



Report to: Development Services Committee

Meeting Date: June 22, 2020

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**SUBJECT:** Intention to Designate a Property under Part IV of the Ontario Heritage Act Joseph & Leah Pipher Farmhouse and Smokehouse 33 Dickson Hill Road

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

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

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**RECOMMENDATION:**

1. That the staff report titled “Intention to Designate a Property under Part IV of the Ontario Heritage Act, Joseph & Leah Pipher Farmhouse and Smokehouse, 33 Dickson Hill Road”, dated June 22, 2020, be received;
2. That as recommended by Heritage Markham, the Joseph & Leah Pipher Farmhouse and Smokehouse-33 Dickson Hill Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
3. That the recommended approach to address concerns identified by the owner in Appendix ‘B’ of this report be endorsed by Markham Council;
4. That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act;
5. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption;
6. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board;
7. That if the designation is referred to the Conservation Review Board, Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Board in support of Council’s decision to designate the property; and
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to recommend to Council that the “Joseph and Leah Pipher Farmhouse and Smokehouse” be designated under Part IV of the Ontario Heritage Act.

**BACKGROUND:**

**The property is listed on the Markham Register**

The subject buildings are located at 33 Dickson Hill Road. The property is included in the Markham Register of Property of Cultural Heritage Value or Interest. The Register is the City’s inventory of non-designated properties identified as having cultural heritage

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value or interest, Part IV properties (individual designations) and Part V properties (district designation).

**The Joseph and Leah Pipher Farmhouse is a fine example of mid-19<sup>th</sup> century local field stone classical revival farmhouse constructed for a prosperous farming family**

The Joseph and Leah Pipher Farmhouse is undoubtedly Markham's finest remaining field stone building. It is remarkable for being a full two stories in height, and for the quality of stonework. The house retains almost all of its original exterior and interior features and is a testament to the industry and prosperity of the Pipher family (see Figure 3- Photographs of the Joseph and Leah Pipher farmhouse).

**The smokehouse is an excellent example of a mid-19<sup>th</sup> century specialized accessory farm building**

Based on an archival picture, the smokehouse/summer kitchen located in front and to the side of the main house, was just one of a large complex of buildings that made up the Pipher farm (See Figure 5 – Archival Photograph of the Pipher farmstead). This substantial local clay brick building is a rare surviving example of a specialized farm building that retains most of its original features (See Figure 4 – Photograph of the Joseph and Lean Pipher Smokehouse).

**The buildings were evaluated using the City's heritage evaluation system**

The building was evaluated by Heritage Markham and staff using the City's Heritage Building Evaluation System. The Joseph and Leah Pipher House and Smokehouse were evaluated as Group 1 Heritage Buildings. Group 1 buildings are those buildings of major significance and importance to the City and worthy of designation under the Ontario Heritage Act.

**The buildings have been assessed using the Ministry of Culture's Designation Criteria**

The Government of Ontario on January 25, 2006 passed a regulation (O.Reg. 9/16) which prescribes criteria for determining a property's cultural heritage value or interest for the purpose of designation. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets the prescribed criteria.

The purpose of the regulation is to provide an objective base for the determination and evaluation of resources of cultural heritage value. The prescribed criteria help ensure the effective, comprehensive and consistent determination of value or interest by all Ontario municipalities. The criteria are essentially a test against which properties can be judged; the stronger the characteristics of the property compared to the standard, the greater the property's cultural heritage value. The property may be designated if it meets one or more of the following criteria.

- The property has design value or physical value because it:
  - Is a rare, unique, representative or early example of a style, type expression, material or construction method,
  - Displays a high degree of craftsmanship or artistic merit,
  - Demonstrates a high degree of technical or scientific achievement.

- The property has historical value or associative value because it:
  - Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
  - Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community
  
- The property has contextual value because it:
  - Is important in defining , maintaining or supporting the character of an area
  - Is physically, functionally, visually or historically linked to its surroundings
  - Is a landmark

Following staff's research and evaluation under Ontario Regulation 9/06, it has been determined that the property merits designation under Part IV (Section 29) of the Ontario Heritage Act for its design, associative and contextual value.

From a design perspective, the Joseph and Leah Pipher Farmhouse is a rare example of a mid-19<sup>th</sup> century, two storey fieldstone dwelling which displays the highest quality of stonework in the City of Markham. The Joseph and Leah smokehouse is also a rare surviving example of specialized farm building constructed from local clay brick. The original architectural features of both buildings remain remarkably intact.

The property has associative value as the two buildings are the only surviving buildings of what was once a large complex of farm buildings just outside the Hamlet of Dickson Hill owned by the Piphers, who were a Pennsylvania-German Mennonite family that settled in Markham as early as 1803 ( See Figure 5- Archival Photograph of the Pipher Farmstead). The Pipher house is also directly associated with a stone mason who learned his trade while incarcerated in the Kingston Penitentiary for his participation in the Upper Canada Rebellion of 1837.

The property has contextual value as it maintains and contributes to the rural character of the area.

The Statement of Significance – Reasons for Designation is attached as Appendix 'A'.

### **Heritage Markham has recommended designation**

The designation process under the Ontario Heritage Act requires a municipal council to consult with its municipal heritage committee when properties are considered for designation. Heritage Markham has recommended that the resource be designated as a property of cultural heritage value or interest on September 11, 2019 and on March 11, 2020.

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**Development Services Committee referred the matter back to staff for further consultation**

The report recommending the designation of the property at 33 Dickson Hill Road was considered by the Development Services Committee on April 21, 2020. The Committee referred the matter back to staff for further discussions with the new owner of the property.

**OPTIONS/ DISCUSSION:****The protection and conservation of heritage resources is consistent with City policies**

The City of Markham Official Plan contains cultural heritage policies related to the protection and conservation of heritage resources, including how they are to be treated within the development of an area. Cultural heritage resources are often a fragile gift from past generations. They are not a renewable resource, and once lost, they are gone forever. Markham understands the importance of safeguarding its cultural heritage resources and uses a number of mechanisms to protect them. It is the policy of Council to recognize their significance by designating individual properties under the provisions of the Ontario Heritage Act. Designation helps to ensure that the cultural heritage values and heritage attributes are addressed and protected.

**Provincial planning policies support designation**

The Ontario Government's Provincial Policy Statement which was issued under Section 3 of the Planning Act includes cultural heritage policies. These policies indicate that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection. The policies further indicate that development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the resource will be conserved.

**Designation acknowledges the importance of the heritage resource**

Designation signifies to both the owner and the broader community that the property contains a significant resource that is important to the community. Designation doesn't restrict the use of the property. However, it does require the owner to seek approval for property alterations that are likely to affect the heritage attributes described in the designation by-law. Council can also prevent, rather than just delay, the demolition of a resource on a designated heritage property.

Designated properties are also eligible to participate in the City's heritage property tax rebate program and the Designated Heritage Property Grant program.

**Further consultation with the new owner regarding designation**

Earlier this year, the owner of the property (prior to May 2020) was advised that designation was being recommended and responded with no objection. However, a new

owner has purchased the property and staff was directed to consult with the new owner of the property regarding the implications of designation.

Heritage staff have had further consultation with the new owner and his architectural consultants to ascertain if there are any additional questions or concerns regarding the designation of the property. The new owner has expressed concerns related to the condition of some of the heritage attributes found on the stone dwelling as identified in the designation report and his desire to replace them, as well as the retention of the former smokehouse building. The new owner indicated his general desire is to retain the heritage features associated with the dwelling as they are part of what attracted him to the property, and that he plans a complementary addition to the existing dwelling.

Overall the new owner has stated no issue with a heritage designation for the house, but would like to achieve agreement on an approach to address specific heritage attributes to satisfy both his objectives and those of the City from a heritage perspective. The key areas of concern from by the owner are identified along with staff comments and a recommended approach in Appendix 'B' of this report. Overall, there is agreement on most matters, but some differences of opinion as to what features are salvageable.

At the time of report preparation, staff was arranging a site visit with the owner to review outstanding matters where there is disagreement as noted in the staff report.

The designation of this cultural heritage resource is supported by staff. It is recommended that the recommended approach in Appendix 'B' addressing concerns identified by the owner be endorsed by Markham Council.

## **FINANCIAL CONSIDERATIONS**

Not Applicable

## **HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

## **ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

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**BUSINESS UNITS CONSULTED AND AFFECTED:**

Acceptance of this recommendation to designate the property located at 33 Dickson's Hill under Part IV of the Ontario Heritage Act will require the Clerk's Department to initiate the following actions:

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

**RECOMMENDED BY:**

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Biju Karumanchery, M.C.I.P., R.P.P.  
Director of Planning & Urban Design

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Arvin Prasad, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS:**

Figure 1 - Owner/Agent and Location Map

Figure 2 - Aerial Map

Figure 3 - Photographs of the Pipher Farmhouse

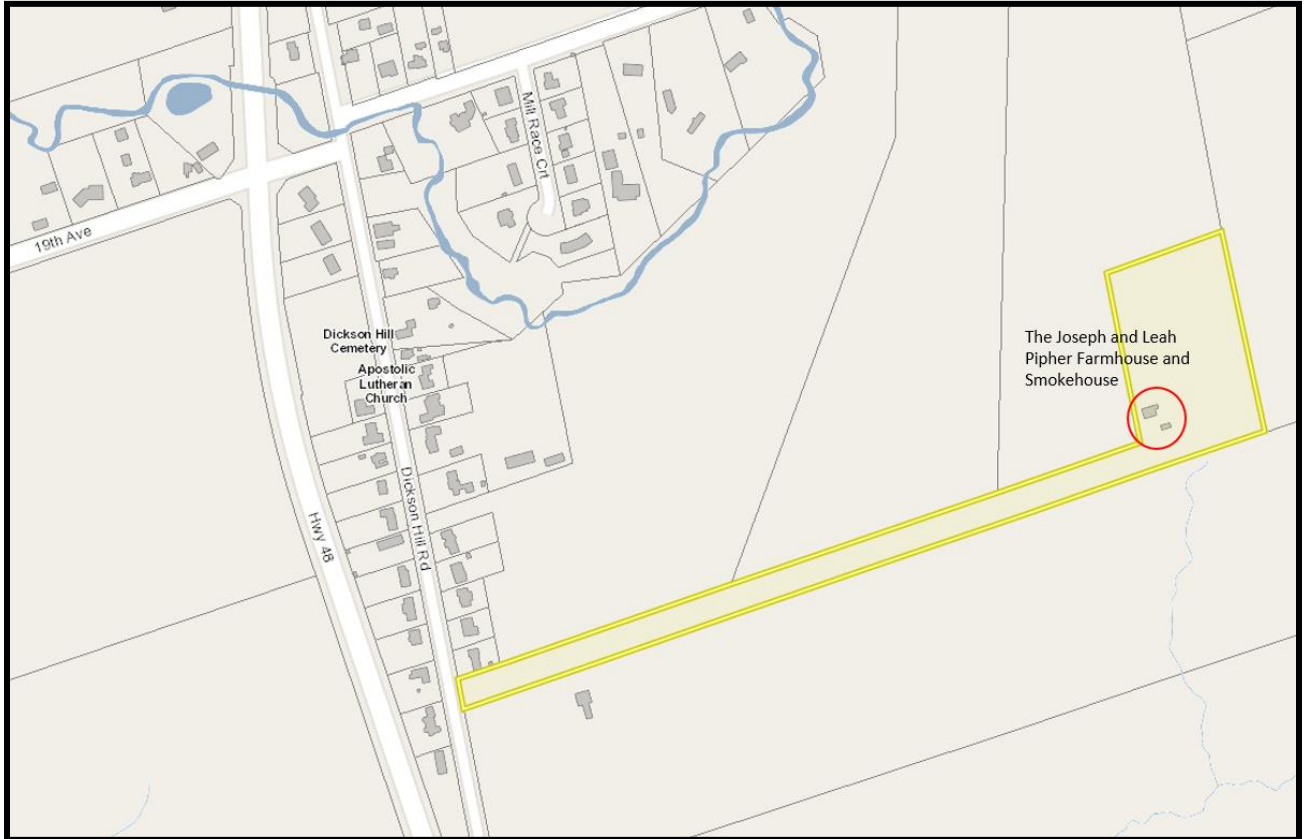
Figure 4 - Photograph of the Pipher Smokehouse

Figure 5- Archival Photograph of the Pipher Farmstead

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

Appendix 'B' – Concerns Raised by the Owner/Staff Response and Recommended Approach

FIGURE 1- Owner and Location Map



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FIGURE 2 - Aerial Map





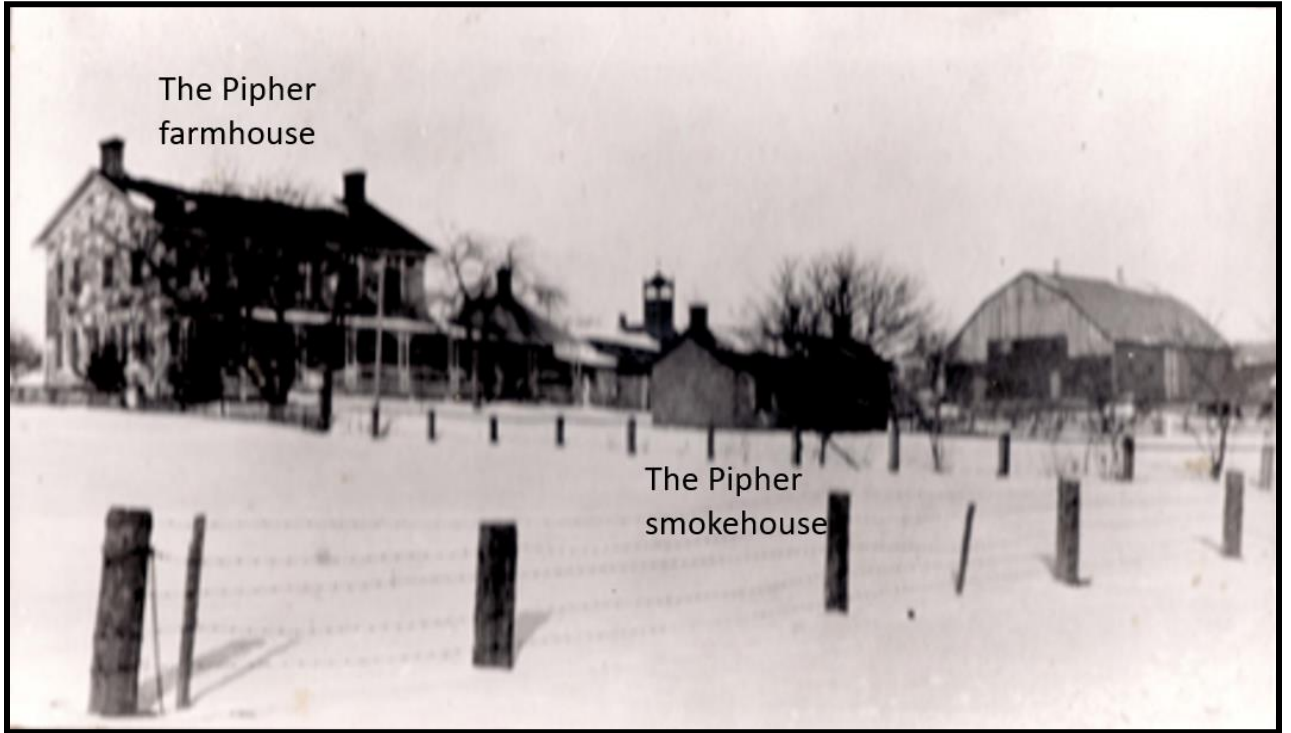
FIGURE 3 – Photographs of the Joseph and Leah Pipher Farmhouse



FIGURE 4 – Photograph of the Joseph and Leah Pipher Smokehouse



FIGURE 5 – Archival Photograph of the Joseph and Leah Pipher Farmstead



## Appendix 'A' Statement of Significance

### Joseph and Leah Pipher House 33 Dickson Hill Road 1861

#### Description of Property

The Joseph and Leah Pipher House is a two storey stone farmhouse located on a keyhole lot on the east side of Dickson Hill Road in the historic hamlet of Dickson Hill. The house is set back from the road to the extent that it is not visible from the road, and faces south.

#### Historical and Associative Value

The Joseph and Leah Pipher House has historical and associative value for its association with the Pipher family, a Pennsylvania-German Mennonite family that were living on Lot 27, Concession 7, Markham Township at the time of William Berczy's census of 1803. Joseph Pipher, born in Canada in the year 1800, was the youngest of the three sons of Samuel Pipher and Barbara (Labar) Pipher. He purchased the 200 acres of Lot 29, Concession 8 from Absolom Sommers in 1826. His first wife was Catherine Kleiser, who died in 1836. His second wife was Leah Kaiser. Their original home was a one and half storey frame dwelling. In 1861, the family constructed a fine two storey stone house that still stands at 33 Dickson Hill Road, well removed from the road. The Historical Atlas of York County map of Markham Township, dated 1878, illustrates the stone house near the centre of the lot, with an adjoining orchard. The house is said to have been constructed by a stone mason that learned his trade while incarcerated in Kingston for an incident connected with the Upper Canadian Rebellion of 1837. According to the 1861 census, two stone masons resided on the Pipher farm at that time, Wallingford Sanders and Robert Hill. It is probable that they were the builders of the stone farmhouse at 33 Dickson Hill Road. The portion of the farm where the stone house stands was inherited by a son, Isaac Pipher, in 1867, and remained in the ownership of the family until 1904, when it was sold to David Moyer, a local Mennonite farmer. His son, Harvey Moyer, resided here. The property was sold out of the Moyer family in 1960.

#### Design and Physical Value

The Joseph and Leah Pipher House is of design and physical value as Markham's finest remaining example of mid-19<sup>th</sup> century stone construction. The substantial two-storey dwelling, in a vernacular interpretation of the neo-classical style, is remarkable for its scale, being a full two storeys in height with a 5-bay front. The house retains most of its original detailing, including the front doorcase, single-hung six over six windows, louvered wood shutters, and a substantial wood cornice. The most noteworthy feature of the Pipher House is the stonework on the south (front) and west walls, which was rendered in dressed, coursed, multi-coloured fieldstone, squared and dressed with a crandalled finish and accented with quarried limestone brought in from another locality.

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Large, multi-coloured voussoirs ornament door and window openings. Above the main entrance is a limestone block inscribed with the date “1861.”

An archival photograph provides visual evidence of a former full-width veranda supported on wood treillage, and a one-storey stone kitchen wing at the east end of the main block. A portion of this kitchen wing remains as a shed-roofed extension of the east gable-end wall.

#### Contextual Value

The Joseph and Leah Pipher House is one of a number of stone houses to have been constructed in Markham Township in the 19<sup>th</sup> century. It is arguably the finest remaining example due to its scale, the quality of its design and construction, and for its authenticity in terms of remaining original building fabric. The Pipher House is part of an agricultural landscape on the east side of the historic hamlet of Dickson Hill, associated with the hamlet due to the location of its long farm lane that connects the property to Dickson Hill Road. The farmhouse was once part of a complete farmstead with a barn and other outbuildings; today the only outbuilding still standing is a one storey brick building that once contained a bake oven and smokehouse.

#### Significant Heritage Attributes to be Conserved

Exterior, character-defining elements that embody the cultural heritage value of the Joseph and Leah Pipher House include:

- The scale form and massing of the two storey main block with its rectangular plan, and one storey remnant of the stone kitchen wing on the east gable end;
- Multi-coloured fieldstone walls with the front and west sides in coursed, dressed squared stone and north and east walls in coursed random rubble;
- Datestone inscribed “1861” over main entrance door;
- Gable roof with eave returns and wood cornice mouldings;
- Red brick gable-end, corbelled chimneys;
- Main entrance on south wall with multi-paned transom and sidelights with wood panels below, and six panelled wood door;
- Six over six wood single-hung windows with functional louvered wood shutters and lugsills;
- Quarter circle attic windows on west gable end, with a fan-shaped pattern of muntin bars;
- Six-paned attic windows on east gable end;
- The scale form and massing of the one storey red brick outbuilding with its gable roof with open, overhanging eaves, single stack corbelled brick chimney at the west gable end, three wood four-panel doors on the north wall and two wood six-paned windows and one wood six over six single-hung window on the south wall.

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## **Appendix ‘B’ – Concerns Raised by the Owner/Staff Response and Recommended Approach**

A meeting was held with the new owner of the property (Adam Marmo) and his architectural consultants (Shane and Russ Gregory) on April 24, 2020 with follow up comments provided by the owner on April 29<sup>th</sup>. The key areas of concern are identified along with staff comments and a recommended approach to address the concern.

### **1. Former Smokehouse**

- **Owner’s Comments**
  - Considers the smokehouse to be in a deteriorated physical state and that its current location is not desirable. Willing to retain the smokehouse for the time being
  - Relocation is not feasible (financially or structurally). Would be willing to prepare measured drawings of the building, salvage the bricks, store them on site and identify another mutually acceptable location on the property for replication and adaptive re-use of the building.
- **Heritage Staff Comments**
  - Noted the heritage significance of this unique accessory building and that staff are not aware any other surviving examples in Markham.
  - The preference would be to see this building retained in its current location or relocated intact as a complete original building, elsewhere on the property rather than replication. Relocation has been supported on other sites.
- **Recommended Approach**
  - Retain the smokehouse as an identified heritage attribute in the designation report, but acknowledge through this report, support for the future dismantling and replication of the building elsewhere on the property using salvaged bricks and other components from the structure.

### **2. Exterior Heritage Attributes – Dwelling – Windows**

- **Owner’s Comments**
  - Initial intention was to replace all the existing historic wooden windows, with replicas, but is willing to consider retaining and restoring windows in good physical condition.
  - Revised proposal is to retain historic windows on front facade, but that the east and west sides of the house have new wood windows of the same appearance as those that are there currently, but more efficient, and easier to open and close.
- **Heritage Staff Comments**
  - Based on a previous site visit, the original windows appeared to be in relatively good shape considering their age and the time the house was vacant. Those windows in repairable shape should be retained and restored as these are considered to be rare and significant heritage attributes of the house.

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- **Recommended Approach**
    - Retain the existing windows as an identified heritage attribute in the designation report, but acknowledge through this report, that the owner has agreed not to remove any heritage windows upon his taking possession of the property, and that a future site visit by staff with the owner will assess the condition of the windows in a fair and reasonable manner to determine their suitability for retention and if necessary, re-conditioning.
    - The objective will be to retain as much of the original material as possible. As per Official Plan policy, 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 (Policy 4.5.3.1)

### **3. Exterior Heritage Attributes – Dwelling – Shutters**

- **Owner's Comments**
  - Existing shutters are in extremely poor shape and do not appear to be accurately sized or mounted correctly.
  - No objection to re-introducing new wooden shutters on the building if they are required, but would prefer to fasten them to the stone wall.
- **Heritage Staff Comments**
  - Louvred shutters were likely an original feature of the house, but further review is required to assess the condition and size of the existing shutters. Staff would like to review the shutters during a site visit.
  - Any replacement shutters should be installed with shutter hardware, not attached to the wall (difficult to do on a stone wall – drilling into stone, damage to stone). The hardware from the existing shutters could be salvaged.
  - One option- shutters only on the front elevation. There may be enough old ones on all parts of the house in restorable condition to use the best of them.
- **Recommended Approach**
  - Retain the existing shutters as an identified heritage attribute in the designation report, but acknowledge through this report, that many shutters appear to be in poor shape and that a future site visit by staff with the owner will assess their condition and authenticity in a fair and reasonable manner.
  - If existing shutters are found to be inappropriate and/or beyond reasonable repair, new wooden, louvered shutters should be re-introduced.

### **4. Exterior Heritage Attributes – Dwelling – Front Entry**

- **Owner's Comments**
  - Appears that the existing front door is in poor physical condition and would like to replace it with a synthetic door that looks the same, but that does not require the cost to repair and maintain as the original wooden door. The wood door has significant cracking due to weather, as well as

many gouges, chips, and chunks missing. Security is another issue that is of concern.

- The transom and sidelights are also in bad shape. May also choose to remove and replicate other features of the front entrance including the paneled reveal, and decorative transom and sidelights.
- The door height is 6'6", which poses another problem – it is necessary to level the floors in the house, which will bring the height of the finished floor up at least 2-3". This means that the bottom of the door would have to be cut, and install a new sill to protect it from the weather.
- Propose to install a new door with sidelights as close to the originals as possible.
- **Heritage Staff Comments**
  - The front entrance is an original character defining heritage attribute of the building and the whole entrance feature should be retained and restored rather than replaced with new material.
- **Recommended Approach**
  - Retain the existing entry door and sidelights as identified heritage attributes in the designation report, but acknowledge through this report, that the owner has agreed not to remove these features upon his taking possession of the property, and that these features will be examined during a future site visit by staff with the owner to assess their condition and ability to be restored, in a fair and reasonable manner.
  - The objective will be to retain as much of the original material as possible. As per Official Plan policy, 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 (Policy 4.5.3.1)

## **5. Proposed Addition to the Pipher Farmhouse and Approval Process**

- **Owner's Comments**
  - a site plan and elevations for a new residential addition and attached garage were presented for feedback.
  - Although originally the house had a full veranda, the owner is not sure if this feature will be re-installed, but that he intends to seek approval for it. This might not build it for a couple of years, or not at all.
  - Imminent plans to submit a Building Permit. Concern that site plan approval would be required.
- **Heritage Section Comments**
  - The proposed addition appeared to be generally compatible with the heritage house in terms of its scale, form, height, massing and location and was therefore considered supportable from a heritage perspective.
  - The design of any front veranda should ideally be based on the archival photograph of the house which showed treillage type veranda posts and no objection was registered by the owner to this approach to the veranda design.
  - Normally development approval associated with a designated property requires site plan control approval prior to building permit.



- **Recommended Approach**

- As the owner began the development endeavour under the premise of a building permit process, the requirement for site plan control approval should not be pursued in this unique circumstance.
- However, building permit drawings will contain notes and drawn details reflecting the verbal agreements made between Heritage Staff and the owner following the on-site visit to the Pipher farmhouse.