



Report to: Development Services Committee

Meeting Date: July 8, 2025

SUBJECT: Recommendation Report:
Heritage Easement Agreement for the Heritage Property Tax Reduction Program, 7822 Highway 7 East, Locust Hill, Ward 5

PREPARED BY: Evan Manning, Senior Heritage Planner, ext. 2296

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning, ext. 2080
Stephen Lue, Senior Development Manager, ext.2520

RECOMMENDATION:

- 1) THAT the July 8, 2025, Staff report titled "Recommendation Report: Heritage Easement Agreement for the Heritage Property Tax Reduction Program, 7822 Highway 7 East, Locust Hill, Ward 5", be received;
- 2) THAT a by-law be passed to authorize the Mayor and Clerk to execute a Heritage Easement Agreement with the property owner(s) of 7822 Highway 7 East, and any other documents required to give effect thereto, in a form satisfactory to the City Solicitor.
- 3) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report seeks Council's authorization for the Mayor and Clerk to execute a Heritage Easement Agreement ("HEA") necessary for the owner of 7822 Highway 7 East (the "Property") to participate in the Heritage Property Tax Reduction Program.

BACKGROUND:

The City of Markham created a Heritage Property Tax Reduction Program

The City implemented a Heritage Property Tax Reduction Program, effective January 1, 2003, to provide tax relief for properties designated under Part IV or Part V of the Ontario Heritage Act (the "Act"). Council passed By-law 2003-241, the Heritage Tax Reduction Program By-law, on December 16, 2003. The purpose of the tax relief program is to provide an incentive for owners to preserve and maintain significant heritage properties in the City.

One of the eligibility criteria for the Program is a Heritage Easement Agreement

Provincial legislation that permits heritage tax relief programs requires that eligible properties be subject to an HEA. Section 5 (ii) of By-law 2003-241 also requires that to be eligible for a heritage tax reduction, the owner of a property must provide proof that the property is subject to an HEA, under s. 22 or 37 of the Act.

Heritage Markham was consulted on June 11, 2025, and has no objection

Section 37(1) of the Act authorizes the Council of a municipality to pass by-laws that would allow Council to enter into easements or covenants with property owners for the conservation of cultural heritage value or interest after consultation with its municipal heritage committee.

OPTIONS/ DISCUSSION:**The Heritage Easement Agreement identifies the Property's heritage attributes**

The Property contains a single-detached dwelling (the "Henry and Annetta Clarry House") designed in the Arts and Crafts style and is designated under Part IV of the Act via By-law 2023-132. Refer to Appendix 'B' for the Property's Statement of Significance, as excerpted from the designation by-law, which describes its cultural heritage significance and will be used for the HEA. Generally, an HEA requires the owner to maintain the building, obtain City approval for any demolition or exterior alterations, and to maintain insurance coverage on the property. HEAs, once executed, are registered against the title of the property.

By-law Requirement

Section 37 (1) of the Act authorizes the Council of a municipality to pass by-laws providing for the entering into heritage easements with owners of real property or interests in real property for the conservation of property of cultural heritage value or interest. Appendix 'C' shows the by-law.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

BUSINESS UNITS CONSULTED AND AFFECTED:

Heritage Markham has been consulted. The Legal Services Department works closely with the Heritage Planning Section to prepare and process the necessary Heritage Easement Agreements.

RECOMMENDED BY:

Giulio Cescato, RPP, MCIP
Director of Planning and Urban
Design Development

Trinela Cane
Interim Commissioner
of Development Services

APPENDICES:

Appendix 'A': Property Map and Image of the Heritage Resource
Appendix 'B': Statement of Significance for 7822 Highway 7 East
Appendix 'C': Draft By-law

APPENDIX 'A': Property Map and Images of the Heritage Resource

7822 Highway 7 East (Ward 5) - Henry and Annetta Clarry House *Primary Elevation and Property Map*



APPENDIX 'B': Statement of Significance for 7822 Highway 7 East**STATEMENT OF SIGNIFICANCE****Henry and Annetta Clarry House****7822 Highway 7 East**

The Henry and Annetta Clarry House is recommended for designation under Part IV, Section 29, of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

Description of Property

The Henry and Annetta Clarry House is a frame bungalow on the north side of Highway 7, within the hamlet of Locust Hill.

Design and Physical Value

The Henry and Annetta Clarry House has design and physical value as it displays a high-degree of artistic merit as a representative example of a Craftsman Bungalow of frame construction, exhibiting design elements typical of the American Arts and Crafts Movement. It is particularly significant for its superb state of preservation, retaining its original exterior character as represented in an archival photograph dated 1909.

Historical and Associative Value

The Henry and Annetta Clarry House has historical and associative value as it represents the theme of early twentieth century development of the hamlet of Locust Hill and the theme of early settlers and descendants and their continued influence in the development of their community. This is the former home of Henry J. Clarry and Annetta (Pike) Clarry, descendants of the Clarry family which settled in Markham in the early 1800s. Henry Clarry was the son of William Clarry and Jane Lorena (Reynolds) Clarry. In the 1911 census his occupation was given as "commercial traveller", meaning a travelling salesman. Since his brother Frederick was the owner and operator of the Maple Leaf Woolen Mill in Markham Village, it is possible that Henry Clarry was a salesman for that industry's products. This early twentieth century bungalow was built on a parcel of land on Lot 11, Concession 10 purchased from John A. E. Reesor in 1908. The Clarry family owned the property until 1922. Subsequent owners maintained the house in close to original condition.

Contextual Value

The Henry and Annetta Clarry House has contextual value as one of a group of late nineteenth to early twentieth century of buildings that are important in defining, maintaining and supporting the historic character and extent of the hamlet of Locust Hill.

Heritage Attributes

Character-defining attributes that embody the cultural heritage value of the Henry and Annetta Clarry House are organized by their respective Ontario Regulation 9/06, as amended, criteria below:

Heritage attributes that convey the property's design and physical value as a well-crafted and representative example of a Craftsman Bungalow style of the American Arts and Crafts Movement, and a locally rare example of wood frame construction for its style and time period:

- The form of the dwelling, including its rectangular plan with its projecting conservatory on the east wall and one-and-a-half storey height;
- Foundation of moulded concrete block;
- Narrow wood clapboard siding with corner boards and water table;
- Shingled gable end walls and wood gable ornamentation in the apex of the front gable;
- Medium pitched gable roof with open eaves and exposed purlins and rafter ends and shed roofed dormer;
- Cutaway porch supported on grouped plain wood posts resting on brick pedestals capped with concrete or limestone copings;
- Square wood lattice at the base of the porch;
- Single-leafed wood front door with multi-paned glazing in its upper portion;
- Wood sash-style windows typically arranged in groups, with multi-paned upper sections and single-paned lower sections;
- Three-part wood window in the front gable end wall;
- Four-paned wood windows in the conservatory and dormer;
- Exterior fireplace chimney of riverstone and red brick.

Heritage attributes that convey the property's historical and associative value as a significant part of the early twentieth century development of the hamlet of Locust Hill:

- The dwelling is a tangible reminder of Henry and Annetta Clarry that historically resided here and who were responsible for the building of the house c.1908.

Heritage attributes that convey the property's contextual value as a building that helps define the extent of the historic hamlet of Locust Hill:

- The siting of the dwelling its prominence and unobstructed visibility from Highway 7 East.

Attributes of the property that are not considered to be of significant cultural heritage value:

- Frame accessory building in the rear yard.

APPENDIX 'C': Draft By-law



By-law 2025-xx

Being a By-law to authorize the execution
of a Heritage Easement Agreement

WHEREAS section 37 (1) of the Ontario Heritage Act, R.S.O. 1990 c.O.18 authorizes the Council of a municipality to pass by-laws providing for the entering into heritage easements with owners of real property or interests in real property for the conservation of property of cultural heritage value or interest;

AND WHEREAS it has been determined that the property identified on Schedule "A" attached to this by-law is of cultural heritage value or interest;

AND WHEREAS Council at its meeting on December 16, 2003 passed By-law 2003-341, being the Heritage Tax Reduction By-law, establishing a program to provide tax reductions or refunds in respect of eligible heritage properties;

AND WHEREAS paragraph 5(ii) of By-law 2003-341 requires that to be eligible for a Heritage Tax Reduction, a property owner must provide proof, satisfactory to the Treasurer of the City, that the property is subject to a heritage easement under section 22 or 37 of the Ontario Heritage Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. THAT the Mayor and Clerk be authorized to execute a Heritage Easement Agreement between the City of Markham and the property owner as set out on Schedule "A" attached to this by-law, for the lands described in Schedule "A", and any other documents required to give effect thereto in a form satisfactory to the City Solicitor.

Read a first, second and third time and passed this 8th day of July, 2025.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

SCHEDULE ‘A’ TO BY-LAW 2025-xx

Being a By-law to authorize the execution
of Heritage Easement Agreements

PROPERTY OWNER	MUNICIPAL ADDRESS	LEGAL DESCRIPTION
ZHANG YU	7822 Highway 7 East, L0H 1J0	PT LT 11, CON 10 MARKHAM PT 1 64R4520; MARKHAM PIN: 700140009