



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/conservate 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);

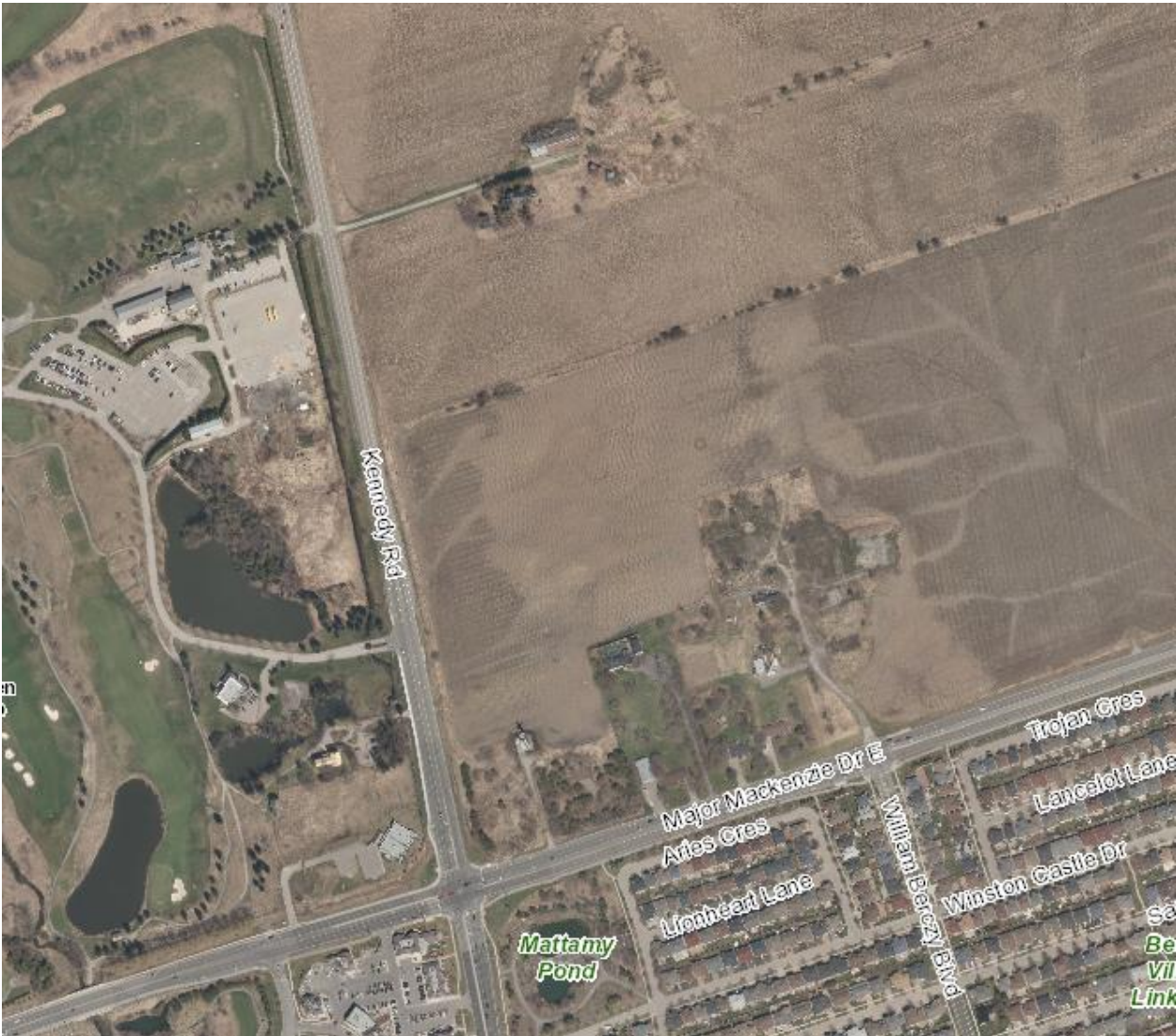
Or

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

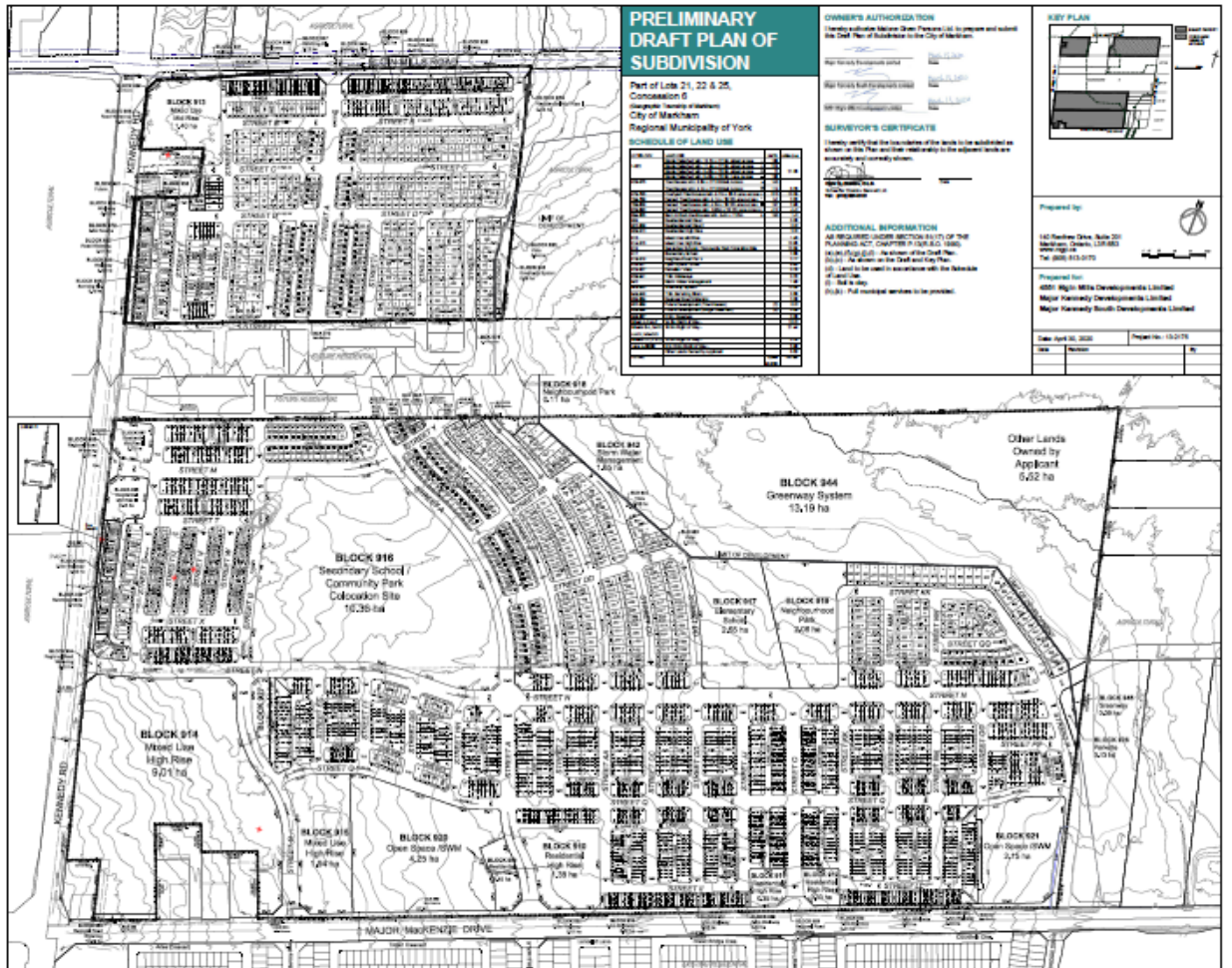
demolition to provide an opportunity to learn more about the mid 19th century construction methods and materials and allow the possible salvage of building components, and that these findings would be provided to the municipality.

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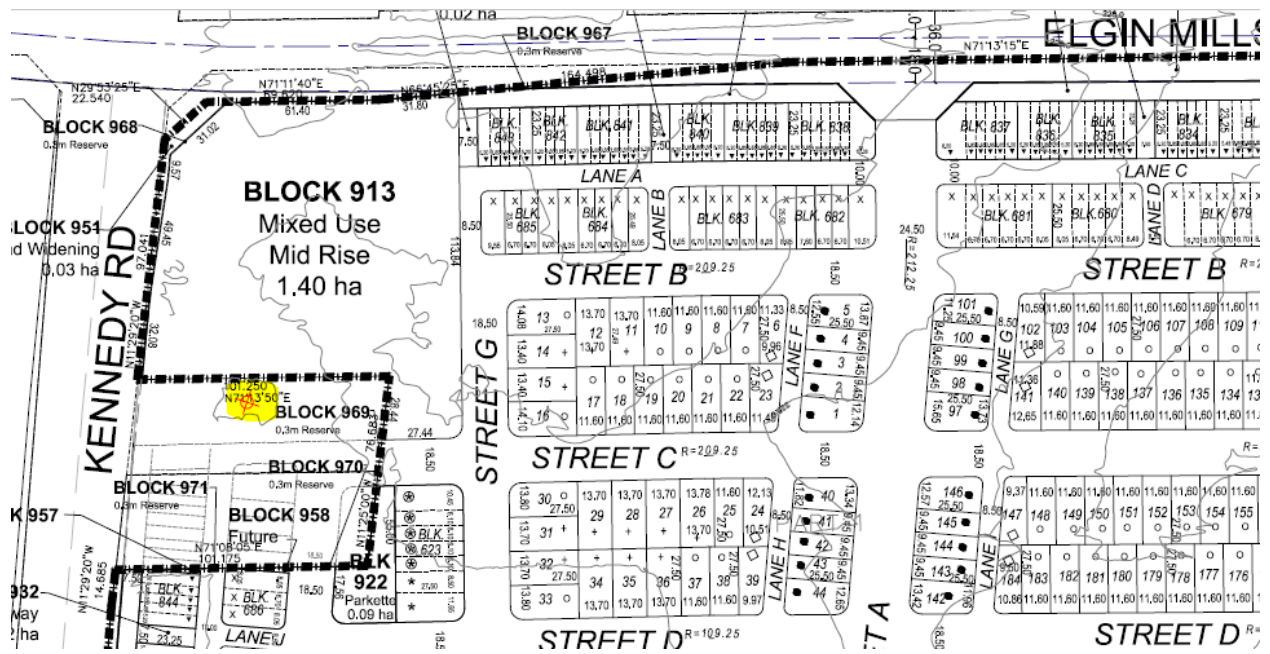
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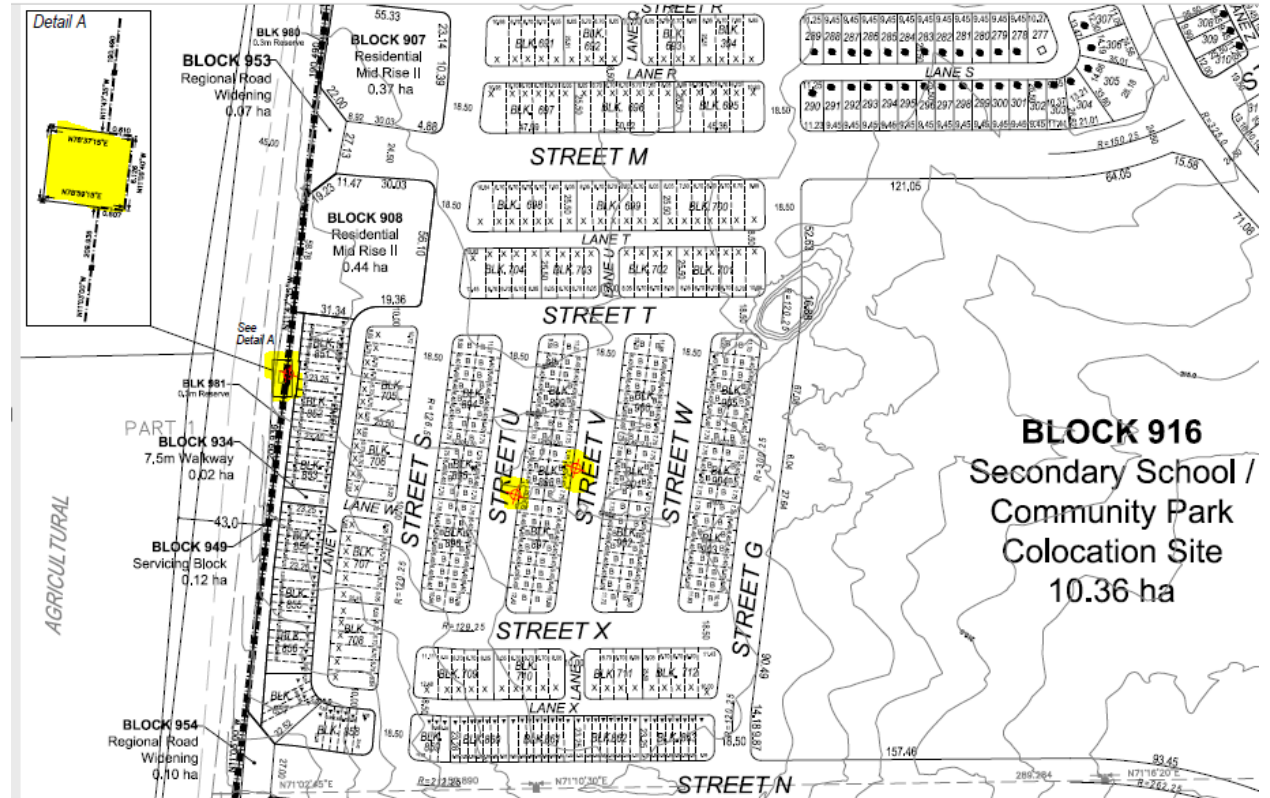
Plan of Subdivision



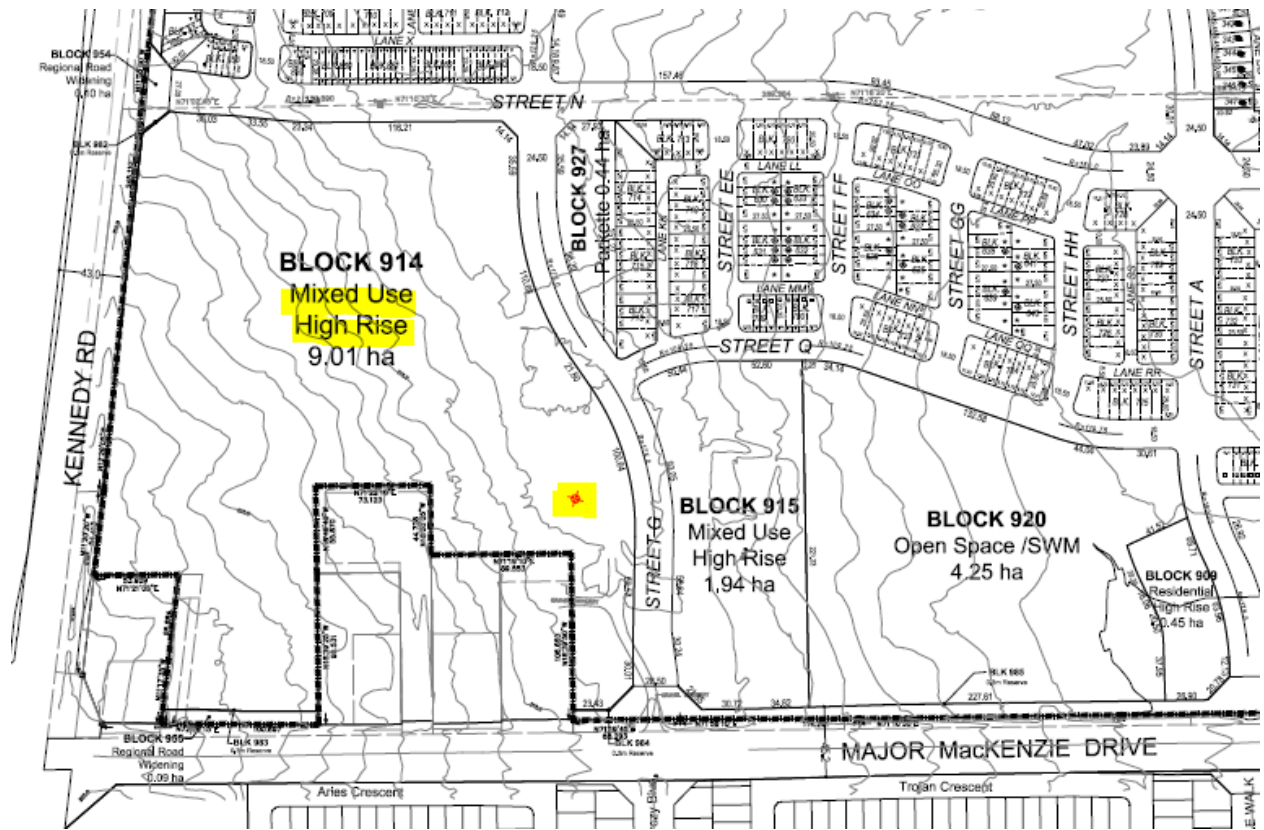
Cultural Heritage Resource at north west corner is not include in the current plan of subdivision submission – see highlight area



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.

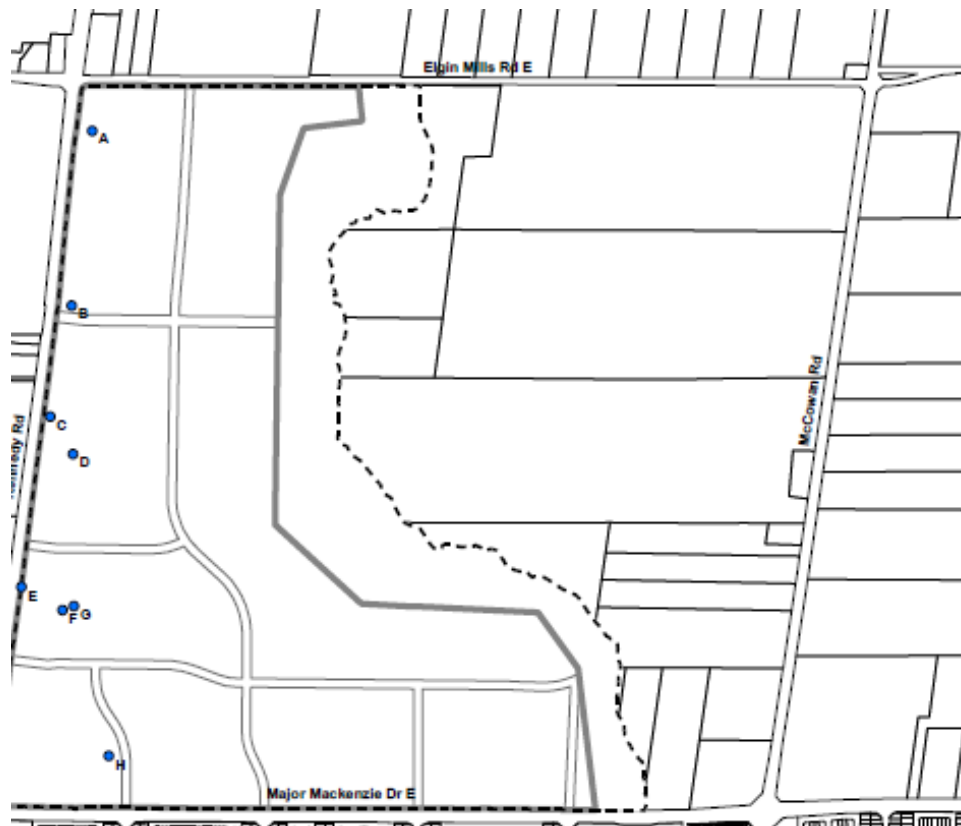
5.4.2 That the *cultural heritage resources* contained in the City's *Register of Property of Cultural Heritage Value or Interest* within the Robinson Glen Planning Area are identified in Appendix 2 – Cultural Heritage Resources.

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)

-  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

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Community Design Plan



Figure 2: Location of Identified Cultural Heritage Resources.

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.

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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



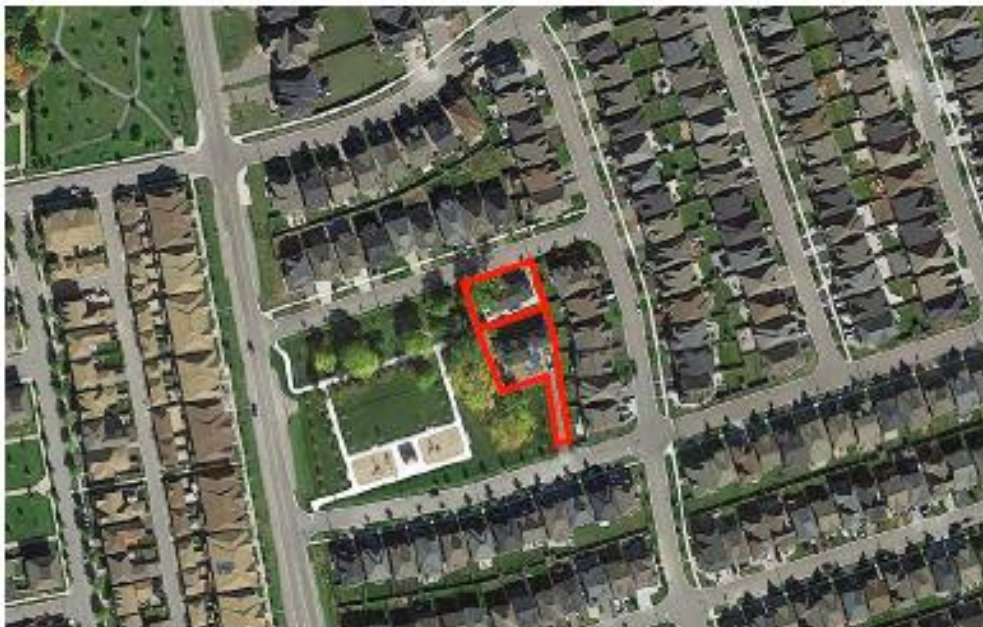
The Francis Walker House, also referred to as the Samuel Eakin House, has a "listed" heritage status and is located on lands owned by a non-participating landowner. This building is an example of the Ontario Cottage style of architecture.

**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.



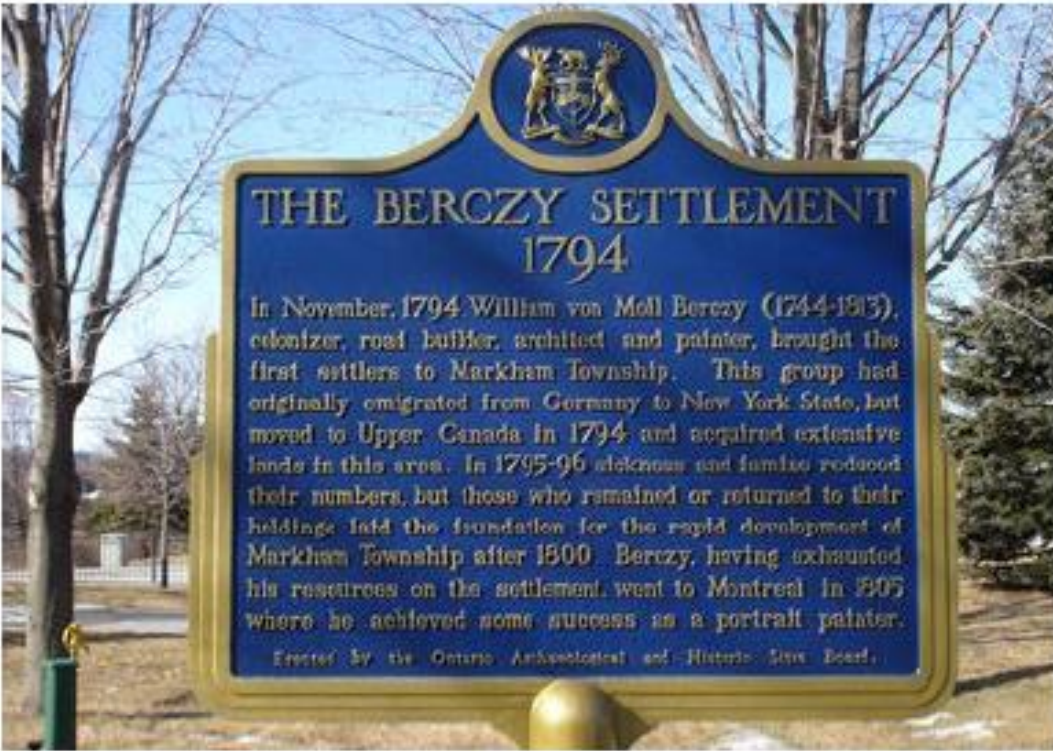
Integration of the William Forester House in Cornell, Markham, which represents an example of honouring the early landowner's legacy through the naming of the municipal street.

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.



Image source: majormilliken.blogspot.com

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