.ca. Find A Grave. Jacob [Joachim] Pingle. Accessed from https://search.ancestry.ca/cgi-bin/sse.dll?indiv=1&dbid=60527&h=149296250&tid=&pid=&usePUB=true&_phsrc=JKL66&_phstart=succ [essSource](#)

³⁴ A 1851 agricultural census identified Jacob Pingle owned 200 acres of Lot 22, Concession 6. Of the 200-acres, 150-acres were under cultivation. The cultivation included: 119-acres of crops, 15-acres of pasture, 6-acres of orchards. Additionally, 60-acres were still under wood.

³⁵ Ancestry.ca Year: 1851; Census Place: *Markham, York County, Canada West (Ontario)*; Schedule: A; Roll: C_11759; Page: 199; Line: 11.

³⁶ Ibid. Instrument No. 75898, 81033

³⁷ Ibid. Instrument No. 81034

³⁸ Ibid. Instrument No. 3003, 91154

³⁹ Ibid. Instrument No. 3051

⁴⁰ Ibid. Instrument No. 6152, 3050

⁴¹ The Corporation of the Town of Markham 2008. By-law 2008-22. A by-law to designate a property as being of historic and/or architectural value or interest: Homer Wilson Farmhouse, J.P. Carr Cottage and Pingel Farm Cemetery.

⁴² LRO 65. Instrument No. 7795

⁴³ Archives of Ontario; Toronto, Ontario, Canada; Registrations of Marriages, 1869-1928; Reel: 69; item 013626.

⁴⁴ Library and Archives Canada. Census of Canada, 1911. Ottawa, Ontario, Canada: Library and Archives Canada, 2007. <http://www.bac-lac.gc.ca/eng/census/1911/Pages/about-census.aspx>. Series RG31-C-1. Statistics Canada Fonds. Microfilm reels T-20326 to T-20460. Census Place: 10 - Markham, York Centre, Ontario; Page: 7; Family No: 65.

⁴⁵ LRO 65. Instrument No. 15172

⁴⁶ Library and Archives Canada; Ottawa, Ontario, Canada; Voters Lists, Federal Elections, 1935-1980; 1935.

⁴⁷ Ibid. Instrument No. 17426

Carr Cottage) on the property around 1950. In 1956, Carr sold his property to Albert Carr for \$25,000.⁴⁸ Today, the property is owned by Major Kennedy Developments Limited.

5.4 Property Morphology

Analysis of the design value or physical value of the property considered common components and layout of typical 19th century to early 20th century southern Ontario farmstead design. In addition to the farmhouse and barn, typical farmstead components which generally comprised the “nerve centre of the operating farm”⁴⁹ included: “silos, smoke-houses, wells, corn cribs, sheds, driveways, utility lines, windmills, and tree-line windbreaks.”⁵⁰ A well and pump, cistern, and privy would also have been found in the vicinity of the house. The house, with its most attractive, public face to the road, shielded more utilitarian features from public view. The kitchen was generally located to the rear of the house and acted as the access to and from the farm’s activity areas. The farm yard served a number of purposes. It provided a space for a number of the farm’s activities (e.g., washing, vegetable or ornamental gardening) and formed a buffer between the house and farming activities.

The subject property lies within Lot 22, Concession 6 of historic Markham Township. The 1860 illustrated atlas of York County by Tremaine shows William Pingle as the owner of the 200-acre lot (Figure 7). A one-storey frame house, listed in the 1851 Nominal Census, likely occupied the property at this time.⁵¹ By 1861, William had altered the house by adding a half-storey.⁵²

The 1878 illustrated atlas depicts the James Dymond’s farmstead, less the 50-acre Pingle property in the southeast corner (Figure 8). In addition to the farmhouse, the atlas depicts an orchard and formal laneway.

It is likely that the extant two-storey brick farmhouse was constructed by Homer Wilson around the turn of the century and that this is the brick structure depicted on the 1914 topographic map. Topographic maps from 1914 to 1943 do not depict significant changes to the property or the surrounding area (Figure 9).

An air photo from 1954 depicts the recently constructed J.P. Carr Cottage to the west of the two-storey c. 1900 brick farmhouse, as well as a cluster of outbuildings to the east of the residences (Figure 10). The 1963 topographic map depicts this cluster of outbuildings and the 1973 topographic map includes a “silo” (Figure 11).

The Pingle family cemetery is not identified on any of the topographic maps or historic atlases; although the obelisk is visible on mid- to late-20th century aerial images.

Aerial images from the mid- to late-20th century provide evidence of the morphology of the structures beyond that depicted in the topographic maps (Figure 10). By 1954, only a small number of orchard trees from the 1878 atlas map remain. The c. 1900 two-storey brick farmhouse and tail are visible as is the c. 1950 cottage. The cluster of outbuildings appears to

⁴⁸ Ibid. Instrument No. 39505 and 38527

⁴⁹ McIlwraith, (1999): 243.

⁵⁰ McIlwraith, (1999): 243.

⁵¹ Ancestry.ca. Census Place: *Markham, York County, Canada West (Ontario)*; Roll: *C_11759*; Page: 157; Line: 8

⁵² Ancestry.ca. Library and Archives Canada; Ottawa, Ontario, Canada; *Census Returns For 1861*; Roll: *C-1088-1089*

have included a bank barn with two silos and an extension, and several smaller, rectangular barns and sheds. By 1970, a second extension had been constructed off the east end of the barn and a low hedge or fence appears to have shown west of the cottage. A new silo had also been added to the southwest of the outbuilding complex (Figure 10). Two new silos and a new, rectangular shed were added sometime before 1978. The 1978 air photo also appears to show the two covered porches along the north and south of the tail. Significant changes between 1978 and 1988 include the construction of the two frame additions – one two-storey, and one one-storey - off the tail of the brick farmhouse, extension of the 1970s shed, and the addition of a fourth silo at the southwest corner of the outbuilding complex (Figure 10). The outbuilding complex continued to be altered gradually until the majority of outbuildings were completely removed between 2005 and 2007. Presently, only the Homer Wilson Farmhouse, the J.P. Carr Cottage and the 1970s shed and silos remain and the overall property is not legible as an intact 19th or early 20th century agricultural landscape (Figure 12).

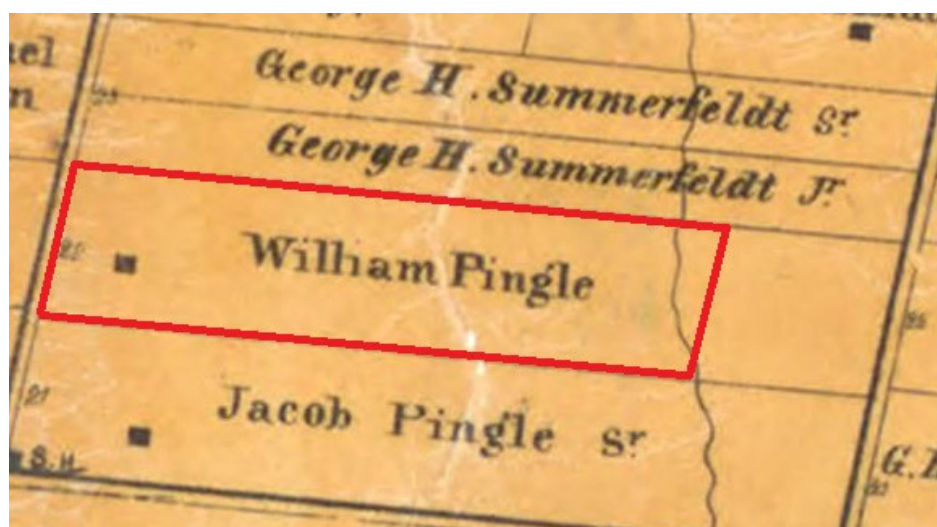


Figure 7: 1860 Tremaine illustrated atlas of York County.

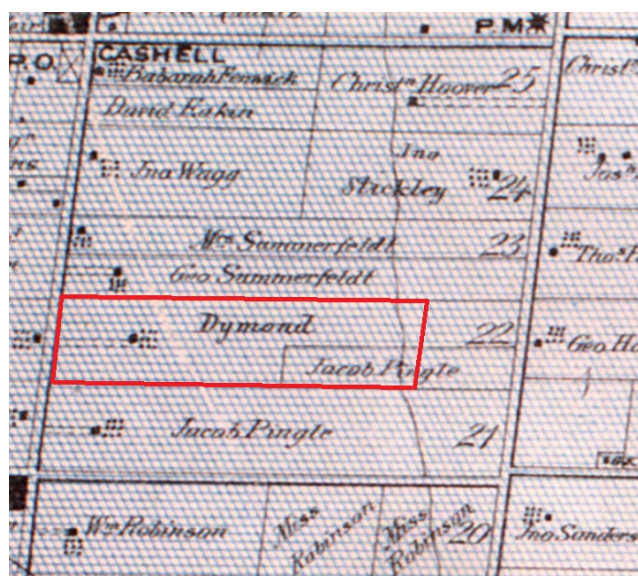
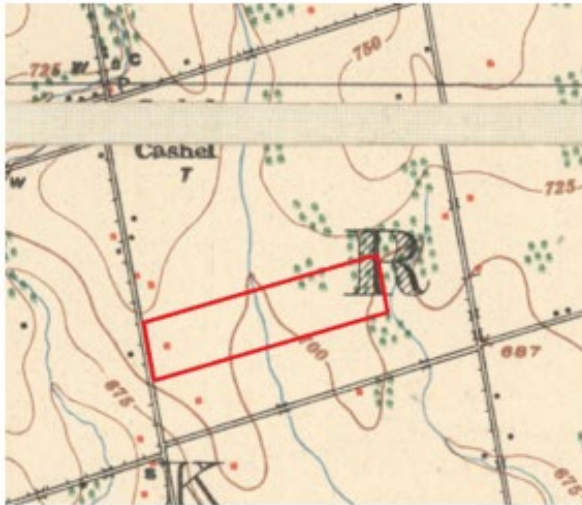


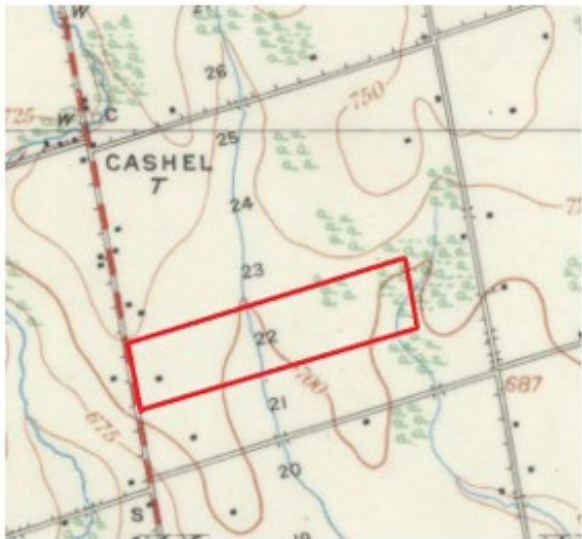
Figure 8: 1878 Miles & Co. illustrated atlas of Markham Township.



1914



1922



1930



1943

Figure 9: Topographic maps from 1914-1943 (OCUL 2020).



1954



1970

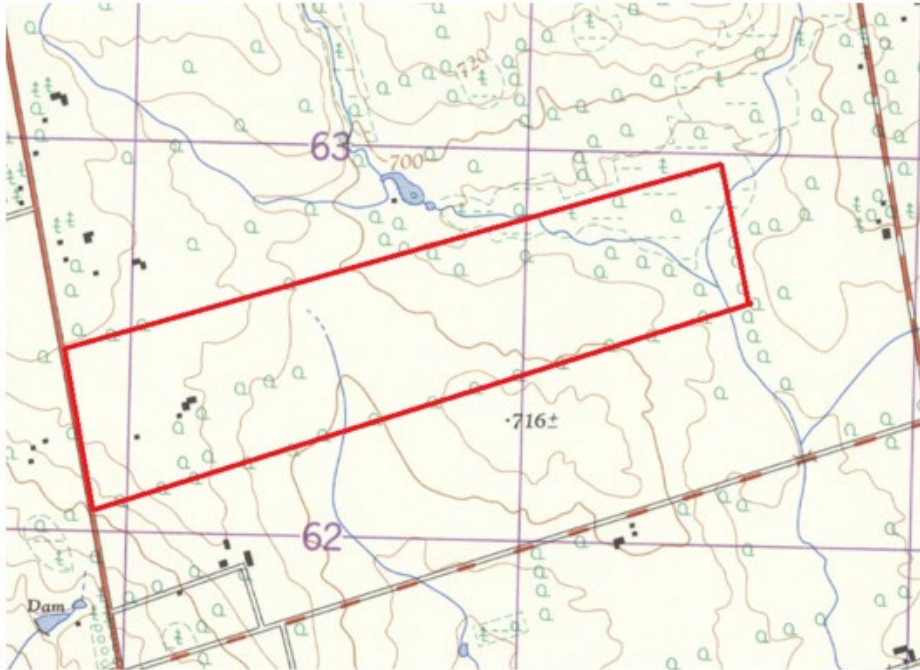


1978

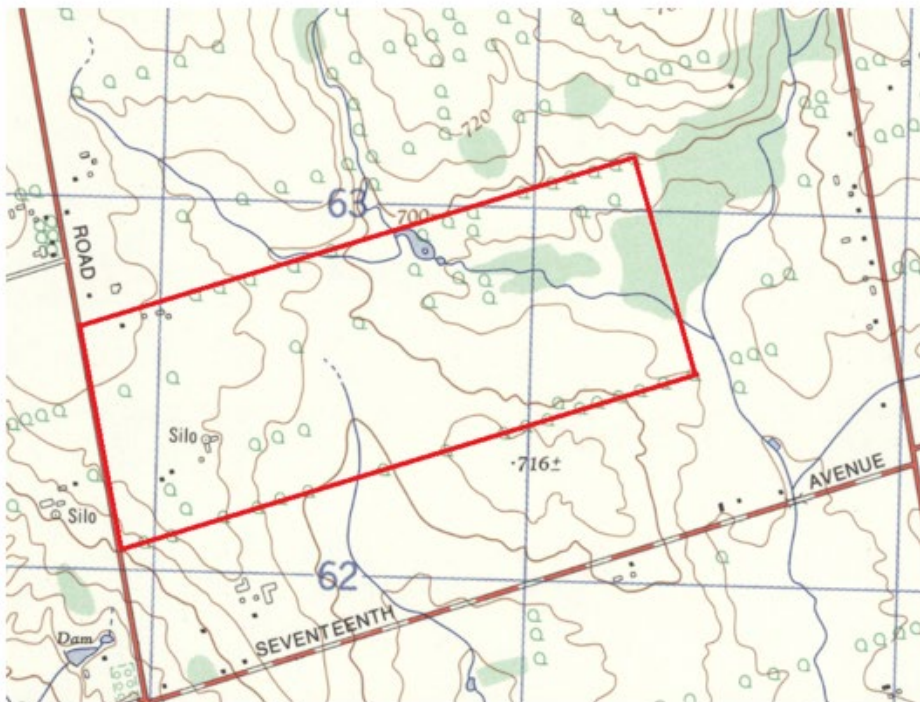


1988

Figure 10: Aerial imagery from 1954-2019 (YorkMaps 2020).



1963



1973

Figure 11: Topographic maps from 1963-1973 (OCUL 2020).



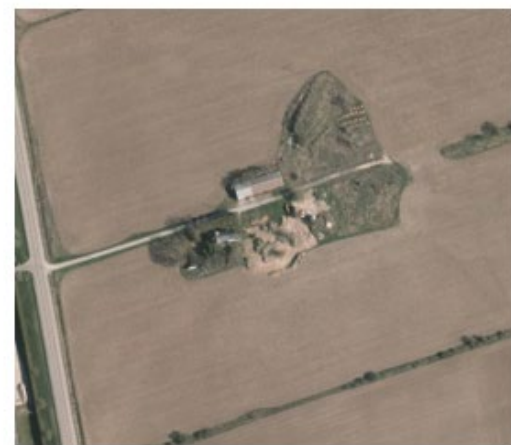
1999



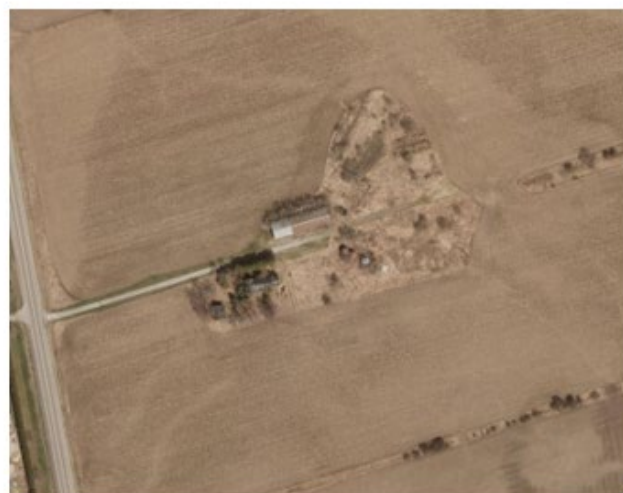
2005



2007



2012



2019

Figure 12: Aerial imagery from 1999-2019 (YorkMaps 2020).

6 STATEMENT OF SIGNIFICANCE

A Statement of Cultural Heritage Value and Interest (SCHVI) is outlined in By-law 2008-22, which designates the subject property under Section 29, Part IV of the OHA. The document identifies the subject property as having Historical, Architectural, and Contextual Value, as follows:

The Homer Wilson Farmhouse, J.P. Carr Cottage and Pingel Farm Cemetery are recommended for the designation under Part IV of the Ontario Heritage Act as a property having cultural heritage value and interests, as described in the following Statement of Significance:

Historical Value: Joachim and Anna Maria Pingel, who came from Holstein on the German-Danish border, were part of the original Berczy settler group of families. They arrived in Philadelphia with William Berczy aboard the Catherina in 1792, and journeyed to Markham Township in 1794. The family homestead was on this property, Lot 22, Concession 6. Although none of the buildings associated with the Pingels remain standing on the property, a small farm cemetery containing the remains of Joachim, Anna Maria, and their daughter Elizabeth is located close to the Kennedy Road frontage. In 1881, the former Pingel farm was purchased by Samuel and Mary Wilson of Thornhill, who rented the land to tenants. Their son Homer Wilson took over the farm in 1890, becoming the owner in 1894. About 1900, he built a new brick farmhouse on the property. In 1926, John Preston (J.P.) Carr, a former employee of Eaton's department store, purchased the Wilson farm. When J.P. Carr retired from farming, he and his wife Florance moved into a frame cottage located in the front yard of the farmhouse. The cottage was built by Percy Stiver of Unionville in 1950. The main farmhouse was then occupied by their son Albert and his wife Ruth (Harper).

Architectural Value:

Homer Wilson Farmhouse: is a good example of Classic Ontario Farmhouse, a common vernacular type of dwelling that was built throughout the province from the 1860s into the early 1900s. This distinctive Ontario form is characterized by a T-shaped plan, symmetrical 3 bay front, and steep centre gable. Decorative wood bargeboards and full-width verandahs as seen on this example, are typical features associated with this style, whereas the full two storey height is uncommon. Although the front and north side verandas were later enclosed, their unusual tapered wood support posts and decorative fretwork trim remain intact. The decorative woodwork is attributed to the Harrington Planing Mill nearby Unionville. The large front and north side windows, with their coloured glass transoms [sic] lights, are an interesting indication of the transition of late Victorian house forms into their simpler Edwardian styles of the early 20th century.

J.P. Carr Cottage: is a late example of an Arts and Crafts Bungalow Cottage, a house form generally associated with the first quarter of the 20th century. Technically, the house is not a true bungalow as there is a half storey within the broad gable roof. The cutaway porch is an architectural feature associated with the style, but rare in Markham. The arrangement of door and window openings and dormer windows follows a pleasing Arts and Crafts sense of asymmetry. The J.P. Carr Cottage, built in 1950, indicates the conservative tastes of both its owner and builder, and is illustrative of the persistence of early architectural styles well past their main period of popularity.

Pingel Farm Cemetery: is marked by a white marble obelisk-style monument on the Kennedy Road frontage, just north of existing farm lane. This style of monument, a Victorian type, probably replaced earlier, possibly individual grave markers, some time prior to 1866, the last year the property was owner (sic) by the Pingel family.

Contextual Value: The Homer Wilson Farmhouse, J.P. Carr Cottage and Pingel Farm Cemetery illustrate three periods of occupancy by different families in a farm setting. The Pingel Cemetery is a highly visible local landmark and a reminder of Markham's founding Berczy settlers. The relationship between the brick farmhouse and farm cottage reflects the traditional social hierarchy of father to son and their obligations to each other. Unlike today when elderly parents are sequestered to retirement homes, farm families often took responsibility for the housing needs of older generations on the same farm property.

Significant Architectural Attributes:

Homer Wilson Farmhouse

- T-shaped plan;
- 2 storey form;
- Fieldstone foundation;
- Red brick exterior finish;
- Cross gable roof with projecting eaves and wood soffits and fascias;
- Slate roof with pressed metal acroteria;
- Decorative wood bargeboards in the gables;
- Wood 1/1 sash style windows, with their associated projecting sills and radiating voussoirs;
- Wood picture windows with coloured glass transom lights, and their associated projecting sills and radiating voussoirs;
- Glazed and panelled exterior doors;
- West(front) and north verandahs with tapered wood posts on panelled wood pedestals, decorative brackets and turned spandrel detail.

J.P. Carr Cottage

- Rectangular plan and open cutaway porch with wood railing;
- 1 ½ storey form;
- Gable roof with projecting eaves, wood soffits and fascias, shed dormer and bay window pediment;
- Window openings, including canted bay window, and their associated wood sills and trim;
- Wide wood clapboard siding;
- Wood front door.

Pingel Cemetery

- White marble obelisk-style monument, with its stone base, stone pedestal and stone shaft;
- Pingel family graves.

7 ASSESSMENT OF EXISTING CONDITION

7.1 Homer Wilson Farmhouse

The c. 1900 main residence is a late example of a Classic Ontario Farmhouse; a ubiquitous vernacular design constructed in Ontario from the 1860s to the early 20th century. This two-storey brick example includes a number of features that are representative of the style, including its T-shaped plan, three-bay façade with central front entrance and gable peak, and side gables (Figure 13 to Figure 16). Decorative bargeboard is found along the overhanging eaves and at gable peaks as well as along the north and front verandahs which were enclosed c. 1978-1988; however, the condition of the extant fretwork and tapered supports on the verandahs varies (Figure 17).

The Homer Wilson Farmhouse appears to be in relatively good condition; however, a significant amount of water infiltration and damage was noted during the site visit due to the poor condition of the late 20th century additions, which are failing (Figure 18 to Figure 20). The two rear additions and the southern verandah were constructed between 1978 and 1988 and are wood frame with a poured concrete foundation, and clad in vinyl (Figure 18). An application for the partial demolition of these additions, which are not heritage attributes, was submitted and reviewed by City of Markham Heritage Planning Staff. The application was reviewed by Heritage Markham at its March 11, 2020 meeting and no objections were raised. Heritage Markham recommended the approval of the application, subject to the following conditions:

- That the non-heritage portions of the building be carefully removed with manual demolition of selected area adjoining the heritage building, to ensure no accidental damage by machine operations occurs; and,
- That a plan or description of how any openings (windows, doors, etc.) in the heritage building are to be secured once the non-heritage portions of the building are removed be provided to the satisfaction of the Manager of Heritage Planning; and further,
- That any issues with openings, roofing, rain gutters/downspouts, soffits and fascia be repaired to ensure that the heritage building remains in stable condition until its future restoration.

The application for partial demolition was approved by the Development Services Committee on April 21, 2020.

7.1.1 Homer Wilson Farmhouse, Interior

Although a number of early 20th century features (e.g., window and door casings, some baseboards, a small number of grates, and the balustrade of the central staircase) remain, the interior of the structure has been altered. Despite evidence of moisture damage (i.e., peeling paint and wall paper), these remaining features, including the brick fireplace, appear to be in moderately good condition. The large kitchen, in particular appears to have been substantially altered and it is possible that structural elements have been removed or damaged, leading to a significant slope in the floor. This appears to be further exacerbated by water infiltration from the failing c.1970s addition along the south of the tail.

General conditions of the interior are shown in Figure 19 through Figure 24.



Figure 13: Locations of structures (Base image source: YorkMaps.ca; 2019).



Figure 14: View front façade (CU 2020).



Figure 15: North elevation (CU 2020).



Figure 16: South elevation showing chimney, brickwork, and additions (CU 2020).



Figure 17: Detail of woodwork along north porch (CU 2020).



Figure 18: Two rear additions, constructed between 1978 and 1988 (CU 2020).



Figure 19: Interior, two-storey addition (CU 2020).



Figure 20: One-storey addition (CU 2020).



Figure 21: Detail of wooden staircase (CU 2020).



Figure 22: Typical view of upper floor room (CU 2020).



Figure 23: Metal ventilation grate (CU 2020).



Figure 24: View of first floor, including fireplace (looking west towards kitchen and southern addition) (CU 2020).



Figure 25: View of kitchen (CU 2020).

7.2 J.P. Carr Cottage

The J.P. Carr Cottage, built c.1950, is a one-and-a-half-storey residential structure with a side gable roof (Figure 26 and Figure 27). The dwelling sits on a concrete foundation and is clad in wood siding. Openings primarily consist of 1/1 sash with painted green wooden casings and are vinyl. The primary entrance is located on the west elevation via the asymmetrically placed cutaway porch.

The J.P. Carr Cottage is described in Schedule B of By-law 2008-22 as a late example of an Arts and Crafts Bungalow Cottage – a style associated with the first quarter of the 20th century.

The Arts and Craft style was not so much a style as a movement which emerged as early as the late Victorian era in England.⁵³ Proponents of the movement, such as, William Morris, Phillip Webb, and John Ruskin argued that machine-made products were an “architectural deceit.”⁵⁴ Ruskin went further and published two books that argued for man-made buildings, decorations, and decorative objects.⁵⁵ At the turn of the century, the Arts and Crafts movement arrived on Canadian shores. Two architects, Eden Smith and Percy Nobbs are often credited with the movement within Canada.⁵⁶ The Arts and Crafts movement in Canada was short lived but had a lasting influence on future design. The majority of these buildings were built in the 1920s and 1930s.⁵⁷ The movement tried to reconcile the rightness of place and a sense of belonging, similar to the earlier vernacular styles found across Canada.⁵⁸ The movement’s ideals were, environment, form, and function. Viewed from the exterior, one should already have a sense of purpose of the room. From the interior, views should interact with the open space of expansive gardens and well-manicured lawns; giving one, a picturesque landscape. The form, massing, height, and design elements applied in Arts and Crafts designs were unique, which gave the movement its “stylistic” merit. When boiled down to certain aspects: irregular massing, uneven proportions, steep gabled roofs, unconventional chimney placement, contrast between window casements and sills, and offset entrances can be said to define this movement.⁵⁹ However, the aforementioned elements may not necessarily be present in this type of house either. The movement generally took advantage of older styles intermixed with local traditions, and took into account the surrounding landscape when designing an Arts and Crafts house.⁶⁰ The influence of this movement was widespread and affected not only houses, but barracks, administration buildings, churches, and messes.⁶¹

As stated in the designation By-law, the J.P. Carr Cottage does include attributes that are in the spirit of the Arts and Crafts movement. The asymmetrical placement of openings and cutaway porch follow in this vein. However, the age of construction and lack of interplay between landscape/environment and built form are inconsistent with the movement. The J.P Carr House

⁵³ Kalman, H. (1994). p619

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ricketts, Maitland, and Hucker 2011. A Guide to Canadian Architectural Styles. University of Toronto Press: North York

⁵⁸ Ibid. p140

⁵⁹ Kalman, H. (1994). p624

⁶⁰ Ibid. p622-625

⁶¹ Ibid. p141

was built in around 1950, in a rural farm context, as a secondary residence for the growing family and its placement and design do not appear to be influenced by its landscape.

The interior of the one-and-a-half-storey frame cottage is consistent with vernacular mid-20st century design. The large open lower floor has wide openings, composite floors, moulded baseboards, and plain painted ceilings (Figure 28 and Figure 29). The upper level is accessed via a central staircase. Upper floor interior design is consistent with the lower floor (Figure 30). Evidence of water damage, including mould, peeling paint and wall paper, and swollen floorboards, was noted throughout. The unfinished basement is poured concrete (Figure 31). The foundation walls are concrete, the floor joists are milled wood. Evidence of flooding events is visible on the concrete walls.



Figure 26: View of cottage, rear/east elevation (CU 2020).



Figure 27: Front façade, cutaway porch on the left (CU 2020).



Figure 28: View of interior detailing (CU 2020).



Figure 29: Interior detailing, exposed wooden frame of dwelling (CU 2020).



Figure 30: View of upper floor (CU 2020).



Figure 31: View of basement (CU 2020).

8 DESCRIPTION AND EXAMINATION OF PROPOSED DEVELOPMENT/SITE ALTERATIONS

The draft plan of subdivision proposes a mix of single detached houses, townhouses, and decked townhouses connected by 24.5 m and 18.5 m wide streets (Figure 32). The plan also allocates 10.36 ha for a secondary school/park, 2.55 ha for an elementary school, and 2.06 ha for a neighbourhood park. Details regarding siting of the cultural heritage resources and design of the surrounding new structures is not yet available.

The current location of the heritage resources is shown in Figure 33, in the location of Blocks 894 to 905; a 1.41-hectare area comprising 161 units of back to back townhouses. The Homer Wilson Farmstead and J.P. Carr. Cottage are currently planned to be retained and relocated to within the residential development; however, the exact locations have not yet been determined.

The Pingel Cemetery is proposed to be left untouched; depicted as “Detail A” of the plan.

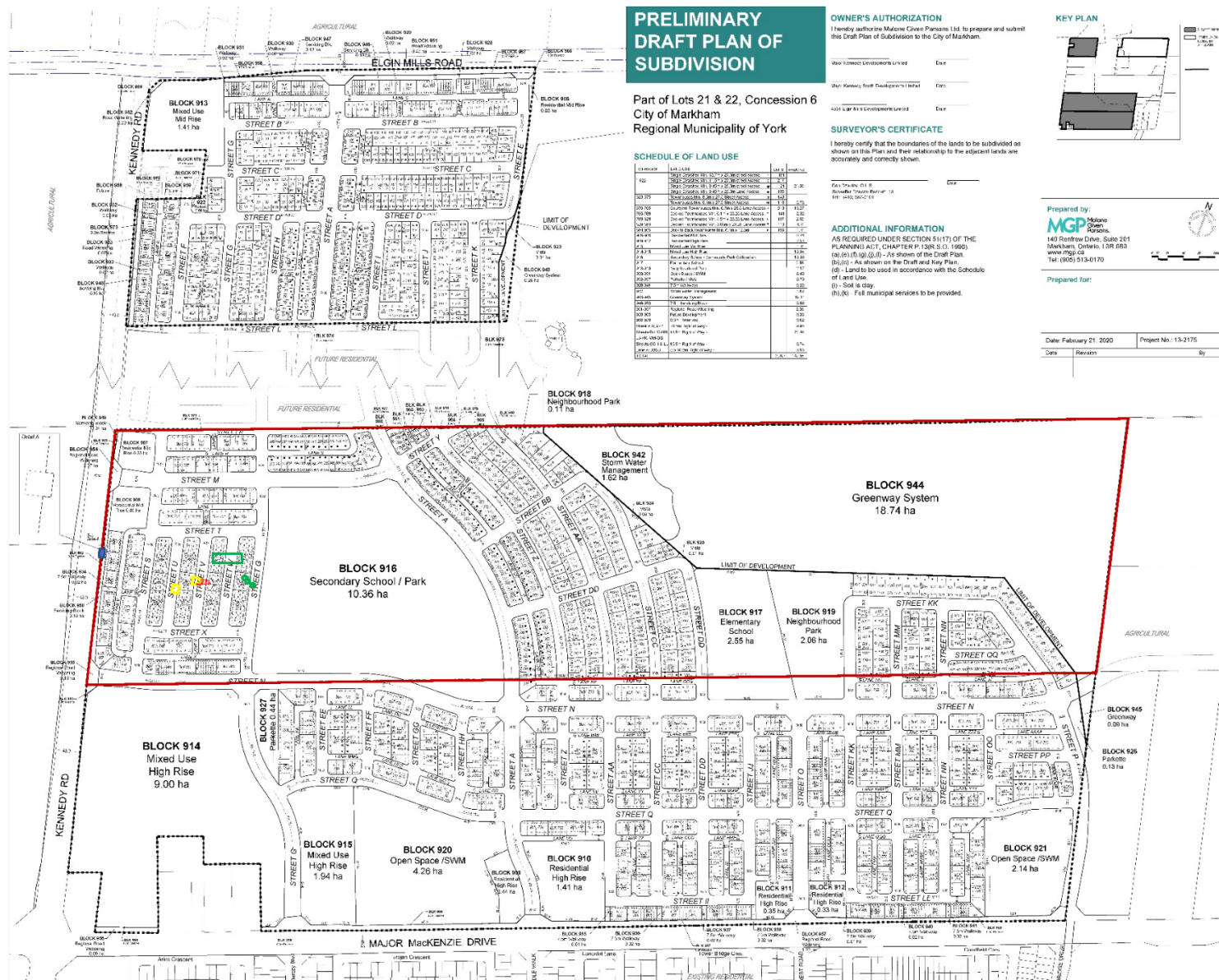


Figure 32: Preliminary draft plan of subdivision with structures from Figure 13 overlaid.



Figure 33: Detail of plan of subdivision over cultural heritage resources (Red: Pingel Cemetery, Purple: J.P. Carr Cottage, Green: Homer Wilson Farmstead).

8.1 Impact Assessment

The following section provides an assessment of potential impacts of the proposed plan of subdivision on the heritage attributes of 10225-10227 Kennedy Road.

The MHSTCI document *Info Sheet #5 Heritage Impact Assessments and Conservation Plans* outlines potential negative impacts to be considered with any proposed development or property alteration. The impacts include, but are not limited to:

Destruction of any part of any significant heritage attribute or features;

Alteration that is not sympathetic or is incompatible, with the historic fabric and appearance;

Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;

Isolation of a heritage attribute from its surrounding environment, context, or a significant relationship;

Direct or indirect obstruction of significant views or vistas within, from, or built and natural features;

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

Land disturbances such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

Table 2 provides an overview of potential impacts on the cultural heritage value and heritage attributes of 10225-10227 Kennedy Road, without mitigation measures, based on the current plan of subdivision.

8.1.1 Adjacent Properties

In addition to the potential negative impacts listed in Table 2, the potential for indirect adverse impacts related to construction vibrations was identified. The negative effects of traffic and construction vibrations on heritage structures has been demonstrated for structures within a 40 m setback from construction or roadworks. This is, in part, due to the use of masonry and brick as construction materials, but it is also due to an increased number of variables to consider over the longer ages of heritage buildings (e.g., previous damage or repairs).⁶² Given the distance of the key resources and heritage attributes associated with adjacent properties (Table 1), no indirect impacts are anticipated.

⁶² Chad Randl, "Protecting a Historic Structure during Adjacent Construction," *Temporary Protection Number 3, Preservation Tech Notes*. US Department of the Interior National Park Service Cultural Resources. July 2001; M. Crispino and M. D'Apuzzo, "Measurement and Prediction of Traffic-induced Vibrations in a Heritage Building," *Journal of Sound and Vibration*. 246(2). 2001: pp. 319-335.; Patricia Ellis, "Effects of Traffic Vibration on Historic Buildings," *The Science of the Total Environment*. 59, 1987: pp. 37-45; J.H. Rainer, "Effect of Vibrations on Historic Buildings," *The Association for Preservation Technology Bulletin*. XIV, No. 1. 1982: pp. 2-10; J.F. Wiss. "Construction Vibrations; State-of-the-Art," *Journal of Geotechnical Engineering Division*. 107. 1981: pp. 167-181.

Table 2: Summary of Potential of Impacts

Impact	Potential Adverse Impact (Y/N)	Discussion	Mitigation Measures
Destruction of any part of any significant heritage attribute or features;	Y	<p>The current proposed development does not seek to demolish any significant heritage attributes of the Homer Wilson Farmhouse. The c.1978-1988 additions are proposed to be removed prior to this work and consideration of those impacts has not been included in this HIA. However, without proper mitigation measures, the relocation of the structure and subsequent construction activities in the vicinity of the structure may result in unintended impacts on the building.</p> <p>The proposed plan does not currently seek to demolish J.P. Carr Cottage. However, without proper mitigation measures, the relocation of the structure and subsequent construction activities in the vicinity of the structure may result in unintended impacts on the building.</p> <p>The Pingle family cemetery is proposed to be left intact and not disturbed (see note below related to land disturbances).</p>	<p>In order to mitigate potential impacts on the Homer Wilson Farmhouse and the J.P. Carr Cottage, a Designated Substance Survey and Structural Assessment by a qualified engineer with heritage experience should be undertaken in order to confirm the viability of relocation and to identify required interventions to stabilize the structures in the immediate-term in advance of relocation and to identify required interventions to allow for the re-use of the structures as project design progressed.</p> <p>A Conservation Plan should be prepared by a qualified cultural heritage professional(s) for the relocation of the resources. The Conservation Plan should be informed by a Condition Assessment, undertaken by a qualified engineer with experience working with and relocating heritage structures. The Conservation Plan should include guidance for short-, medium-, and long-term conservation of the structures including a detailed “moving plan”. The moving plan must include guidance regarding activities required to stabilize the structures prior to, during, and following relocation.</p>

Impact	Potential Adverse Impact (Y/N)	Discussion	Mitigation Measures
Alteration that is not sympathetic or is incompatible, with the historic fabric and appearance;	Y	The proposed development does not currently seek to alter the heritage resources located on the subject property; however, this will require reassessment. The scale and massing of the J.P. Carr Cottage, in particular, may result in limitation on the range of potential uses. In the event that an addition is proposed, the design will require assessment for potential impacts.	<p>When considering additions to either of the structures, a project-specific HIA should be undertaken to review the design of the addition, consider alternatives, and provide applicable mitigation measures. The HIA should be commenced early in the design phase to allow for flexibility in the design to address concerns related to adverse impacts on heritage attributes.</p> <p>The design of structures on adjacent properties, should be undertaken in compliance with the design guidelines outlined in Section 4.5.8 of the Community Design Plan.</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	Based on LHC's current understanding of the Plan of Subdivision, the potential for shadows to alter the appearance of heritage attributes of the Homer Wilson Farmhouse and J.P. Carr Cottage is not anticipated; however, this will need to be considered further along in project planning when the locations of resources are better understood as well as the structures or features that will be located adjacent to them.	This should be re-evaluated once the new locations have been identified.
Isolation of a heritage attribute from its surrounding	N	Based on LHC's current understanding of the Plan of Subdivision, isolation is not anticipated; however, this will need to be reassessed further	This should be re-evaluated once the new locations have been identified.

Impact	Potential Adverse Impact (Y/N)	Discussion	Mitigation Measures
environment, context, or a significant relationship;		along in project planning when the locations of resources are better understood.	
Direct or indirect obstruction of significant views or vistas within, from, or built and natural features;	N	<p>No significant views or vistas are identified as heritage attributes.</p> <p>Based on LHC's current understanding of the Plan of Subdivision, obstruction of views is not anticipated; however, the potential for obstruction of views of the cultural heritage resources, generally, will need to be reassessed further along in project planning when the locations of resources are better understood.</p>	This should be re-evaluated once the new locations 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	The proposed development does not seek to change the associated with the cultural heritage value of the heritage resources; however, new uses should be evaluated for their appropriateness when being considered.	N/A

Impact	Potential Adverse Impact (Y/N)	Discussion	Mitigation Measures
Land disturbances such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.	N	<p>It should be noted that a Stages 1, 2, 3 Archaeological Assessment has been undertaken (This Land Archaeology, 2012). Potential impacts to below-grade components of the cemetery must be addressed according to the MHSTCI's <i>Standards and Guidelines for Consultant Archaeologists</i> (2011) and applicable legislation and will not be addressed in this HIA.</p> <p>As the legal limits of the cemetery and its listed attributes are outside of the subject property and no project activities are planned within the legal boundaries of the cemetery, no potential impacts have been identified.</p>	N/A

9 RECOMMENDATIONS AND NEXT STEPS

Based on available information, it is LHC's opinion that, with appropriate planning, design and implementation of mitigation measures, the concept of relocation of the Homer Wilson Farmhouse and J.P. Carr Cottage is an appropriate alternative to conserve the cultural heritage value and heritage attributes of the two resources.

It is, however, recommended that both the Homer Wilson Farmhouse and J.P. Carr Cottage be subject to a Designated Substances Survey and structural assessment by a qualified engineer with heritage experience to confirm the viability of relocation and in order to identify all measures required to stabilize the structures for relocation and repairs required to allow for the renovation and reuse of the structures within the new development.

As project design progresses, the siting of the cultural heritage resources and the design of the surrounding neighbourhood, will need to be reviewed for compliance with the applicable guidelines outlined in the Robinson Glen Community Design Plan related to:

- Lot fabric and siting;
- Adjacent Development;
- Interpretive Opportunities; and,
- Showcasing adaptive re-use and innovation.

With respect to tree preservation and landscape works, no landscape features have been identified as heritage attributes (either in the Statement of Significance outlined in the designation by-law, nor through the subsequent analysis undertaken within this HIA).

It is recommended that the HIA be amended further along in design – once the locations, orientation and lot size of the Homer Wilson House and the J.P. Carr Cottage have been determined and when design of surrounding residential structures is available - in order to assess and mitigate specific impacts on the cultural heritage resources.

In order to ensure the conservation of the cultural heritage resources during relocation, a Conservation Plan is recommended to be prepared by a qualified heritage professional(s).

The heritage attributes of the Pingel Cemetery are not anticipated to experience adverse impacts as the legal limits of the cemetery fall outside of the subject property. Potential impacts to belowgrade components of the cemetery are to be considered through the archaeological assessment process in accordance with the MHSTCI's *Standards and Guidelines for Consultant Archaeologists* (2011) and applicable legislation.

10 RIGHT OF USE

The information, recommendations and opinions expressed in this report are for the sole benefit of 'Owners'. Any other use of this report by others without permission is prohibited and is without responsibility to LHC. The report, all plans, data, drawings and other documents as well as all electronic media prepared by LHC are considered its professional work product and shall remain the copyright property of LHC, who authorizes only the Owners and approved users (including municipal review and approval bodies) to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. Unless otherwise stated, the suggestions, recommendations and opinions given in this report are intended only for the guidance of Owners and approved users.

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.

11 SIGNATURE



Christienne Uchiyama, MA, CAHP
Principal, Manager Heritage Consulting Services
Letourneau Heritage Consulting Inc.

12 QUALIFICATIONS

Christienne Uchiyama, MA CAHP - Principal and Manager – Heritage Consulting Services

Christienne Uchiyama MA CAHP is Principal and Manager – Heritage Consulting Services with Letourneau Heritage Consulting. She is a Heritage Consultant and Professional Archaeologist (P376) with more than a decade of experience working on heritage aspects of planning and development projects. She is a member in good standing of the Canadian Association of Heritage Professionals and received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Since 2003 Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario and New Brunswick, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 100 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

Colin Yu, M.A

Colin Yu is a Cultural Heritage Specialist and Archaeologist with Letourneau Heritage Consulting Inc. He holds a BSc with a specialist in Anthropology from the University of Toronto and a M.A. in Heritage and Archaeology from the University of Leicester. He has a special interest in identifying socioeconomic factors of 19th century Euro-Canadian settlers through quantitative and qualitative ceramic analysis.

Colin has worked in the heritage industry for over five years, starting out as an archaeological field technician in 2013. He currently holds an active research license (R1104) with the Ministry of Heritage, Sport, Tourism, and Culture Industries. Since 2019 he has worked on numerous projects dealing with all aspects of Ontario's cultural heritage. He has completed over two dozen cultural heritage technical reports for development proposals and include cultural heritage evaluation reports, heritage impact statements, and archaeological assessments. Colin has worked with both small and large proponents and understands the needs of each group. He specializes in built heritage, historic research, and identifying cultural heritage value and/or interest through O. Reg. 9/06 under the *Ontario Heritage Act*.

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Revised July 31, 2019

Cultural Heritage Impact Assessment Report for 4638 Major Mackenzie Drive East, Markham, Ontario



Prepared for: Major Kennedy South Developments Limited

Prepared by: Chris Uchiyama, M.A., CAHP

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1 Introduction

This Land Archaeology Ltd. was retained by Major Kennedy South Developments Limited to prepare a Heritage Impact Assessment (HIA) for the property located at 4638 Major Mackenzie Drive in the City of Markham, Ontario. The purpose of this HIA is to review the cultural heritage value or interest (CHVI) of the property and to provide recommendations, with respect to potential impacts on the property's CHVI. This study also outlines the applicable local or provincial planning and policy framework and identifies any future work that may be required in further phases of development to identify and mitigate potential negative impacts on cultural heritage values (if identified).

This HIA was prepared by Chris Uchiyama, MA, CAHP (see Appendix A: Author Qualifications). A site visit was undertaken on July 25, 2018.

The property, also known as the Pingle-Brown House, is currently listed on the City of Markham Heritage Register as a non-designated property under Section 27, Part IV of the *Ontario Heritage Act* (OHA). Based on City's evaluation and scoring system, the municipality has identified the subject property as a 'Group 2' property – buildings of significance and worthy of preservation and encouraged for designation.

2 Methodology

2.1 Policy Framework

In Ontario, the *Provincial Policy Statement 2014* (PPS), issued under s. 3 of the *Planning Act*, provides policy direction on matters of provincial interest related to land use planning and development.¹ When a municipality is undertaking land use planning decisions related to development or site alteration, decisions must be consistent with the PPS.² The PPS outlines that "significant built heritage resources and significant cultural heritage landscapes shall be conserved" and "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".³ In this instance, "Significant" means "resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or

¹ PPS 2014, Part I: Preamble.

² PPS 2014, Part III: How to Read the Provincial Policy Statement.

³ PPS 2014, s. 2.6.1 and 2.6.2.

(footnote continued)

a people.”⁴ The PPS outlines that the resources and landscapes should be conserved through their “identification, protection, management and use.....in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*.”⁵

The *Ontario Heritage Act* (“OHA”) is the primary legislation used by municipalities to conserve cultural heritage resources. It enables municipalities to designate individual properties that are of cultural heritage value or interest through individual designations (Part IV) or heritage conservation districts (Part V).⁶ Properties are evaluated against the criteria set out in *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act* which include design value, historical/associative value, and contextual value. Designation is achieved through a municipal by-law which outlines a description of the property, statement of significance explaining the cultural heritage value or interest of the property, and a description of the heritage attributes.

2.1.1 Growth Plan for the Greater Golden Horseshoe, 2017

The province’s 2017 *Growth Plan for the Greater Golden Horseshoe* (GGH Growth Plan) sets out a number of policies relevant to the conservation of cultural heritage resources. Section 1.1 of the GGH Growth Plan identifies the importance of the conservation of cultural heritage resources.⁷

The GGH Growth Plan further indicates that “Our *cultural heritage resources* and open spaces in our cities, towns, and countryside will provide people with a sense of place.”⁸ Stating in Section 4.1 that:

The GGH 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. These lands, features and resources are essential for the long-term quality of life, economic prosperity, environmental health, and *ecological integrity* of the region. They collectively provide essential ecosystem services, including water storage and filtration, cleaner air and habitats, and support pollinators, carbon storage, adaptation and resilience to climate change.⁹

⁴ PPS 2014, s. 6.0, Definitions, at p. 49.

⁵ PPS 2014, s. 6.0, Definitions, at p. 40.

⁶ OHA, Part IV, s. 29.

⁷ Province of Ontario, *Growth Plan for the Greater Golden Horseshoe*. 2017: 2.

⁸ *Ibid*: 2.

⁹ *Ibid*: 39.

And,

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.¹⁰

Policies specific to cultural heritage resources are outlined in Section 4.2.7, as follows:

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.
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.¹¹

2.1.2 City of Markham Official Plan

Markham's Official Plan (OP) was adopted by Council in December 2013 and approved by York Region in June 2014. Markham identifies its cultural heritage as a significant consideration in its future planning, stating in Section 1.2:

Markham has a wealth of *cultural heritage resources* within its boundaries. While having been inhabited for over 11,000 years by Aboriginal peoples including ancestors of the Huron-Wendat, Iroquois (Haudensaunee) and Anishnabeck Mississauga people, Markham also has a strong rural and colonial heritage, originating as an agricultural community served by the distinct villages of Unionville, Markham, Milliken and Thornhill. Remnants of this history remain to this day. Recognizing and preserving this cultural heritage is an important element of the City's identity.

The OP lays out its cultural heritage policies in Section 4.5 Cultural Heritage Resources, although cultural heritage conservation policies are integrated within policies throughout the OP.

Section 4.5 of the OP identifies cultural heritage resources as a fragile and non-renewable resource and lays out general policy for its conservation. Of particular relevance to the current assessment, Section 4.5.1.1 states that it is the policy of Council:

¹⁰ Ibid: 40.

¹¹ Ibid: 48.

4.5.1.1 To promote conservation of Markham's *cultural heritage resources* by:

- a) identifying cultural heritage resources and maintaining a *Register of Property of Cultural Heritage Value or Interest*;
- b) recognizing the significance of these resources by designating individual properties, groups of properties, or a geographical area of historical significance under the Ontario Heritage Act;
- c) adopting and implementing policies and programs for the protection of these resources including:
 - i. requirements for heritage impact assessments and conservation plans, heritage conservation easements and heritage permits;
 - ii. reviewing any application for development approval, building permit or demolition permit that directly affects a cultural heritage resource itself and adjacent lands to ensure new development, site alteration and additions are contextually appropriate and maintain the integrity of any cultural heritage resources; and
 - iii. facilitating the rehabilitation, renovation and/or restoration of cultural heritage resources so that they remain in active use;
- d) participating in the management of these resources through acquisition, disposition, purchase, lease donation or other forms of involvement such as the review of development approvals, development incentives and property standards; and
- e) promoting stewardship of these resources by offering financial support and educational and commemorative programs, and fostering public and private partnerships.

The listing of a property on the Register of Property of Cultural Heritage Value or Interest (the Register) is enabled by Section 27, Part IV of the OHA, which empowers municipalities to include non-designated properties which Council believes to be of cultural heritage value or interest on the municipalities Heritage Register. The subject property is currently listed on the Register.

Identification and recognition policies are outlined in Section 4.5.2 of the OP.¹² Section 4.5.2.4, identifies the policy of ensuring consistency in the identification and evaluation of cultural heritage resources through application of O.Reg. 9/06 *Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act* and criteria included in Markham's Heritage Resources Evaluation System. The subject property has been evaluated by the City according to these evaluative criteria and determined to be a Group 2 property.

¹² Sections 4.5.2.1, 4.5.2.2, 4.5.2.3 and 4.5.2.4 are subject to Area/Site Specific Appeal No. 32 (Issue 318).

Policies relevant to the conservation of cultural heritage resources are outlined in Section 4.5.3 Protection. The OP states:

Protection options include:

- designation under the Ontario Heritage Act;
- heritage easement agreements;
- enforcement of the policies in heritage conservation district plans; and
- retention of *built heritage resources* on original sites and incorporation into new development opportunities.

Additional relevant policies related to protection options include:

4.5.3.1 To protect and conserve cultural heritage resources generally in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Venice Charter, 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 as opposed to removal or replacement will be the core principle for all conservation projects.

4.5.3.2 To give immediate consideration to the designation of any significant cultural heritage resource under the Ontario Heritage Act if that resource is threatened with demolition, inappropriate alterations or other potentially adverse impacts.

4.5.3.3 To use secondary plans, zoning by-laws, subdivision and site plan control agreements, signage by-laws, and other municipal controls, to ensure that development that directly affects a cultural heritage resource itself and adjacent lands, is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the heritage attributes of the resource, including considerations such as scale, massing, height, building orientation and location relative to the resource.

4.5.3.4 To impose conditions of approval on development containing a cultural heritage resource itself and adjacent lands to ensure the continued protection of the cultural heritage resources.

Section 4.5.3.5 lays out the requirement "where considered appropriate, the preparation of a *heritage impact assessment* or a *heritage conservation plan*, prepared by a qualified heritage conservation professional, for any proposed alteration, construction or development that directly affects a *cultural heritage resource* itself and *adjacent lands* to ensure that there will be no adverse impacts caused to the resource or its *heritage attributes*." Policies related to provisions for Heritage Conservation Easements are outlined in Section 4.5.3.6.

Section 4.5.3.7 Heritage Permits applies to properties within a heritage conservation district (HCD) and individually designated properties.

Policies related to retention, relocation, and demolition are laid out in Sections 4.5.3.12, 4.5.3.13, and 4.5.3.15, respectively. Sections 4.5.3.12 and 4.5.3.13 are subject to appeal. These policies identify retention *in situ* and retaining three-dimensional integrity as the preferred, overarching, conservation strategy. Relocation is to be considered “where it has been demonstrated that retention of the resource in its original location is neither appropriate nor viable”. Relocation within the area of development is preferred, with a sympathetic site with Markham identified as an option where that is not possible.

OP policies related to demolition are, as follows:

- 4.5.3.15 To avoid the demolition of properties of significant cultural heritage resources as listed in the Register of Property of Cultural Heritage Value or Interest by:
 - a. encouraging the conservation, and where appropriate, the restoration of these properties; and
 - b. developing minimum standards for the maintenance of heritage attributes in a heritage property standards by-law.
- 4.5.3.16 That any proposal or permit to alter or demolish an individually designated property and any property within a heritage conservation district will be subject to the approval requirements of the Ontario Heritage Act in addition to Markham’s municipal permit requirements.
- 4.5.3.17 To require, where a significant cultural heritage resource is to be demolished, the proponent to undertake, where appropriate, one or more of the following mitigation measures, at the expense of the proponent prior to demolition:
 - a. documentation of the features that will be lost in the form of a photographic record and/or measured drawings;
 - b. advertising the availability of the resource for salvage or relocation;
 - c. preservation and display of components or fragments of the former resource’s features or landscaping;
 - d. marking the traces of former locations, shapes and circulation lines; and
 - e. displaying graphic and textual descriptions of the site’s history and former use, buildings and structures.

North Markham Future Urban Area

The OP provides for the North Markham Future Urban Area, an approximately 1288-hectare area north of Major Mackenzie Drive and south of the municipal boundary, between Woodbine Avenue and the Robinson Creek.

The subject property is located within the North Markham Future Urban Area and is identified as a Future Neighbourhood Area. Per Section 8.12.1.4 (b) of the OP, the *Conceptual Master Plan* (September 2017) (CMP) includes identification of known cultural heritage resources. The CMP identifies 28 buildings of CHVI – seven of which are designated under the OHA. The remaining 21, including the subject property, were assigned a preliminary evaluation rating. The subject property was subsequently included among the group of North Markham Planning District properties listed on the municipal *Register of Property of Cultural Heritage Value* which were researched and evaluated by the Building Evaluation Sub-Committee of Heritage Markham.

The property at 4638 Major Mackenzie Drive East was identified, through this process as a Group 2 property – defined as a property of significance and worthy of preservation. The results of this evaluation were endorsed by Heritage Markham in March 2018.¹³ With respect to the evaluation of the property and its rating as a “Group 2” property, the staff comments accompanying the results of the evaluation, as presented to Heritage Markham Committee, noted the following:

- The City’s system for evaluating cultural heritage resources was last updated in 2003. Using a scoring system that examines the historical, architectural and contextual value of each property, resulting in their classification as Group 1 (buildings of major significance and worthy of designation), Group 2 (buildings of significance and worth of preservation and encouraged for designation), or Group 3 (noteworthy buildings worthy of designation if restored, or worthy of documentation). [sic]
- The evaluation system is a tool to assist the City in prioritizing cultural heritage resources for preservation. The designation or demolition of a building is not to be based solely on the results of this classification and rating system.

¹³ Heritage Markham, *The Third Heritage Markham Committee Meeting of the Corporation of the City of Markham in the year 2018*, March 14, 2018: 6.

(footnote continued)

- It should be noted that a property that has received a Group 3 rating could potentially be restored to reflect its former condition through a carefully researched examination and restoration plan.¹⁴

It should be noted that the research and evaluation of the property did not include on-site property access to record and examine existing conditions.

Official Plan Amendment No. 26

Official Plan Amendment No. 26 (By-law No. 2018-149), to amend the City of Markham Official Plan 2014, as amended, to incorporate a Secondary Plan for the Robinson Glen Community in the Future Urban Area Planning District, was adopted by Council in November 2018. The Robinson Glen Community area is bounded by Major Mackenzie Drive East, Kennedy Road, Elgin Mills Road East, and McCowan Road. Existing land uses within the Secondary Plan Area consist primarily of agricultural and rural residential uses and several cultural heritage resources are noted within the area – including seven residential properties listed or designated on the *Register of Property of Cultural Heritage Value or Interest* as well as the Pingle Farm Cemetery. Among the guiding principles outlined in Section 2.1 of the Secondary Plan, it is stated that:

It is the policy of Council:

- 2.1.3 (g) To recognize, protect and conserve, and incorporate *cultural heritage resources* into new development opportunities within the community.

Cultural heritage resources are addressed in Section 5.4 of the Secondary Plan, which identifies the City's objective as "to *conserve, enhance and restore significant cultural heritage resources* including *built heritage resources, archaeological resources or cultural heritage landscapes* that are valued for the important contribution they make to understanding the history of a place, event or a people, according to the policies of Section 4.5 of the Official Plan."¹⁵ The Secondary Plan includes the following relevant policies:

It is the policy of Council:

- 5.4.1 That consideration of *cultural heritage resources* within the Robinson Glen Secondary Plan Area shall be consistent with Section 4.5 of the Official Plan, and the policies of this Secondary Plan.

¹⁴ City of Markham, *The Third Heritage Markham Committee Meeting of the Corporation of The City of Markham in the year 2018*. Agenda, March 14, 2018. Staff Report prepared March 14, 2018, "Heritage Building Evaluations: North Markham Planning District (Future Urban Area)." P. 34.

¹⁵ City of Markham, *Official Plan Amendment No.26*.

<http://www2.markham.ca/markham/ccbs/indexfile/Agendas/2018/Council/cl181127/2018-149.pdf>, 2018: p.33.

-
- 5.4.2 That the cultural heritage resources contained in the City's *Register of Property of Cultural Heritage Value or Interest* within the Robinson Glen Planning Area are identified in Appendix 2 – Cultural Heritage Resources.
- 5.4.3 That the retention and/or relocation of *cultural heritage resources* where required by Section 4.5 of the Official Plan will be considered in accordance with Section 4.5.3.12 and 4.5.3.13 of the Official Plan, and reflected in the Community Design Plan required in Section 6.2 of this Secondary Plan.
- 5.4.4 To ensure that development of a *significant cultural heritage resource* itself, or development on *adjacent lands* is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the *heritage attributes* of the resource, according to policy 4.5.3.11 of the Official Plan, including considerations such as scale, massing, height, building orientation and location relative to the resource. The strategy for integrating *cultural heritage resources* where required shall be outlined in the Community Design Plan.
- 5.4.5 To impose the following conditions of approval on development or *site alteration* containing a *cultural heritage resource* in addition to those provided in Section 4.5 of the Official Plan, where it has been determined appropriate subject to the policies in Section 4.5 of the Official Plan to retain a *cultural heritage resource*:
- a. securement of satisfactory financial and/or other guarantees to restore a culture heritage resource or reconstruct any *cultural heritage resources* damaged or demolished as a result of new development;
 - b. obtaining site plan control approval and a site plan agreement for the *cultural heritage resource* including the implementation of a restoration plan for the heritage building;
 - c. requiring provisions in offers of purchase and sale which give notice of the *cultural heritage resource* on the property; and
 - d. requiring the commemoration of the *cultural heritage resource* through the provision and installation of an interpretive plaque, in a publicly visible location on the property (i.e., Markham Remembered Plaque).

2.1.3 City of Markham – Heritage Impact Assessment

The City of Markham has prepared its own guidelines for the preparation of Heritage Impact Assessments (HIAs) in the City of Markham. This document outlines the framework, triggers (Application) and required content (Study Requirements) for HIAs. It also outlines qualifications for the person(s) preparing the HIA, stating:

A Heritage Impact Assessment shall be prepared by a qualified professional heritage consultant with knowledge of accepted standards of historical research, identification, evaluation and methods of conservation and mitigation. The consultant must be a member in good standing of the Canadian Association of Heritage Professionals.

Qualifications of the authors of this report are provided in Section 14 of this HIA.

This HIA has been organized according to the City's guidelines, which require the following content:

- Introduction to the Development Site (see Section 3)
- Research and Analysis (see Section 3.1 and 4)
- Statement of Significance (n/a)
- Assessment of Existing Condition (see Section 3.2)
- Details of the Proposed Development (see Section 5)
- description of the proposed development
- Impact of Development on Heritage Attributes (see Section 6)
- Alternatives, Mitigation and Conservation Strategies (see Section 6)
- Implementation and Monitoring (see Section 7)
- Summary Statement and Recommendations (see Section 7)

Per the City's guidance, the impact assessment undertaken as part of this HIA applies the methodology outlined in the Ministry of Tourism, Culture, and Sport's 2006 *InfoSheet #5: Heritage Impact Assessments and Conservation Plans from Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005*.

2.2 Background Research

In order to identify any value-defining historical associations and to better understand the property within the broader context of the City of Markham, a wide variety of sources (listed in Section 9) were reviewed. Of particular note is the 2018 Research Report (Appendix B) for the subject property, which was prepared by the municipality to inform evaluation of the property by Heritage Markham's Building Evaluation Sub-Committee.

2.3 Site Analysis

A site visit was undertaken on July 25, 2018 in order to document the current conditions of the property and its surroundings. A Designated Substance Survey Report, prepared by AEOC Group Inc. in February, 2018 was also reviewed for pertinent information regarding the building's existing conditions. A description of the property, images, and the findings of the site visit can be found in Section 3.2.

2.4 Evaluation of Cultural Heritage Value or Interest

As previously noted, the evaluation of the CHVI of the property involved a review of the land-use history of the property, its current conditions, and current context. O.Reg.9/06 criteria were applied to the evaluation. This assessment considered the property as a whole, as well as individual components or structures.

3 Introduction to the Subject Property

The subject property is located at 4638 Major Mackenzie Drive East in the City of Markham. It is an approximately 150-acre parcel comprising a former farm with a mid-19th century residence, which was enlarged and remodeled around the 1940s. The structure is surrounded by a lawn and agricultural fields. A complex of agricultural outbuildings was located northeast of the house. These structures were demolished in 2017.

The property is privately owned and is currently vacant.

The property is not designated under Parts IV or V of the Ontario Heritage Act. It is listed as a non-designated property of the City's Heritage Register (Group 2) under Section 27, Part IV of the OHA.

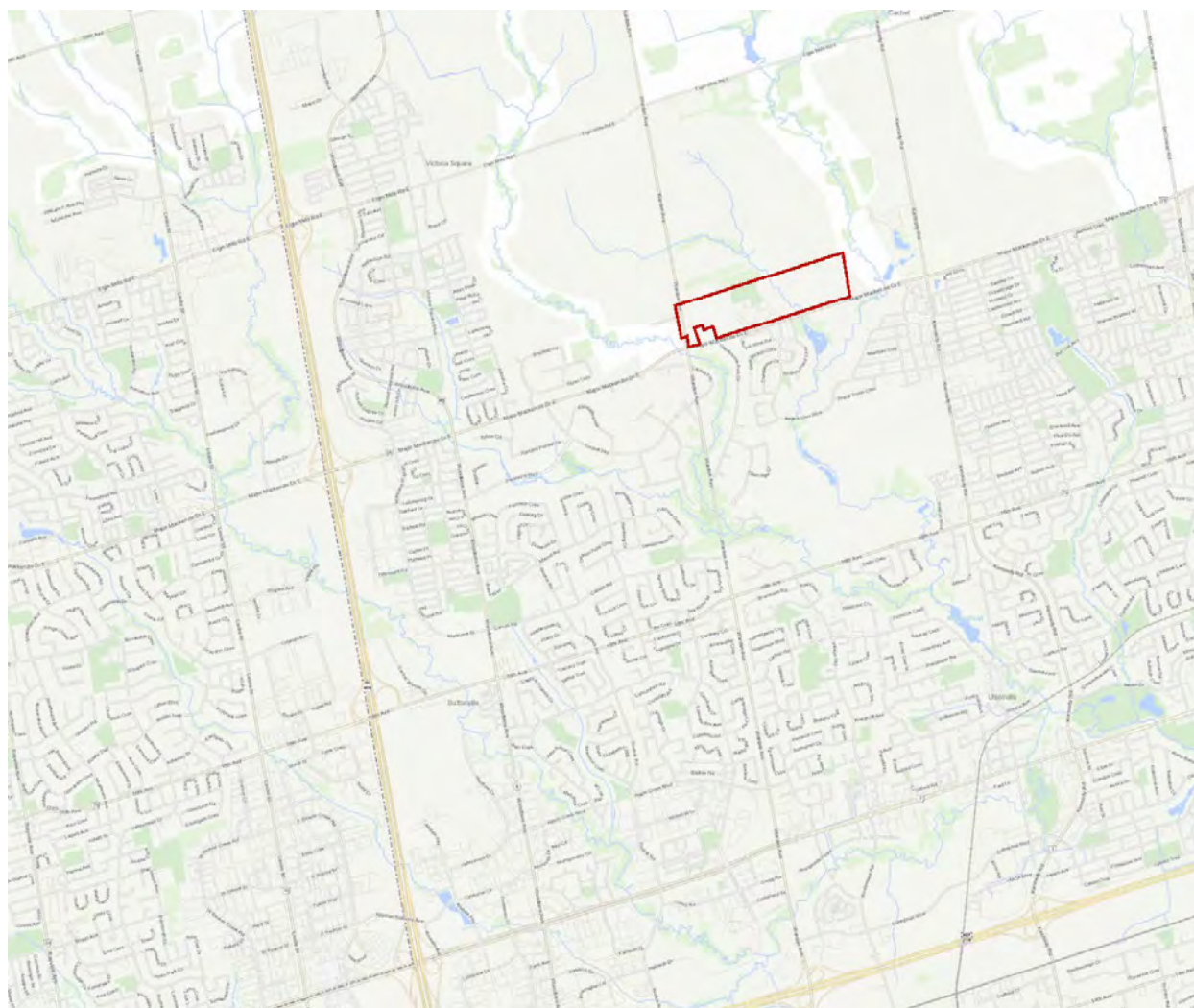


Figure 1: Location of 4638 Major Mackenzie Drive East



Figure 2: 4638 Major Mackenzie Drive East, current conditions

3.1 Background Research and Analysis

The subject property comprises part of Lot 21, Concession 6, Markham Township in the historic Township of York, now within the City of Markham.

In 1792, Markham Township was laid out by surveyors and named after archbishop of York, Rev. William Markham.¹⁶ The original survey laid out the area in ten concessions, one-and-one-quarter miles apart, running north and south from Yonge Street to Pickering Town Line. The area was originally settled by William Berczy who in 1794, brought a small group of settlers to Markham Township. By 1828, a post office had been opened in Markham with mail arriving three times a week from York.¹⁷

¹⁶ Alan Rayburn. *Place Names of Ontario*. Toronto: University of Toronto Press. 1997.

¹⁷ Mary Byers, Jan Kennedy and Margaret McBurney. *Rural Roots: Pre-Confederation Buildings of the York Region of Ontario*. 1976.

In 1846, William H. Smith's Canadian Gazetteer described the area as follows:

[Markham] is the second township in the province, in point of cultivation and amount of ratable property. It is well settled, and contains many excellent and well cultivated farms. The land is generally rolling and the timber a mixture of hardwood and pine. The village of Markham is situated in the south-east of the township; and the villages of Richmond Hill and Thornhill are partly in the township being situated on the Yonge Street Road. There are eleven grist and twenty-four saw mills in the township. Population in 1842, 5,698. Ratable property in the township, £86,577.

When York Region was established in 1969, Markham Township was annexed and came to form the Town of Markham.¹⁸

3.1.1 4638 Major Mackenzie Drive East

The Crown patent for Lot 21, Concession 6 was granted to George Pingle¹⁹ in June 1804.²⁰ George was the oldest son of Joachim²¹ and Anna Pingle; who were among the Berczy settlers. The following year, George's father, Joachim, was granted the Crown patent for the neighbouring Lot 22. Lots in the vicinity of the subject property were settled by the Pingle family as early as 1798 when the Berczy census lists: Joachim Pingle as occupying Lot 22, Concession 5; John Henry Pingle in Lot 22, Concession 6; Henry Pingle in Lot 25, Concession 3; and, George Pingle in Lot 21, Concession 5 (Figure 3).

¹⁸ Alan Rayburn. *Place Names of Ontario*. Toronto: University of Toronto Press. 1997.

¹⁹ Sometimes 'Pingel'.

²⁰ Land Registry Office #65, York Region. Land Title Abstracts. Markham Township, Lot 21, Concession 6.

²¹ Sometimes 'Jacob'

from the month of June 1794 till March 1798.

Men from 16 years and under 50 years of age.			Men from 16 years and under 50 years of age.			Men from 50 years and above 50 years.		
	Concessions	Lots		Concessions	Lots		Concessions	Lots
1 Francis Brumstedt.	1	26	34 John Gottlieb Wichur.	4	17	8 George Foremer.	5	24
2 Nicholas Henry Halmer.	1	21	35 Frederic Busch.	4	14	9 John Nicholas Stephens.	4	22
3 Joachim Lunau.	1	14	36 William Busch.	4	13	10 Marcus Rumohr.	4	16
4 Melchior Luantr.	1	13	37 Charles Henry Vogel.	4	7	11 Joachim Pinael.	5	22
5 Peter Pining.	1	10	38 Nicholas Hagemann.	4	6	12 Charles Fred. Cornelius.	5	18
6 Joh Grotmann.	1	8	39 Dederic Barse.	5	26	13 Christopher Spausaus.	5	13
7 Niels Holms.	1	7	40 Henry John Sommerfeldt.	5	23	14 Sophia Tempel & Children.	2	18
8 Jacob Ebers.	2	23	41 John Henkens.	5	25	15 George Sigmund Liebrich.	4	10
9 John Boys.	2	22	42 George Pingel.	5	21	Minister.	4	10
10 Peter Holst.	2	20	43 William Neuschultz.	5	19	Men who died since they arrived in the Province and left children or heirs.		
11 Henry Christian Philippsen.	2	19	44 F. U. Emile Westphalen.	5	17			
12 Peter Ernst.	2	17	45 John Rumohr.	5	15			
13 John Charles Ritter.	2	16	46 John Henry Bauer.	5	14			
14 Francis Schmidt.	2	14	47 Engelhard Helmke.	5	8	1 Peter Buckendahl.	1	18
15 John Ulsen.	2	13	48 Pavel Henry Philippsen.	5	7	2 John Schmeltzer.	1	22
16 George Henry Langhorst.	2	12	49 Philipp Eckhardt.	5	5	3 John Dietzmann.	2	24
17 John Machefsky.	2	10	50 Peter Justus Philippsen.	5	4	4 Frederic Koepke.	2	7
18 Jacob Meisner.	3	23	51 John Henry Pingel.	6	22	5 John Hagemann.	4	6

Figure 3: Detail of Berczy Census from 1798 (Berczy, 1798).

In March 1844, the property was transferred – through George Pingle's will²² – to Jacob Pingle.²³

The 1851 census indicates that Jacob and his family were living in a two-storey log house²⁴ on the property – at the time, Jacob is listed as 33 years of age. The agricultural census of 1851 indicates that a full 150 acres of the 200-acre lot were under cultivation.

Tremaine's 1860 map of York County indicates that lot 21 was owned by Jacob Pingle Sr. – likely to distinguish ownership from that of parts of Lots 22 and 24, Concession 6 from Jacob Pingle "Jr.". In addition to Schoolhouse No. 12 in the southwest corner of the lot, a structure, likely a farmhouse is shown south of the location of the extant farmhouse at 4638 Major Mackenzie Drive East (Figure 4).

A map included in the 1861 census return provides further detail regarding the schoolhouse in the southwest corner of Lot 21 as well as an indication of the condition of surrounding roads (Figure 5). Present-day Major Mackenzie Drive is described simply as "Side Line between Lots No 20 and 21, 5th and 6th Concessions"; whereas, additional description is provided for present-

²² George Pingle died in 1852; however, his will was dated 1844 and Jacob Henry Pingle appears to have already been occupying the subject property by this time.

²³ LRO #65.

²⁴ This is likely the archaeological site AIGt-622, a Euro-Canadian homestead dating to the early 19th century.

day Kennedy Road and Elgin Mills Road suggesting their prominence as transportation routes. Elgin Mills Road is described as follows, “Markham & Elgin Mills Plank road, this road is in the worst possible state of repair, and no funds to [illegible] it”, whereas, Kennedy Road is described as, “Sixth Concession Line, this line is a good turnpike road, good bridges all through” (Figure 4). Public and institutional buildings along the latter road support its prominence over present-day Major Mackenzie as a historic transportation route. This information, coupled with the 1878 atlas map of Markham Township, suggest that the primary access to the farmstead was from present-day Kennedy Road (Figure 4).

Although the exact date of construction is unclear, by the time of the 1861 census, the two-storey log house on Lot 21 had been replaced by a one-storey brick residence large enough for Jacob Pingle, his wife Henrietta (née Spies), and their two living daughters, Mercilla²⁵ and Allace²⁶. The census indicates that the structure was “vacant” (although not under construction) suggesting that the brick structure may have been very recently completed and the family had not yet moved out of the earlier residence.

The 1871 Directory for the County of York lists Jacob Pingle²⁷ as a farmer residing in the west part of Lot 21, Concession 6.²⁸ The census returns from that year list Jacob, his wife Henrietta and their two daughters were living with Jacob’s mother, Martha.²⁹ It is unclear when the Pingle’s left this farmstead; however, it appears to have been in the mid-1870s³⁰.

The 1881 Directory lists James and William Harper as tenants on Lot 21, Concession 6.³¹

In 1888 Henrietta (Jacob’s widow) is listed in the Hamilton City Directory. It is likely that she was living with her youngest daughter, Alice, who had married a physician, Alexander Robinson, in July 1882. At the time of the marriage, Dr. Robinson was residing in Hamilton.³² In 1891 and

²⁵ Sometimes “Nellie”.

²⁶ Sometimes Alice.

²⁷ Spelled ‘Pringle’ in the Directory.

²⁸ McEvoy & Co., Publishers. *County of York Gazetteer and Directory for 1870-1871 including a full business directory of the City of Toronto*. 1870: p. 67. Accessed via Toronto Public Library at <https://www.torontopubliclibrary.ca/detail.jsp?Entt=RDMDc-37131055373351D&R=DC-37131055373351D&searchPageType=vrl>.

²⁹ LAC, *Census of Canada, 1871*; Census Place: Markham, York East, Ontario; Roll: C-9969; Page: 53; Family No: 211

³⁰ Jacob Pingle died in September 1878; however, the Register of Deaths records that he had been suffering from an illness for “several years”. His place of death appears to have been Markham, so it is possible that they stayed at the farm during this time.

³¹ W.H. Irwin & Co., *County of York Gazetteer and Director, 1881*: p. 76. Accessed via TPL at <https://static.torontopubliclibrary.ca/da/pdfs/37131055468649d.pdf>

³² AOO, 1883.

(footnote continued)

1901 Henrietta was listed in the Toronto (St. James Ward) nominal census. She was living with her eldest daughter, Marcella 'Nellie' McKay³³; herself a widow. It appears as though Alice and Alexander Robinson's children were also living with the two.³⁴

The subject property was occupied by tenant farmers, such as the Harpers, until – and likely following – the sale of the property by Mercilla in 1905³⁵ – following the deaths of both Henrietta and Alice. The property was purchased by George Reesor and Henry Arnold in 1907 and 1910, respectively. The addition of the second storey likely occurred under Arnold's ownership as the value of the property appears to have risen from \$3,200 in 1907 to \$10,800 when purchased by Edward Bewell in 1912.³⁶ A one-storey frame addition on the east of the brick structure may have also been constructed at this time (Figure 6).

The 1921 Census lists Edward Bewell, a farmer, living in a six-room brick house with his wife, Margaret, and adult children Robert, Cora, Mary, and Harriet.³⁷ The Bewell's sold the property to Percy Arnold in 1922.³⁸

In 1937, the subject property was purchased by Frank and Ila Brown.³⁹ In addition to several changes to the structures on the property, the Browns also sold smaller residential lots in the southwest corner of the lot, fronting Major Mackenzie Drive East, in the 1960s.⁴⁰ The expansion, of the residence occurred during the Brown's ownership. It is possible that some of the most extensive expansion took place around 1944 and 1954, when the Brown's took out mortgages on the property. Air photos from 1954 and 1970 suggest that the removal of the one-storey frame addition along the east and widening of the two-storey brick structure may have taken place before the 1954 air photo was recorded (Figure 7). The one-storey L-shaped attached garage addition was constructed sometime between 1970 and 1978. The outbuildings and farmyard were also altered during this period; however, as discussed in Section 3.2, little of the farmscape and outbuilding complex remain today. The property is currently owned by Major Kennedy South Developments Limited.

³³ Mercilla 'Nellie' Pingle married Scottish physician Alexander McKay of Beaverton in 1882 (AOO, 1883).

³⁴ Year: 1891; Census Place: St James Ward, Toronto City, Ontario; Roll: T-6371; Family No: 106.

³⁵ LRO #65.

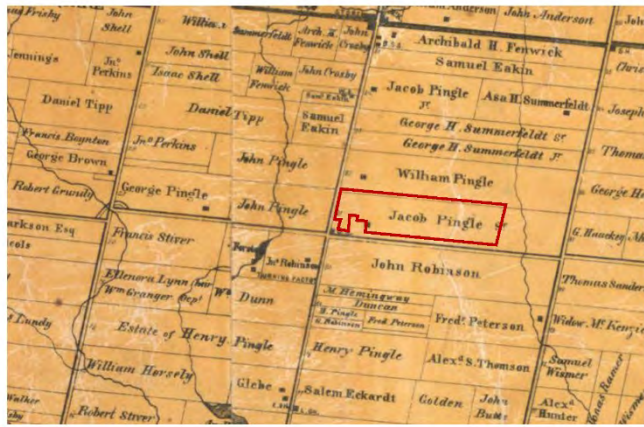
³⁶ LRO #65.

³⁷ LAC, *Sixth Census of Canada, 1921*. Reference Number: RG 31; Folder Number: 100; Census Place: Markham (Township), York South, Ontario; Page Number: 6.

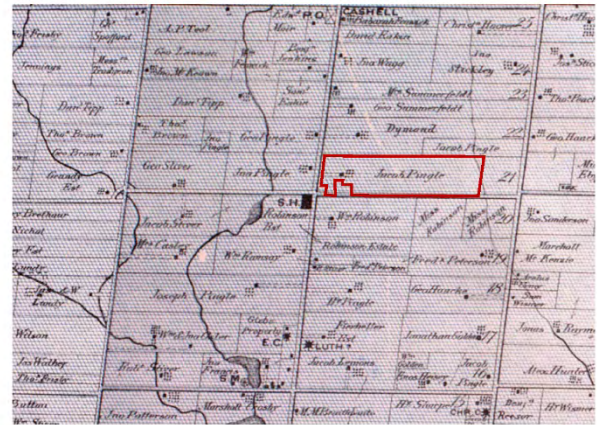
³⁸ LRO #65.

³⁹ Ibid.

⁴⁰ Ibid.



1860



1878



1954



1970



1988



2018

Figure 4: Property Morphology



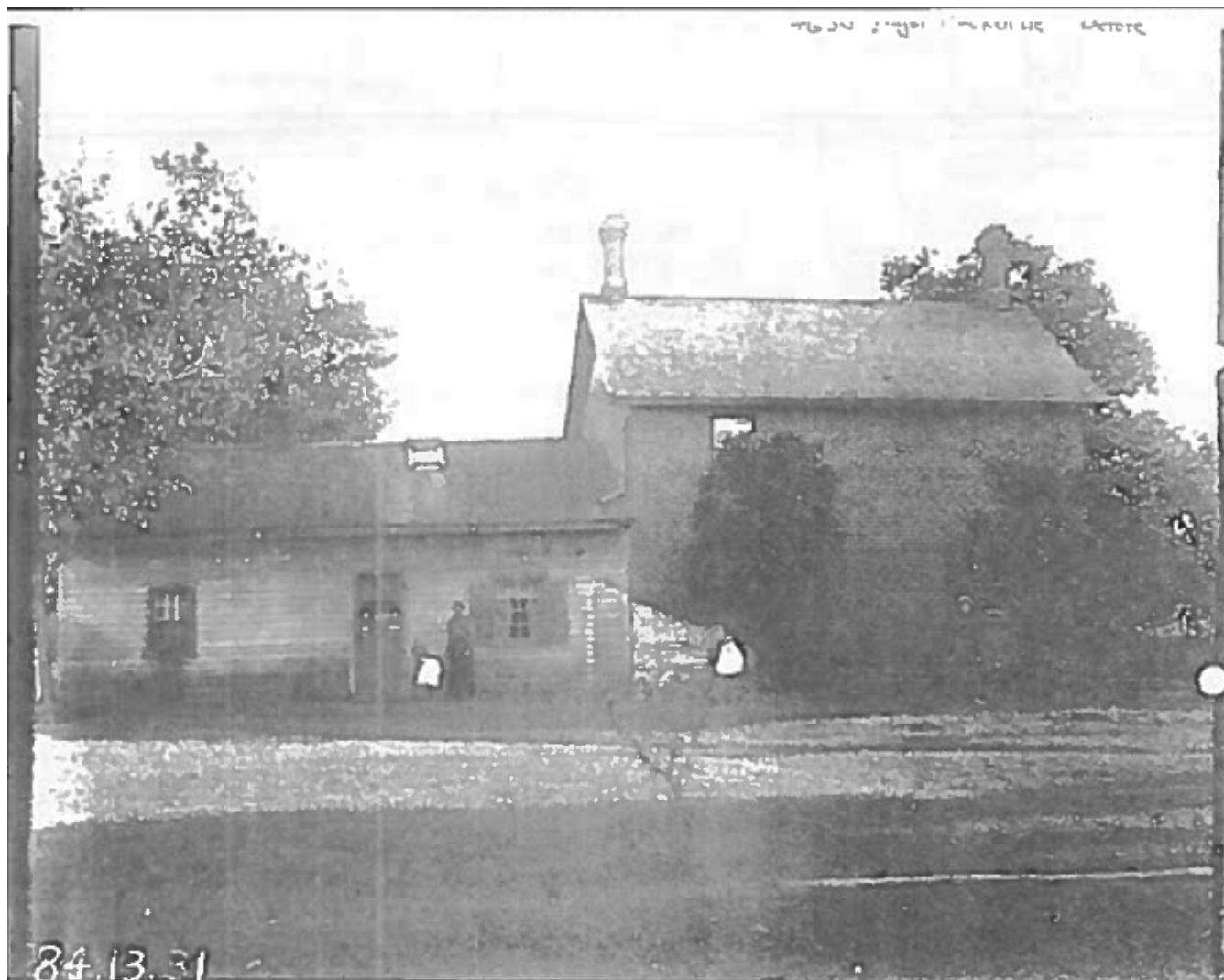


Figure 6: Circa 1900-1910 photograph of the subject property (M1984.13.31 Markham Museum).



1954



1970



1978



1988

Figure 7: Morphology of Farm Yard

3.2 Existing Conditions

The extant residence at 4638 Major Mackenzie Drive East is a two-storey brick dwelling clad in stucco. The residence was constructed on a roughly rectangular plan in at least three phases (c.1860, c.1910, and c.1940s). The extant one-storey, L-shaped frame addition was constructed on the east side of the residence in the 1970s.

The extant structure is a mélange of vernacular forms, styles and techniques and is the result of multiple periods of expansion and remodeling (see Photo 1 to Photo 4). The core of the residence presents as a vernacular, three-bay, centre hall plan residence. The 20th century addition to the structure is situated on the east side of the structure, off-setting the characteristic symmetry of the centre hall plan cottage-style architecture of the original c.1860 brick structure and c.1900-1910 second floor addition. Although the entire structure has been clad in stucco, cracks belie its brick construction (Photo 5). Brick clad, concrete block foundations are visible beneath the stucco at the east end of the building, while sections of stone foundations are visible along the west (Photo 6 and Photo 7). Chimneys at either end of the three-bay version of the structure have been replaced with a single brick chimney near the west end of the rear elevation (Photo 3).

On the ground floor, the c.1860 portion of the structure currently comprises the living room and hall (Figure 8). Presumably the kitchen would have been situated in the one-storey frame structure shown in the c.1900-1910 photograph; however, the original layout of the one-storey brick structure is not possible to discern as a result of extensive remodeling. Casings and glazings of openings all appear to date to the early- to mid-20th century. Interior finishes, such as flooring, baseboards, and radiators are all consistent with early- to mid-20th century residential fixture – although the fireplace surrounds in the first floor living room and second floor master bedroom are notable for their art deco design (Photo 8).

On the second floor, the three bedrooms towards the west of the structure likely date to the turn of the century construction of the second floor and their configuration would suggest that the current location of the stairs is original to the construction of the second floor (Figure 9).

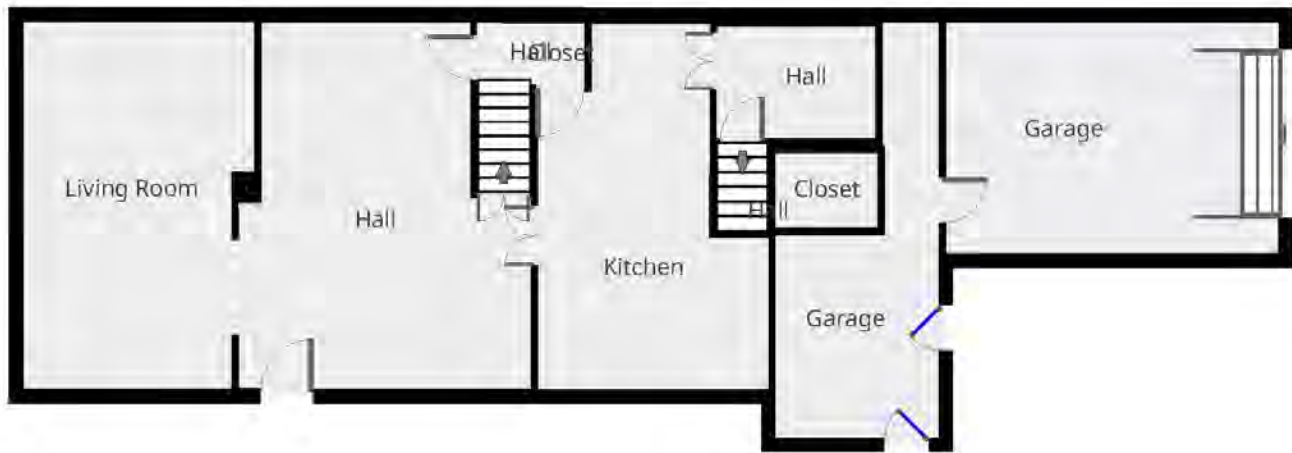


Figure 8: Ground Floor Plan (not to scale)

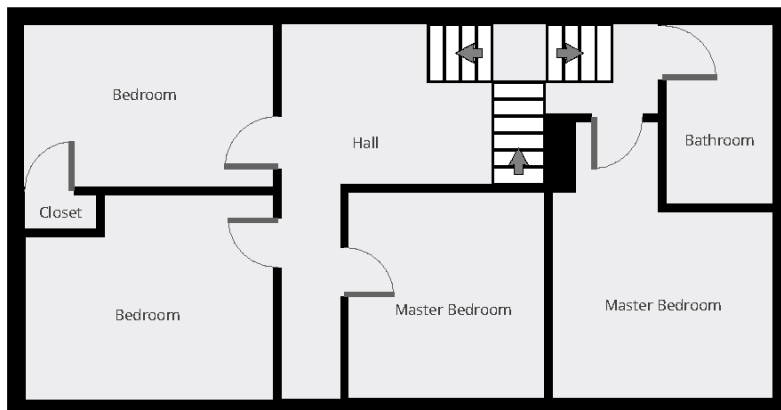


Figure 9: Second Floor Plan (not to scale)



Photo 1: 4638 Major Mackenzie Drive East, front elevation facing north



Photo 2: 4638 Major Mackenzie Drive East, front elevation looking northwest



Photo 3: 4638 Major Mackenzie Drive East, west and north (rear) elevations



Photo 4: 4638 Major Mackenzie Drive East, east and north (rear) elevations



Photo 5: Detail of visible brick structure below cracking stucco



Photo 6: Detail of foundation stones along west elevation



Photo 7: Detail of foundations, near southeast corner of structure

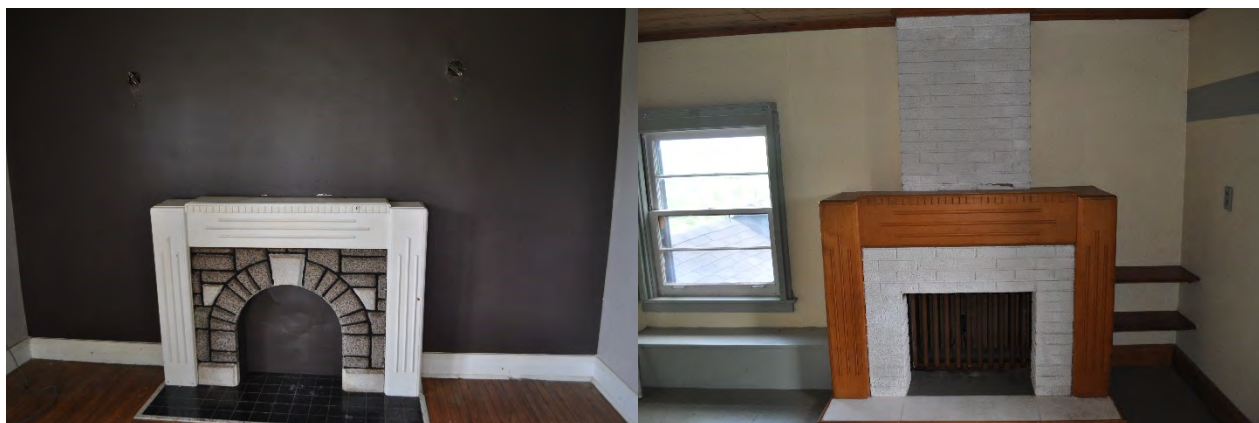


Photo 8: Fireplaces, first floor (left), second floor (right)

3.2.1 Designated Substances Survey

In February 2018, AEOC Group Inc. prepared a survey of designated substances at the subject property. The report is included as Appendix C. The report made the following observations:

Asbestos

- Laboratory analysis confirms the presence of asbestos in some of the samples collected.
 - Textured ceiling on main floor- Type 3
 - Main floor and 2nd floor textured lath & plaster - Type 3
- Laboratory analysis confirms that the drywall compound that was sampled came back with no ACM present.

Lead

- Old paints are known to contain lead and mercury, which are Designated Substances under the *Ontario Occupational Health and Safety Act*, Section 30

Mercury

- Mercury vapour is present in all fluorescent lamps.

Silica

- Free crystalline silica (common construction sand) can be found in abrasives, concrete, filter aids, masonry materials (grouts, mortar, bricks, etc.), ceramics, paints, plaster and drywall/drywall joint compound.

Polychlorinated Biphenyls (PCBs)

- Light ballasts are present in fluorescent and HID light fixtures. It is assumed in a building built prior to 1979, that some of the light ballasts will contain PCB's if the building has not been re-lamped and all ballast replaced.

The following notable recommendations were made:

Asbestos-containing materials (ACM) that may be disturbed during the project must be removed prior to any renovation, demolition etc. Regardless of proposed construction work, damaged Asbestos-containing materials (ACM) must be repaired or removed in order to comply with current Regulations (O. Reg. 278/05) and MOL field practice.

Construction disturbance of lead-containing products may result in exposure to lead. Cutting, grinding, drilling, removing, stripping or demolition of materials containing or coated with lead should be completed only with proper respiratory protection and other worker safety precautions as outlined in the Ministry of Labour Guideline – Lead on Construction / Home Repairs & Renovations Projects, 2011.

Do not break lamps or separate liquid mercury from components. Mercury-containing materials and lamps should be recycled to reclaim the mercury. Disposal in significant quantities would require mercury-containing materials to be disposed of as hazardous waste.

Construction disturbance of silica-containing products may result in excessive exposure to airborne silica, especially if performed indoors and dry. Cutting, grinding, drilling or demolition of materials containing silica should be completed only with proper respiratory protection and other worker safety precautions as outlined in the Ministry of Labour Guideline – Silica on Construction Projects, 2011.

A full list of recommendations for the remediation of all of the identified designated substances is included in Appendix C of this report

4 Evaluation of Cultural Heritage Value or Interest

The property at 4638 Major Mackenzie Drive East was evaluated against criteria outlined under *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act*. A summary of the evaluation is provided in Table 1.

Table 1: Evaluation of Property, Ontario Regulation 9/06 Criteria

O.Reg. 9/06 Criteria	Criteria Met (Y/N)	Justification
The property has design value or physical value because it,		
i. is a rare, unique, representative or early example of a style, type, expression, material, or construction method,	N	The subject property is a mélange of a number of vernacular forms, styles, materials, and construction methods. Extensive remodeling undertaken by the Browns in the mid-20 th century significantly altered, and largely removed, the legibility of earlier components. The resulting 20 th century stucco-clad vernacular farmhouse is not representative of a specific style, period, expression or method.
ii. displays a high degree of craftsmanship or artistic merit, or	N	The residence at 4638 Major Mackenzie does not display a high degree of craftsmanship or artistic merit.
iii. demonstrates a high degree of technical or scientific achievement.	N	The modest design, decoration, and methods of construction that remain are consistent with their dates of construction. The property does not meet this criterion.
The property has historical value or associative value because it,		
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	N	Although the property was one of several owned by the Pingle family in the very early 19 th century, what might remain of the c.1860 portion of the extant farmhouse is not directly associated with the early settlement of Markham. Joseph H. Pingle, although a descendent of the Pingle family, does not appear to have played a significant role in the development of the community. The Browns, with whom the extant farmhouse is most directly associated, do not appear to satisfy this criterion.
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	unknown	The extent to which the structure has the potential to yield information about mid-19 th century brick construction in Markham is unclear. The structure was significantly altered in the early and mid-20 th century

O.Reg.9/06 Criteria	Criteria Met (Y/N)	Justification
		and – although some of the exterior brick walls are extant below the stucco cladding, their condition and ability to convey information regarding materials and construction methods is unclear. Attempts to record this information would likely be intrusive, if not destructive.
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	N	The builder/designer is unknown. The property does not meet this criterion.
The property has contextual value because it,		
i. is important in defining, maintaining or supporting the character of an area,	N	The subject property comprises only the former farmhouse, which on its own, does not define the rural character of its surrounding area.
ii. is physically, functionally, visually or historically linked to its surroundings, or	N	The property at 4638 Major Mackenzie Drive East is not physically, functionally, visually, or historically linked to its surroundings.
iii. is a landmark.	N	4638 Major Mackenzie Drive East is not a landmark and does not meet this criterion.

4.1 Findings

Based on the review of background materials and review of the property's design and physical condition, the property at 4638 Major Mackenzie Drive East does not appear to satisfy the criteria outlined under *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act* (O.Reg.9/06). A summary of the evaluation is provided in Table 1. Although a portion of the structure appears to date to c.1860, in its current state, the property is legible as a mid-20th century vernacular residence. Furthermore, the current condition of the structure poses a number of concerns related to human health, and safety. The Designated Substances Survey (Appendix C) identified a number of remediation requirements should the proponent wish to undertake work to uncover remains of the c.1860 brick structure.

5 Description of the Proposed Development or Site Alteration

This CHIA has been prepared in order to assess potential adverse impacts on the cultural heritage value or interest and heritage attributes of development of the property located at 4638 Major Mackenzie Drive East. In particular, the potential impacts related to demolition of the residence have been considered.

It is the professional opinion of the author, that the demolition of the residential building at 4638 Major Mackenzie Drive East would result in an irreversible impact to the c.1860 portion of the structure and its potential heritage attributes; however, strategies and options to mitigate this impact are outlined in Section 6 and 7.

6 Mitigation Options, Conservation Methods, and Proposed Alternatives

6.1 Considered Alternatives

6.1.1 Retention or Relocation

As a general best practice for heritage conservation, minimal intervention should be the guiding principle for all work.

This alternative essentially sees the retention of the residential structure in situ with a focus on conserving the identified heritage attributes. Retention is generally the preferred alternative with respect to structures of cultural heritage value or interest (CHVI), in the absence of other factors.

Evaluation of the retention option generally includes consideration of the physical limitations for incorporating the former residence into any proposed new development. This includes issues related to structural integrity, Building Code Compliance, and possible Designated Substances.

Given that the potential CHVI of this structure is related to the potential for the remaining one-storey c.1860 brick structure, this alternative would require significant intervention. Furthermore, no archival information remains to guide this work, and it is unlikely that the structure could be retained in a form that would adequately and legibly conserve the CHVI of the brick structure without significant reconstruction and conjecture.

6.1.2 Deconstruction and Documentation

Salvage and documentation is preferred to demolition and disposal of materials in landfill. This option allows for the thoughtful demolition of cultural heritage resources on the property, ensuring that remnant structural components associated with the c.1860 century brick structure can be recorded. It also allows for the salvage of materials, such as the art deco fire place surrounds.

Markham's OP identifies the following requirements where a significant cultural heritage resource is to be demolished (one or more may be required, where appropriate):

- a) documentation of the features that will be lost in the form of a photographic record and/or measured drawings;
- b) advertising the availability of the resource for salvage or relocation;
- c) preservation and display of components or fragments of the former resource's features or landscaping;
- d) marking the traces of former locations, shapes and circulation lines; and
- e) displaying graphic and textual descriptions of the site's history and former use, buildings and structures.

Although Markham does not have specific guidance for the preparation of a Deconstruction and Documentation Report package, other Ontario municipalities provide some policy precedence, such as the City of Hamilton's 2013 guidance document, *Cultural Heritage Assessment Guidelines: Documentation and Salvage Report*.

Given that the property's CHVI is related to its potential to yield information about mid-19th century brick construction in the area, this alternative is recommended as the preferred conservation strategy and may provide a wealth of information on the methods and materials used in this type of construction.

It should be noted that the presence of designated substances may preclude this alternative.

6.2 Mitigation Strategies

Although the deconstruction and documentation of the structure does not fully mitigate the loss of the existing structure, it does provide an opportunity to confirm the extent of remnant mid-19th century construction materials and to record evidence of construction materials and methods. This process also results in a documentation package that can be deposited with the municipality and local archives.

7 Recommended Conservation Strategy

Based on the results of background research and the site visit, the evaluation of CHVI determined that the property's cultural heritage value is limited to its potential to yield information on mid-19th century brick construction; however, the attributes associated with this potential to yield information are not readily visible or discernable as a result of extensive intervention and remodeling.

It is the author's professional opinion that demolition of the structure should be undertaken in a manner which would allow for the identification of portions of the early or original construction and that any remaining early brick construction be recorded. Copies of the documentation should be deposited with the municipality and local archives.

8 Closure

This report has been prepared by This Land Archaeology Inc. on behalf of Major Kennedy South Developments Limited. Any use of this report by a third party is the responsibility of said third party.

We trust that this report satisfies your current needs. Please contact the undersigned should you require any clarification or if additional information is identified that might have an influence on the findings of this report.



Christienne Uchiyama, M.A., CAHP

Heritage Consultant

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Ontario Heritage Act Ontario Regulation 10/06: Criteria for Determining Cultural Heritage Value or Interest of Provincial Significance under Ontario Heritage Act, R.S.O. 1990, c. O.18.

Appendix A: Author Qualifications

Christienne Uchiyama, M.A., CAHP is an Associate with This Land Archaeology. She is also Principal and Manager of Heritage Consulting Services at Letourneau Heritage Consulting Inc. and currently sits on the Board of Directors for the Canadian Association of Heritage Professionals. Ms. Uchiyama is a heritage consultant with over a decade of experience in the research and assessment of cultural heritage resources in Ontario. She is a member of the Canadian Association of Heritage Professionals and graduated from the Heritage Conservation Masters program at Carleton University. Her thesis focused on the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment. Since 2003 she has provided cultural heritage planning advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario. Her specialties include the development of Cultural Heritage Evaluation Reports and Heritage Impact Assessments.

Ms. Uchiyama has written or co-authored more than 100 technical cultural heritage reports, including archaeological license reports, collections management materials, inventories, cultural heritage evaluation reports, heritage impact assessments, and cultural heritage landscapes policy documents. Throughout the course of these projects, she has developed a thorough understanding of provincial evaluation and assessment methodologies, cultural landscapes, provincial regulatory processes, historical research, and archaeology. Ms. Uchiyama has a great deal of experience undertaking Cultural Heritage Evaluations under both O.Reg.9/06 and 10/06. She has prepared Statements of Cultural Heritage Value or Interest for dozens of properties.

Appendix B: City of Markham, Research Report and Staff Report to Heritage Markham Committee (2018)

RESEARCH REPORT



Pingle-Brown Farmhouse

Lot 21, Concession 6

4638 Major Mackenzie Drive

c.1855; Enlarged and Remodeled c.1940

Historical Background:

This two storey vernacular farmhouse is located on the west part of Markham Township Lot 21, Concession 6. George Pingle, the eldest son of the Berczy settler family of Joachim and Anna Margaretha Pingle, received the Crown patent for the full 200 acres of this lot in 1804. His father received the Crown patent for Lot 22, Concession 6, the next property to the north, in 1805. The Berczy settlers were a group of German immigrants who are considered to be the founders of Markham. They arrived here in 1794 under the leadership of William Berczy, an artist and entrepreneur.

George Pingle (1770-1852) married Maria Koepke (c.1785-1873) and raised a family on Lot 21, Concession 6. One of their sons, Jacob Henry Pingle (1817-1878), inherited the family farm after his father's death in 1852. Jacob Henry Pingle's first wife was Martha (1779-c.1847). In 1847 he remarried, his second wife being Henrietta Speas (1823-1902). According to the 1851 census, by that time George Pingle was no longer listed as residing on the property. His son, Jacob Henry Pingle and his family were farming Lot 21, Concession 6, residing in a two storey log house.

An early schoolhouse was located at the south-west corner of the Pingle farm at least as early as 1855. It was a log building that served School Section No. 11, known as the Colty Corners School after the crossroads community of that name. In 1864, a new brick schoolhouse was built on the opposite corner to replace it.

A new farmhouse had been constructed on the property by the time of the 1861 census. The Pingle residence was described as a one storey brick dwelling. There were two daughters in the family, Marcella and Alice. One of the teachers in the local school, Mary Patterson, boarded with the Pingles. By 1871, with no sons to take over the farm, Jacob and Henrietta Pingle had moved and rented their property to tenant farmers. According to the 1871 census, Clement Casely resided there. In the both the 1881 and 1891 census returns, the property was tenanted by James Harper. In 1891, the residence was described as a one storey brick dwelling containing four rooms.

Jacob Henry Pingle died in 1878. His widow, Henrietta relocated to Toronto where she lived with Marcella Nellie McKay, one of her daughters, also a widow. In 1907, the farm was sold out of the Pingle family's ownership after a century.

In the early 20th century, the former Pingle farm had a series of owners. One of these, either George Reesor (owner from 1907-1910), Henry Arnold (owner from 1901-1912) or Edward Bewell (owner from 1912-1922) raised the one storey brick dwelling to two storeys.

The next major period of change for the house at 4638 Major Mackenze Drive East occurred under the ownership of Frank and Ila (Hastings) Brown, who purchased the property in 1937. Both Frank and Ila Brown were from Scarborough Township. They expanded and remodeled the farmhouse on the property into the form it has today. They also re-built the barn after it burned shortly after they moved to the farm. The Brown family owned the property until recent times. The owner in 2017 was Major Kennedy South Developments.

Architectural Description and Stylistic Analysis:

The farmhouse at 4638 Major Mackenzie Drive was originally accessed by a lane on the east side of Kennedy Road. The front of the building may have once faced west. When the Brown family purchased the farm in 1937, they undertook extensive renovations, extending the building in the same form, enlarging window openings, and applying stucco over the brick. The driveway was changed to its current orientation. It is not known if all the changes happened to the farmstead at about the same time. They may have occurred as a process over several years.

In its current form, the Pingle-Brown farmhouse is a representative example of an evolved building, containing at least three periods of development: the original one storey brick dwelling dating from c.1855, the second storey dating from c.1910, and the expansion and remodeling

dating from c.1940. The Pingle-Brown farmhouse is a simple vernacular building suited to its rural setting. Stylistically, the gable-roofed canopy over the front door has a touch of Tudor Revival design, and the general character of the stucco-clad dwelling is reminiscent of some of the designs promoted in the *Craftsman* magazine of the early 1900s.

The main block of the building is two storeys in height, has an elongated rectangular plan, and a medium-pitched gable roof. There is a frame wing/garage on the east end of the building, and a glassed-in room projecting from the front wall of the frame wing, adjacent to the main block. The south façade has an asymmetrical but ordered placement of openings. Window glazing is 2 over 2 single hung sash with the muntin bars running horizontally, a design detail representative of the 1930s – 1940s period when vestiges of the Art Deco style persisted as elements of modern design. Overall, the Pingle-Brown farmhouse retains much of its c.1940 character. The earlier phases of the building are not readily apparent due to the extent of renovations and stucco cladding, which creates a singular design statement.

Context:

The Pingle-Brown farmhouse is one of several rural residences remaining in the area, some of which also are associated with the Pingle family. The building reflects the agricultural community that has existed in this part of Markham for generations but is now in the process of being transformed from rural to urban.

G. Duncan, February 2018, with historical research by Su Murdoch Historical Consulting (see research report, attached).

Appendix C: Designated Substances Survey Report



AEOC Group Inc.

PO BOX 585
Bradford ON L3Z 2B1

Tel – Toronto – 416-985-5025
Tel – Ottawa – 613-898-5025

DESIGNATED SUBSTANCE SURVEY REPORT



ISSUED TO: Major Kennedy South Developments Ltd

LOCATION: 4638 Major Mackenzie Drive East, Markham ON

ISSUING OFFICE: PO BOX 585, Bradford, Ontario, L3Z 2B1

ISSUED ON: February 7, 2018

CONTACT: Real Landriault (416-985-5025)

PROJECT: Designated Substance Survey Report

AEOC Group Project No. 2017-R2451

E-mail: info@aeocgroups.com

E-mail: info@safeasbestosremoval.ca

Web-site: www.asbestosenvironmentalofcanada.ca



Designated Substance Survey Report

4638 Major Mackenzie Drive E.
Markham, ON
L6C 1K6

Project No. 2017 R2451

EXECUTIVE SUMMARY

AEOC Group, a division of Asbestos Environmental of Canada, was retained by **Major Kennedy South Developments Ltd** to conduct a **Designated Substance Survey Report** at the **residential building** located at **4638 Major Mackenzie Drive E, in Markham, Ontario**. Gavin Landriault, Hazardous Materials Consultant was on site on **December 12th, 2017** to conduct the assessment.

Summary of Findings

Asbestos

- **Laboratory analysis confirms the presence of asbestos in some of the samples collected.**
 - **Textured ceiling on main floor- Type 3**
 - **Main floor and 2nd floor textured lath & plaster - Type 3**
- **Laboratory analysis confirms that the drywall compound that was sampled came back with no ACM present.**

Lead

- Old paints are known to contain lead and mercury, which are Designated Substances under the Ontario Occupational Health and Safety Act, Section 30

Mercury

- Mercury vapour is present in all fluorescent lamps.

Silica

- Free crystalline silica (common construction sand) can be found in abrasives, concrete, filter aids, masonry materials (grouts, mortar, bricks, etc.), ceramics, paints, plaster and drywall/drywall joint compound.

Polychlorinated Biphenyls (PCBs)

- Light ballasts are present in fluorescent and HID light fixtures. It is assumed in a building built prior to 1979, that some of the light ballasts will contain PCB's if the building has not been re-lamped and all ballast replaced.

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Project No. 2017 R2451

Issued to: Major Kennedy South Developments Ltd

Issuing Office: PO BOX 585, Bradford, ON, L3Z 2B1

Issued on: February 7, 2018

Contact: Real Landriault (416-985-5025)

Project: Designated Substance Survey Report

AEOC Group Project No. 2017-R2451

INTRODUCTION AND ASSESSMENT

1.1 Introduction

AEOC Group, a division of Asbestos Environmental of Canada, was retained by **Major Kennedy South Developments Ltd** to conduct a **Designated Substance Survey Report** at the **residential building** located at **4638 Major Mackenzie Drive E, Markham Ontario**. Gavin Landriault, Hazardous Materials Consultant was on site on **December 12th, 2017** to conduct the assessment. The report is to identify if there's potential of a **Designated Substance**, in specified areas in the **residential building** as part of the requirements for the planned **demolition**. As part of the scope of work, all areas of concern were inspected. This report presents the findings of the assessment, and recommendations.

The site audit consisted of a visual inspection and samples that were collected from the **residential building** on **December 12th, 2017**. Prior to tendering project work at the **residential building**, the owner must provide this report to the contractors and subcontractors. This report fulfills the requirements of Section 10 of O. Reg. 278/05, **Designated Substance – Asbestos on Construction Projects and Buildings and Repair Operations**. This requires that owners report the presence of both friable and non-friable asbestos to contractors as part of the tendering process or prior to arranging for work.

Asbestos-containing materials (ACM) that may be disturbed during the project must be removed prior to any renovation or demolition etc. Regardless of proposed construction work, damaged Asbestos-containing materials (ACM) must be repaired or removed in order to comply with current Regulations (O. Reg. 278/05) and MOL field practice.

The assessment was performed as a prerequisite to planned **demolition**. This assessment is intended for pre-construction or pre-demolition purposes only, and may not provide sufficient detail for long term management of asbestos-containing materials (ACM) as required in Section 8 (3) of O. /Reg. 278/05.

The assessment was performed to establish any (ACM) Asbestos Containing Materials incorporated in the structure and its finishes.

Asbestos is commonly found in pipe insulations, fabricated materials such as gaskets and floor tiles, wall panels, duct wrapping, wall board joint compounds. These materials are commonly used in buildings constructed from 1920's to 1970's

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1.2 Facility Description

The following provides a basic description of the building systems.

The subject property is a **residential building**. AEOC Group was on site at **4638 Major Mackenzie Drive E, in Markham Ontario** due to planned **demolition** of the above address.

<u>System</u>	<u>Description</u>
Structure	Brick
Exterior Cladding	Wood, Brick
HVAC	Boiler
Roof	Shingles
Flooring	Hardwood, Linoleum, Concrete
Interior Walls	Drywall Plaster, Textured, Lath & Plaster
Ceilings	Lath & Plaster, Textured Ceiling Plaster, Drywall Plaster,

1.3 Scope of Assessment

The assessed area consisted of specified areas of the **residential building**. The assessment was performed to establish the location and type of hazardous building materials incorporated in the structure and its finishes. For the purpose of the assessment and this report, hazardous building materials are defined as those containing the following substances:

The following are a list of Designated Substances acknowledged by the Ontario Ministry of Labour

- Asbestos
- Lead
- Mercury
- Silica (free crystalline silica)

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The investigation did not include an examination for the presence of:

- Polychlorinated Biphenyls (PCBs)
- Mould or microbial contamination (visible growth only)

The following Designated Substances are not typically found in building materials in a composition/state that is hazardous. Therefore, these materials were not addressed in this assessment. Furthermore, the client did not the use of any of the following designated substances in processes:

- Arsenic
- Acrylonitrile
- Benzene
- Coke Oven Emissions
- Ethylene Oxide
- Isocyanates
- Vinyl Chloride (vinyl chloride monomer, not PVC)

2.0 ASSESSMENT METHODOLOGIES AND CRITERIA

2.1 Methodology

The Surveyor started with a visual inspection of the building. He then entered rooms and corridors etc. where access was possible within the extent of the assessed area and inspected for the presence of hazardous building materials. Relevant information was recorded where hazardous building materials were observed, including approximate quantities, locations, condition, sample information and sample locations. The quantities reported are an approximate visual estimate.

2.2 Asbestos

The Surveyor inspected the **residential building** for the presence of friable and non-friable ACM. Typical examples of friable ACM include sprayed fireproofing, acoustic/texture finish, and mechanical insulation. Typical examples of non-friable ACM include asbestos cement sheets or pipes, vinyl floor tiles, vinyl sheet flooring, drywall compound and asbestos textile products. Typical examples of non-friable ACM, which have the potential to become friable during construction, include plaster and acoustic ceiling tiles. See (appendix III).

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2.2.1 Asbestos Sampling Exclusions

A number of materials which might contain asbestos were *not* sampled during our assessment for various reasons.

Reasons for not sampling these materials include:

- Sampling the material may be hazardous to the surveyor (e.g. electrical hazard);
- Sampling the materials may cause consequential damage to the property (e.g. sampling roofing may cause leaks);
- The material is inaccessible without major demolition (e.g. Inside boilers etc.) or;
- The material is present in such an inconsistent fashion that without complete removal of finishes, the extent of ACM cannot be determined (e.g. floor levelling compound).

If present, these materials must be presumed to be asbestos-containing and are best sampled *immediately* prior to commencing renovation.

2.2.2 Asbestos Sampling Strategy and Frequency

Asbestos bulk samples were collected at a rate that was in compliance with the requirements of O.Reg. 278/05. The Regulation identifies the minimum number of samples collected and analyzed (1, 3, 5, or 7 depending on quantity, application and friability) from each homogenous material, in order for the material to be considered non-asbestos. This frequency is indicated in Table 1 of the Regulation (see Appendix 1). A homogeneous material is defined in Regulation 278/05 as one that is uniform in color and texture. The surveyor used information obtained on site by visual examination, available information on the phases of the construction and any information on renovations provided by the client, to determine the extent of each homogeneous area and the number of samples required.

The use of asbestos in drywall joint compound was banned in Canada under the Federal Hazardous Products Act of 1980 but it could possibly contain asbestos as late as 1986 (due to stored material and non-compliance with the ban). Most buildings undergo constant renovation, including the removal and replacement of drywall partitions.

Asbestos cement products and various other non-friable materials (e.g. vibration dampers) were visually identified as ACM where present and where visual identification is reliable.

Ontario was the first Canadian Province to ban the use of friable asbestos (March 1986, O.Reg. 654/85). Of the many non-friable materials, only drywall joint compound has been banned in Canada. Therefore, in theory, all other non-friable materials and surfaces in which asbestos could have been used, should be sampled for total certainty that it is non-asbestos, even to the present day. In practice however, asbestos ceased being used in most materials by manufacturers as a result of asbestos concerns. AEOC is aware of many of the dates that certain materials ceased being manufactured with asbestos. Based on this knowledge, we suggest that sampling of certain material is not required after specific dates and our sampling strategy was based on this knowledge.

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In addition, to be conservative we allow several years past these dates in our strategy. This allows additional time so that stored ACM products would have worked through the supply chain, and allows for some uncertainty in the exact start/finish date of construction and associated usage of ACM. We believe this is a prudent and responsible limitation and that the sampling strategy is appropriate.

2.2.3 Basis of Evaluation and Recommendations regarding ACM

The condition and the potential for disturbance of any ACM observed were evaluated. The evaluation criteria were based on the conclusions of published studies, particularly the “Royal Commissions on Matters of Health and Safety Arising from the Use of Asbestos in Ontario”, existing Ontario regulation, and our experience involving buildings that contain ACM. An ACM was considered damaged if it is sprayed material that is delaminating, mechanical insulations with damaged/missed insulation or jacketing, or non-friable materials that have been pulverized or damaged so that they have become friable.

The priority for remedial action is based not only on the evaluation of condition but is also based on several other factors which include:

- Accessibility or potential for direct contact and disturbance.
- Practicality of repair (for example, where damage to the ACM may continue even if it is repaired).
- Visibility of the material.
- Efficiency of the work (for example, if damaged ACM is being removed in an area, it may be most practical to remove all ACM in the area even if it is in good condition).

Recommendations also include removal of ACM that may be disturbed by any planned renovation or demolition activity known to Asbestos Environmental of Canada.

2.3 Lead

Old paints are known to contain lead and mercury, which are Designated Substances under the Ontario Occupational Health and Safety Act, Section 30. Lead was used in oil based paints as a drying agent and pigmentation. Should lead dust be produced as part of renovation work i.e. by cutting, grinding, or sanding at which a worker is likely to inhale lead over Time-Weighted Average Limit (TWA) of 0.05 mg/m³, appropriate respirators will be required as outlined in Ontario Regulation 490/09.

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2.4 Mercury

Building materials suspected of containing mercury were identified by appearance, age, and knowledge of historic applications. Sampling was not performed. Do not break lamps or separate liquid mercury from components. Mercury - containing materials and lamps should be recycled to reclaim the mercury. Disposal in significant quantities would require mercury-containing materials to be disposed of as hazardous waste.

2.5 Silica

Building materials suspected of containing crystalline silica were identified by knowledge of current and historic applications. Sampling was not performed. Free crystalline silica (common in sand) will likely be present within these materials. Should silica be produced as part of the renovation work at the subject site, i.e. by removal of the block walls or cement concrete, mortar, or brick, at which a worker is likely to inhale Silica over time-weighted average exposure value (TWAEV) of 0.05 mg/m³, an appropriate respirator will be required by the worker as outlined in Ontario Health and Safety Act R.R.O. 1990, Regulation 845 amended to O. Reg. 490/09.

2.6 Polychlorinated Biphenyls (PCBs)

Light ballasts are present in fluorescent and HID light fixtures. Fluorescent light fixtures were not disassembled to examine ballasts during this assessment. It is assumed in a building built prior to 1979, that some of the light ballasts will contain PCB's if the building has not been re-lamped and all ballast replaced.

This assessment is intended for pre-construction or pre-demolition purposes only, and may not provide sufficient detail for long term management of PCB's or to determine end-of-use inventories as required in SOR/2008-273.

2.7 Visible Mould

Visible mould was not identified at the time of inspection. If any mould growth is concealed within wall cavities it was not addressed in this assessment.

2.8 Analytical Methods

Bulk samples collected for asbestos identification were analyzed at EMLab P&K in San Francisco, CA. The analysis was performed in accordance with Test Method EPA/600/R-93/116 and EPA/600/M4-82-020.

The asbestos analysis was completed using a stop positive approach. Only one result of greater than 0.5% asbestos content is required to determine that a material is asbestos-containing, but all samples must be analyzed to conclusively determine that a material is non-asbestos (O.Reg. 278/05). The laboratory stopped analyzing samples from a homogeneous material once greater than 0.5% asbestos was detected in any of the samples of that material. All samples of a homogeneous material were analyzed if no asbestos, or described as containing no asbestos, this is subject to the limitations of the analytical method used, and should be understood to mean no asbestos was detected.

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Analytical results are presented in **Appendix I**.

2.9 Photographs



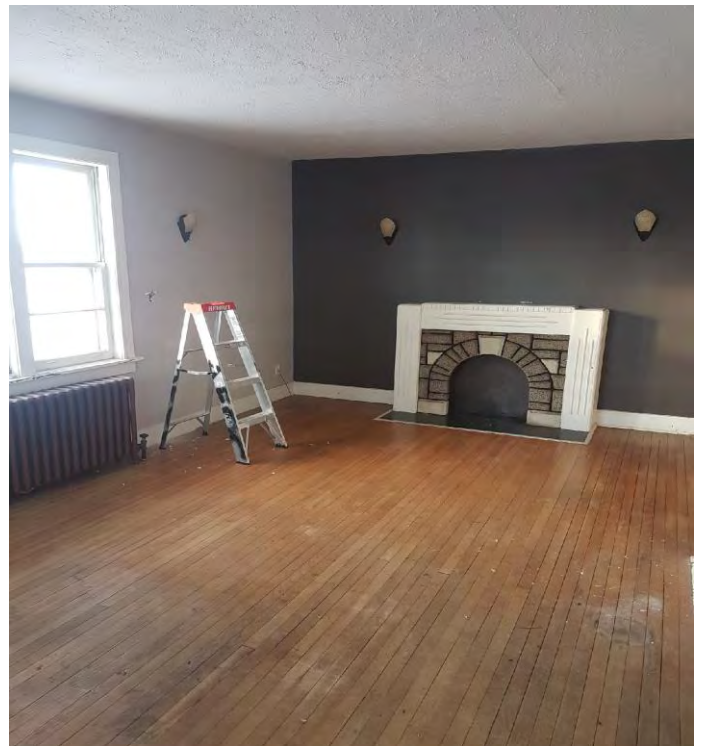
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3.0 FINDINGS

3.1 Asbestos

Representative samples of wall, ceiling, linoleum, and textured ceiling were collected from locations **A, B, C, E and F** from the above **residential building**. Samples were submitted to EMLab P&K for analysis.

- **Based on laboratory test results, asbestos was found in the samples collected from locations C and E.**
 - **Textured ceiling on main floor- Type 3**
 - **Main floor and 2nd floor textured lath & plaster - Type 3**
- **Laboratory analysis confirms that the drywall compound that was sampled came back with no ACM present.**

3.2 Presumed Asbestos-Containing Materials

A number of materials which might contain asbestos were *not* sampled during our assessment. If present, these materials must be presumed to be asbestos-containing and are best sampled *immediately* prior to commencing demolition. Materials presumed to contain asbestos include;

3.3 Lead

See Lead recommendations on page 10

3.4 Mercury

Mercury **was not found or detected** during inspection at the above address, but could however be present.

3.5 Silica

Free of crystalline silica (common construction sand) that could be present in concrete, mortar, brick, masonry, and ceramics at the above address.

3.6 Polychlorinated Biphenyls (PCBs)

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3.7 Visible Mould

- No visible mould was identified at the time of inspection.

4.0 RECOMMENDATIONS

4.1 General

Prior to tendering project work at this building, the owner must provide this report to the contractors and subcontractors. Asbestos-containing materials (ACM) that may be disturbed during the project must be removed prior to any renovation, demolition etc. Regardless of proposed construction work, damaged Asbestos-containing materials (ACM) must be repaired or removed in order to comply with current Regulations (O. Reg. 278/05) and MOL field practice.

The following recommendations set out meet requirements of the Occupational Health and Safety Act. Asbestos recommendations meet the requirements of the Designated Substance – Regulation respecting Asbestos on Construction Projects and in Buildings and Repair Operations, Ontario Regulation 278/05. Based upon the observations of this assessment, Asbestos Environmental of Canada (AEOC) offers the following for your consideration.

4.2 Asbestos

Prior to construction all ACM must be repaired or removed in order to comply with current Regulations (Ontario Regulation 278/05) and MOL field of practice. The following materials require repair or removal.

<u>Material</u>	<u>Location</u>	<u>Recommended Procedures</u>
Textured Ceiling	Main Floor	Type 3 Measures and Procedures.
Textured Lath & Plaster	Main and Second Floor Walls & Ceilings	Type 3 Measures and Procedures

NOTE- All Textured Walls & Ceilings on Main and Second Floors will be Type 3 Set up

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4.3 Lead

Construction disturbance of lead-containing products may result in exposure to lead. Cutting, grinding, drilling, removing, stripping or demolition of materials containing or coated with lead should be completed only with proper respiratory protection and other worker safety precautions as outlined in the Ministry of Labour Guideline – Lead on Construction / Home Repairs & Renovations Projects, 2011. The Ministry has not established a lower limit for concentrations of lead in paint (or other materials) below which precautions do not need to be considered, and will not accept US EPA or HUD limits (0.5% lead) for this purpose. Therefore, the need for precautions and details of worker safety will need to be assessed on a project basis. AEOC Group recommends that the building owner and contractor seek advice to develop a site-specific safety plan (including air monitoring) that considers the various factors that would affect worker exposure to lead from paint and other materials. Performing an exposure assessment during work that disturbs lead - containing coatings may be able to alleviate the use of some of the precautions that are required.

4.4 Mercury

Do not break lamps or separate liquid mercury from components. Mercury-containing materials and lamps should be recycled to reclaim the mercury. Disposal in significant quantities would require mercury-containing materials to be disposed of as hazardous waste.

4.5 Silica

Construction disturbance of silica-containing products may result in excessive exposure to airborne silica, especially if performed indoors and dry. Cutting, grinding, drilling or demolition of materials containing silica should be completed only with proper respiratory protection and other worker safety precautions as outlined in the Ministry of Labour Guideline – Silica on Construction Projects, 2011.

4.6 Mould

If mould is uncovered inside wall cavities during hand demolition, use appropriate precautions as outlined in the AECO (Environmental Abatement Council of Ontario) Mould Abatement Guidelines, Edition 2 (2010).

<u>Material</u>	<u>Location</u>	<u>Recommended Procedures</u>
N/A	N/A	N/A

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5.0 LIMITATIONS

During the expedition of the project, if additional materials are revealed beyond what are described in this report (i.e. materials not identified or materials that are not homogenous to those identified or materials that become revealed during the work), additional testing for asbestos-content should be completed immediately and prior to disturbance of the material. Alternatively, these materials can be assumed to contain asbestos and the appropriate level of asbestos safety precautions must be implemented.

Should work be required in other areas of the building, beyond the area subjected to this assessment, additional site investigations should be completed to assess the presence of Asbestos Containing Materials (ACM).

Details of the above investigation and recommendations are based upon the scope of work understood by AEOC Group (Asbestos Environmental of Canada), at the time of inspection. Should changes occur to any aspect of the project scope of work, the assessment to determine if additional site investigations are required should be completed by AEOC Group (Asbestos Environmental of Canada).

This report is provided as an abbreviated version of the AEOC Group (Asbestos Environmental of Canada), Asbestos Building Material Report (Standard Report). The Standard Report, which provides additional details of the visual investigation and sampling methodology, laboratory analytical procedures and statement of limitation, forms part of this report by reference. The observations, results and conclusions drawn by AEOC Group (Asbestos Environmental of Canada) are limited to the specific scope of work for which AEOC Group was retained, and are based solely on information generated as a result of the specific scope of work authorized by **Major Kennedy South Developments Ltd.**

Only those items that are capable of being observed, and are reasonably obvious to AEOC Group (Asbestos Environmental of Canada) personnel or have been identified to AEOC Group by other parties, can be reported. AEOC Group has exercised a degree of thoroughness and competence that is consistent with the profession during the execution of this assessment. AEOC Group considers the opinions and information as they are presented in this report to be factual at the time of the assessment. The conclusions are limited to the specific locations of where testing and/or observations were completed during the course of the assessment.

It is important to note that work was completed with the utmost care and our extensive expertise in carrying out assessments. AEOC Group believes that the information collected during the assessment concerning the work area is reliable. No other warranties are implied or expressed. AEOC Group, to the best of its knowledge, believes this report to be accurate, however, AEOC Group cannot guarantee the completeness or accuracy of information supplied to AEOC Group by third parties. AEOC Group is an Environmental Consulting Company and as such any results or conclusions presented in this report should not be construed as legal advice. The material in this report reflects AEOC Group's professional interpretation of information available at the time of report preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. AEOC Group accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

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L6C 1K6

Project No. 2017 R2451

6.0 Closure

Should additional information become available that suggests other environmental issues of concern, beyond those described in this report, AEOC Group retains the right to review this information and modify conclusions and recommendations presented in this report accordingly.

Should you have any questions, please do not hesitate to contact Real Landriault at (416)985-5025.

Sincerely,



Prepared by:

Victoria Grimshaw
Hazardous Material Consultant

Reviewed by:

Real Landriault
Senior Hazardous Materials Specialist
AMRT, WRT, 253S, NIOSH 582

A handwritten signature in black ink, appearing to be 'Real Landriault', is written over a light blue rectangular background.

Gavin Landriault,
Hazardous Materials Consultant

Designated Substance Survey Report

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APPENDIX I

LABORATORY ANALYSIS FOR DESIGNATED SUBSTANCES

Designated Substance Survey Report

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Table No. 1

**Test Report: Asbestos Analysis of Bulk Materials for Ontario Regulation 278/05 via
EPA600/R-93/116 & 600/M4-82-020 Methods**

Project: 4638 Major Mackenzie Drive E, Markham Ontario
EML ID: 1848596

Lab Id#	Section/Location	Sample Description	Observed Asbestos Content
8660968-1	A1	Basement Furnace Room Ceiling- Lath & Plaster	NONE DETECTED
8660969-1	A2	Basement Furnace Room Ceiling- Lath & Plaster	NONE DETECTED
8660970-1	A3	Basement Furnace Room Ceiling- Lath & Plaster	NONE DETECTED
8660971-1	B1	Main Floor Walls & Ceilings- Drywall Plaster	NONE DETECTED
8660972-1	B2	Main Floor Walls & Ceilings- Drywall Plaster	NONE DETECTED
8660973-1	B3	Main Floor Walls & Ceilings- Drywall Plaster	NONE DETECTED
8660974-1	B4	Main Floor Walls & Ceilings- Drywall Plaster	NONE DETECTED
8660975-1	B5	Main Floor Walls & Ceilings- Drywall Plaster	NONE DETECTED
8660976-1	C1	Main Floor- Textured Ceiling	2% Chrysotile
8660977-1	C2	Main Floor- Textured Ceiling	2% Chrysotile

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8660978-1	C3	Main Floor- Textured Ceiling	2% Chrysotile
8660979-1	C4	Main Floor- Linoleum	NONE DETECTED
8660980-1	C5	Main Floor- Linoleum	NONE DETECTED
8660981-1	C6	Main Floor- Linoleum	NONE DETECTED
8660982-1-	E1	2 nd Floor Walls & Ceilings- Textured Lath & Plaster	1% Chrysotile
8660983-1	E2	2 nd Floor Walls & Ceilings- Textured Lath & Plaster	1% Chrysotile
8660984-1	E3	2 nd Floor Walls & Ceilings- Textured Lath & Plaster	1% Chrysotile
8660985-1	E4	2 nd Floor Walls & Ceilings- Textured Lath & Plaster	1% Chrysotile
8660986-1	E5	2 nd Floor Walls & Ceilings- Textured Lath & Plaster	1% Chrysotile
8660987-1	F1	Main & Second Floor- Linoleum	NONE DETECTED
8660988-1	F2	Main & Second Floor- Linoleum	NONE DETECTED
8660989-1	F3	Main & Second Floor- Linoleum	NONE DETECTED

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APPENDIX II

FRIABILITY AND REGULATIONS

Designated Substance Survey Report

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1.0 FRIABILITY

As per regulation 278/05, “friable material” means material that, (a) when dry, can be crumbled, Pulverized or powdered by hand pressure, or (b) is crumbled, pulverized or powdered. Asbestos containing material (ACM) that is friable has a much greater potential than non-friable ACM used in the past are surfacing materials (usually sprayed fireproofing, texture, decorative or acoustic sprayed finishes) and thermal insulations on mechanical systems. Asbestos-containing non-friable materials include vinyl floor tiles, drywall joint compound, gasket materials, asbestos cement pipe or board, asbestos textiles, etc. Note that though a product may be considered no-friable is considered friable. Potentially friable materials (or sometimes called miscellaneous friable materials) include materials such as ceiling tiles and plaster. These materials are non-friable in place, but can generate dust upon removal.

2.0 TABLE 1 REGULATION 278/05- ASBESTOS SAMPLING FREQUENCY

Type of Material	Size of Area of Homogeneous Material	Minimum Number of Samples
Surfacing material, including without limitation material that is applied to surfaces by spraying, by troweling or otherwise, such as acoustical plaster on ceilings, fireproofing materials on structural members and plaster	Less than 90 square meters	3
	90 or more square metres, but less than 450 square meters.	5
	450 or more square metres	7
Thermal insulation, except as described below	Any Size	3
Thermal insulation patch	Less than 2 linear meters or 0.5 square metres	1
Other material	Any size	3

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3.0 REGULATIONS-ONTARIO

Section 30 of the Occupational Health and Safety Act requires building owners or their agents (architects, general contractors, construction managers, etc.) to prepare or have prepared, a list of designated substances present in the area of construction or facility undergoing construction before entering into a binding contract with the constructor/contractor.

The disturbance of asbestos-containing materials (ACM) on construction projects is controlled by Ontario Ministry of Labour Regulation 278/05 made under the Occupational Health and Safety Act (Designated – Asbestos on Construction Projects and in Buildings and Repair Operations). The Regulation classifies all disturbances as Type 1, Type 2, or Type 3, each of which has defined work practices. All ACM are subject to special handling and disposal, and must be removed before partial or full demolition. The Ministry of Labour must be notified prior to any project involving removal or more than a minor amount of friable ACM (Type 3 or Glove Bag abatement).

The Ministry of Labour released two documents in December 2004, Ministry of Labour Guideline – Lead on Construction Projects, and Ministry of Labour Guideline – Silica on Construction Projects. Although these documents were not released as Regulations, to quote the Ministry of Labour “*These guidelines will raise awareness of the potential hazards associated with Lead and Silica for common construction activities and tasks, and will provide assistance to employers, constructors and workers in how to take reasonable precaution to protect workers from exposure to Lead and Silica. These Guidelines include specific measures and procedures for typical construction activities and operations and can be used as best practices by the industry.*” These guidelines are expected to be widely enforced by the Ministry of Labour, via the general duty clause 25 (2) (h) of the Occupational Health and Safety Act, since there is no other construction regulation regarding lead and silica available for them to draw upon as a resource. The Ministry of Labour has also issued guidelines or proposed regulations for coal tar products and handling of mercury on construction sites.

Management handling and transfer of PCBs are controlled by R.R.O 1990, Reg. 362, Waste Management-PCB’s Regulation, made under the Ontario Environmental Protection Act, and the PCB regulation (SOR/2008-273) made under the federal Environmental Protection Act.

The Ontario Ministry of Labour published the hazard alert “Mould in Workplace Buildings”, in December 2000. To quote from the alert, “The sustained and /or extensive growth of any visible mould on the interior surfaces of a building is unacceptable. Mould growth on the interior surfaces of buildings is a risk factor for health problems.” The Ministry of Labour has enforced practices similar to those required for asbestos abatement.

Waste disposal is controlled by Ministry of the Environment Regulation, R.R.O. 1990 Reg. 347 as amended.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: August 12, 2020

SUBJECT: Sign Permit Application
Stabby'Zz Tattoo Studio
209 Main Street Unionville
File 20 120109 SP

Property/Building Description: 1 ½ storey, frame building, c.1845

Use: Commercial

Heritage Status: Class A – Buildings of major importance to the District;
maintain the heritage character of the District.

Application/Proposal

- Installation of 3 wooden signs - 2 on the sidewalk (one below an existing arch meant for a sign & one below another business sign). One sign is to hang above the entrance door. The signs are to be installed in the locations of the previous tenant's signs.

Background

- A tattoo parlour is a permitted use in the HMS zone.
- It appears the signs have already been created. Some were installed and then removed once By-law Enforcement became involved (a sign permit had not been secured).
- Signs are subject to the policies and guidelines of the Unionville Heritage Conservation District Plan – see attached.

Staff Comment

- The applicant first approached staff in May asking for feedback and advice. The applicant was directed to the Unionville Heritage Conservation District Plan and the sign replacement process was explained.
- Staff commented on colour in response to the applicant's questions, and noted that the mock-up colours were neon and not what one would call heritage colours. In the heritage district, our Unionville Heritage Conservation District Plan recommends traditional typefaces and colours, so muted colours are preferred.

- Staff noted that the intense neon purple/pink would not likely be supported by staff – and suggested a softer pink, as pink is not an unknown sign colour in the area.
- It appears that the applicant has attempted to find a softer pink colour for the word “Tattoo” that still maintains their corporate identity. The sign is also noted as being of wood construction.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection to the design submitted for Stabby’Zz Tattoo Studio, 209 Main Street Unionville (sign permit application 20 120109) from a heritage perspective subject to compliance with the City’s Sign By-law requirements.

File:Q:\Development\Heritage\PROPERTY\MAINSTU\209\HM Aug 2020 sign.doc

GOOGLE Streetscape 2019



Photograph of Proposed Sign Design

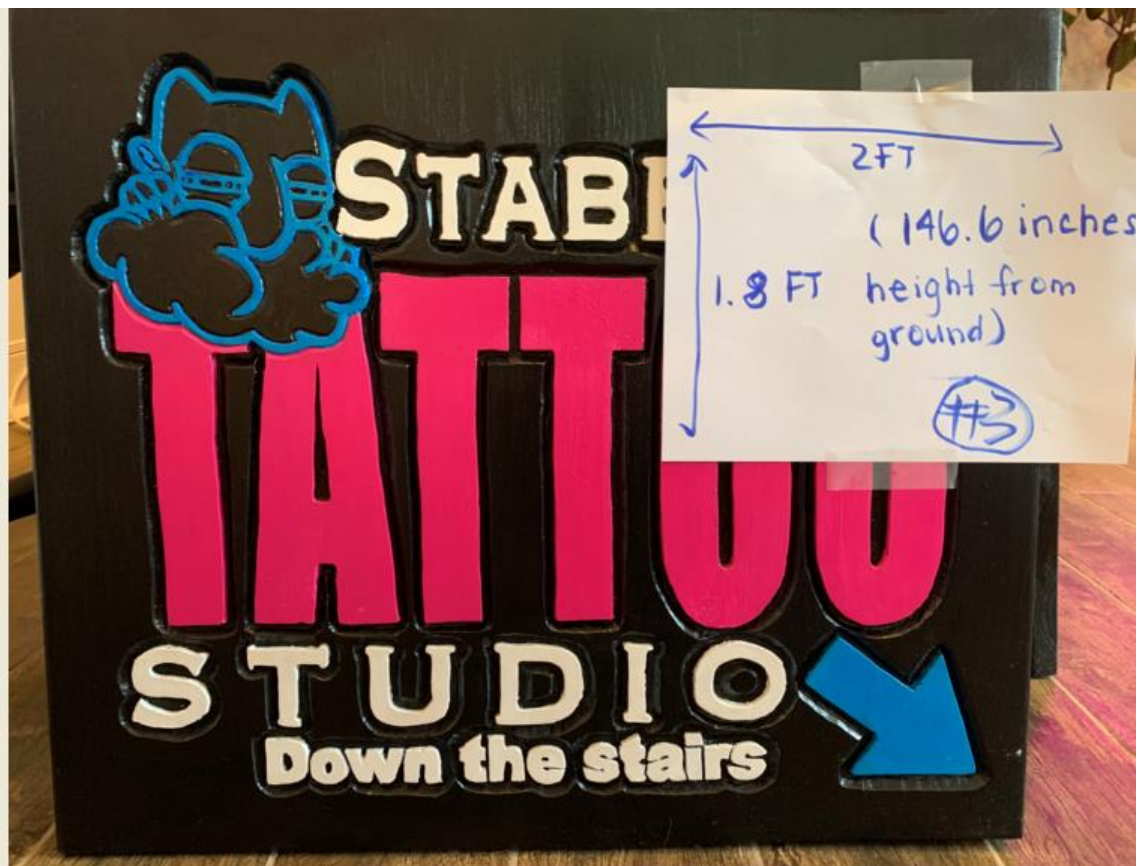


Illustration of Original Request – more vibrant/neon colours



Unionville Heritage Conservation District Plan

The Unionville Heritage Conservation District provides the following policy for commercial signage:

4.5 Commercial Features

In order to help retain and enhance the heritage character of the District, and particularly the traditional commercial core on Main Street, the commercial features impacting the exterior of buildings such as signage, awnings and restaurant patios should complement the individual building and the streetscape.

4.5.1 Commercial Signage

- a) Commercial signage should be regulated by the municipal sign by-law.
- b) Commercial signage in the District will be consistent with the guidelines found in Section 9.6.
- c) Artistic and commercial murals will be regulated by the municipal sign by-law.

The District Plan provides the following guidelines for Sign Design:

- Traditional materials such as wood, brass or bronze should be used.
- Letter styles appropriate to the period of the structure will be encouraged. Historically - appropriate letter styles such as Roman, Calarendon, Egyptian and sans serif styles will be encouraged. Typeface or lettering should project the image of the particular business, reflect the building itself and harmonize with the style of the structure.
- Capital letters are generally more legible than lower case letters. The total message, including letter forms and designs, should generally not occupy more than two-thirds of the total sign area.
- **Fluorescent or very bright colours are not considered appropriate. The heritage palette of colours described in Section 9.4. 7 are recommended. Uncomplicated colour schemes are also preferred.**
- Symbols are often more recognisable than lettering and good design often includes both.

The colours identified in section 9.4.7:

- The attached list of colours are considered appropriate for the District, but it is by no means a definitive list. Other colours can be considered although fluorescent or luminous colours are not considered acceptable.

Classical Colours:

(Pre-1860)

- white -"historical" white
- cream -buff
- pearl grey -light lemon yellow
- pale green -pale greyish blue

Renwick's Colours

(1860-1900)

- olive green -golden brown
- gold -rosy beige
- beige
- orangey brownish yellow

Downing's Colours

(1860-1900)

- straw -drab greenish yellow
- sand -medium grey (stone)
- greyish brown (earth)