



## MEMORANDUM

**TO:** Heritage Markham Committee

**FROM:** Regan Hutcheson, Manager-Heritage Planning

**DATE:** January 13, 2021

**SUBJECT:** Zoning By-law Amendment and Draft Plan of Subdivision Applications  
10537 Kennedy Road, (formerly 10539 Kennedy Road)  
Arthur Wegg House  
PLAN 20 129597  
Kennedy MM. Markham Ltd.

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**Property/Building Description:** 2 storey single detached brick dwelling constructed in 1922  
The Arthur Wegg House

**Use:** Residential (vacant)

**Heritage Status:** Designated under Part IV of the Ontario Heritage Act (By-law 2014-16)

### **Application/Proposal**

- Review of this matter was deferred from Dec 9, 2020 to January 2021 at the request of the applicant to allow further discussion with City staff.
- The City is in receipt of a Zoning By-law Amendment and Draft Plan of Subdivision applications from Kennedy MM. Markham Ltd. c/o Gatzios Planning + Development Consultants Inc. for 10537 Kennedy Road in support of an urban residential subdivision comprised of single detached dwellings and townhouses, a neighbourhood park, a school, a stormwater management facility, and a mixed use block.
- The Arthur Wegg House was originally proposed to be relocated further north on Kennedy Road having the same orientation, to a location on Block 3. The staff memo of December 9, 2020 recommended that the heritage resource remain on its original site rather than being moved.
- The applicant is now proposing to retain the heritage resource at the corner of Kennedy Road and new Street F very close to its original location, but on a new foundation matching the proposed new grading for the subdivision.

### **Background**

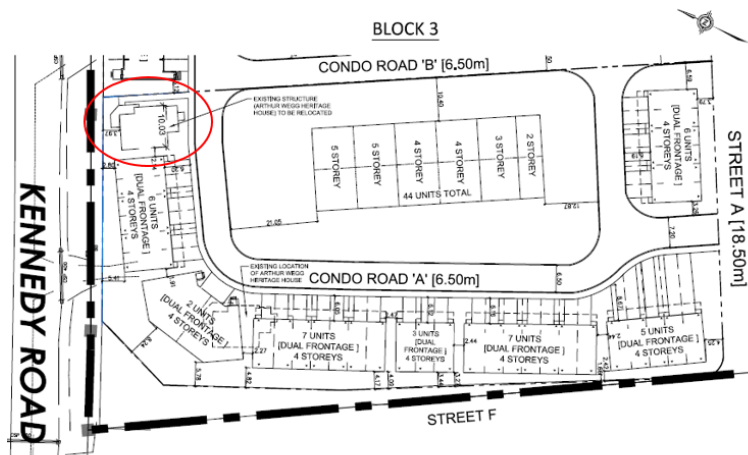
- The subject property was the former location of Forsythe Family Farms,
- The owners had submitted a demolition permit application to demolish the barns and existing heritage dwelling in 2013;
- Heritage Markham had no objection to the demolition of the barns provided the applicant advertised them for relocation or salvage in the local newspapers, but recommended that

the Arthur Wegg House be designated under Part IV of the Ontario Heritage Act in order to preserve it, so it may be incorporated into any future development of the property;

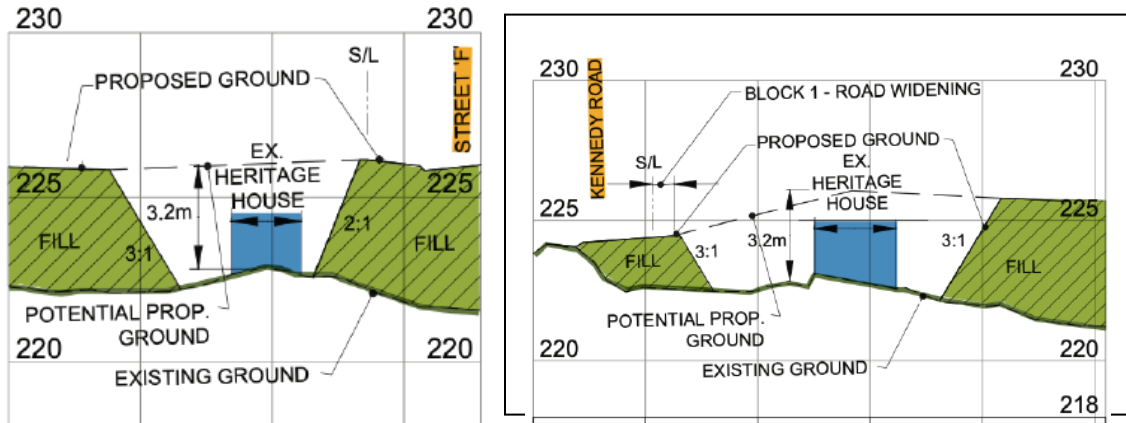
- The owners removed the heritage dwelling from the demolition permit application and Council passed a By-law to designate the Arthur Wegg house. A heritage easement agreement was also secured in 2014.
- Since that time, the Arthur Wegg House has been vacant and is in a deteriorating condition.

### **Staff Comment**

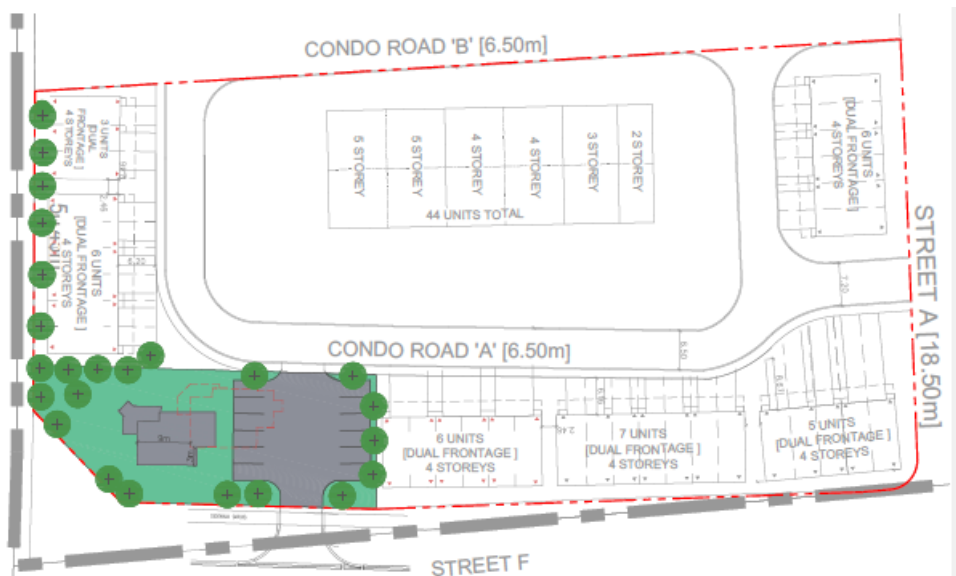
- The original proposal was to relocate the heritage resource further to the north between two townhouse blocks. Two concepts were presented (one is shown below) but both involved the heritage resource in the same location.



- However, neither conceptual option proposed for Block 3 was supported by staff as both required the removal of the Arthur Wegg House from its original site to a small lot with no space for potential additions or garages, and with no suggested future use. The house was also located between significantly taller blocks of townhouses to the north and south;
- Staff met with the applicant and their consultants in December to discuss the option of on-site retention versus relocation and issues related to the existing and proposed grading. Staff reiterated the importance of retaining the Wegg House on or very near its original site and the desirability of the corner location for enhanced visibility.
- **Grading** – the proposed grading is to be raised substantially due to existing road conditions (Kennedy Road) and servicing requirements. The need for this has been confirmed by the City's engineering staff. If the heritage resource was retained on its original site at its current grade, the house would be in a "bath tub" situation with surrounding land at a much higher elevation. See illustrations (cross sections) provided by the applicant.

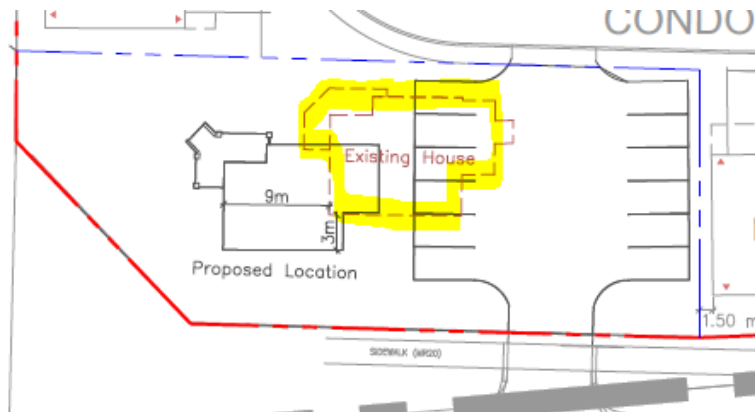


- Based on the above information and the undesirable nature of leaving the heritage resource at its current grade, staff has no objection to placing the resource on a new foundation at the revised grade. This will also result in the removal of the existing vegetation.
- Location of House:** It was also recommended that the Wegg House be retained on a larger lot at the corner of Kennedy Road and the proposed Street F in order to:
  - Improve the prominence of the Wegg House by making it a heritage entrance feature to the development;
  - Provide more space for future additions or garages to make it a more desirable building for a residence or other appropriate future use; and
  - Improve the relationship with adjacent townhouse blocks.
- The following concepts were presented by the applicant as an option to address the concerns raised by staff. In both cases, the heritage resource lot and layout remains consistent. This size of lot would also allow new vegetation to be introduced to reflect the former farmstead landscape, and provides a buffer between the house and proposed new development. The parking lot would allow the house to be used for non-residential uses





- In both cases, the heritage resource is relocated slightly further west closer to Kennedy Road and to the south. See below.



- Based on the unique grading challenges and the type of housing proposed for this area, staff is supportive of the current proposal.
- The standard heritage requirements should be conditions of draft approval for the plan of subdivision and/or included in the Subdivision Agreement ensuring:
  - Retention of the heritage resource near its original site on an identified lot/block, but on a new foundation at the proposed grade of the adjacent subdivision lands;
  - Protection of the heritage resource by securing a Heritage Easement Agreement;
  - Protection of the heritage resource by keeping it occupied or properly boarded to prevent vandalism and deterioration including:
    - securing and protecting the building from damage through the requirements outlined in the City of Markham's Property Standards By-

- law (Part III – Heritage Buildings), and the Keep Markham Beautiful (Maintenance) By-law including Section 8 – Vacant Heritage Property;
  - erecting a "No-trespassing" sign in a visible location on the property indicating that the Heritage Building is to be preserved onsite and should not be vandalized and/or scavenged; and
  - installing a 8 ft high fence around the perimeter of the house to protect the dwelling until the completion of construction in the vicinity or the commencement of long-term occupancy of the dwelling as confirmed by City (Heritage Section) staff.
- Provision of a legal survey of the Heritage Building to facilitate the registration of the designation by-law and Heritage Easement Agreement on the created/proposed lot;
- Provision of a \$250,000 Letter of Credit to ensure the preservation and restoration of the existing heritage building and the implementation of all heritage requirements;
- Execution of a Site Plan Agreement with the City for the heritage building including detailed elevations outlining the proposed restoration plan prepared by a qualified architect with demonstrated experience in heritage restoration projects;
- Implementation of the exterior restoration of the heritage building and ensure basic standards of occupancy within two years of subdivision registration;
- Provision of a marketing plan to promote the features and availability of the heritage house;
- Commemoration of the heritage house through the acquisition and installation of a Markham Remembered interpretive plaque

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### **Suggested Recommendation for Heritage Markham**

THAT Heritage Markham supports the revised option proposed for the Arthur Wegg House which includes retaining the heritage resource near its original site (corner of Kennedy Road and future Street F), but on a new foundation and at the proposed grade of the adjacent subdivision lands;

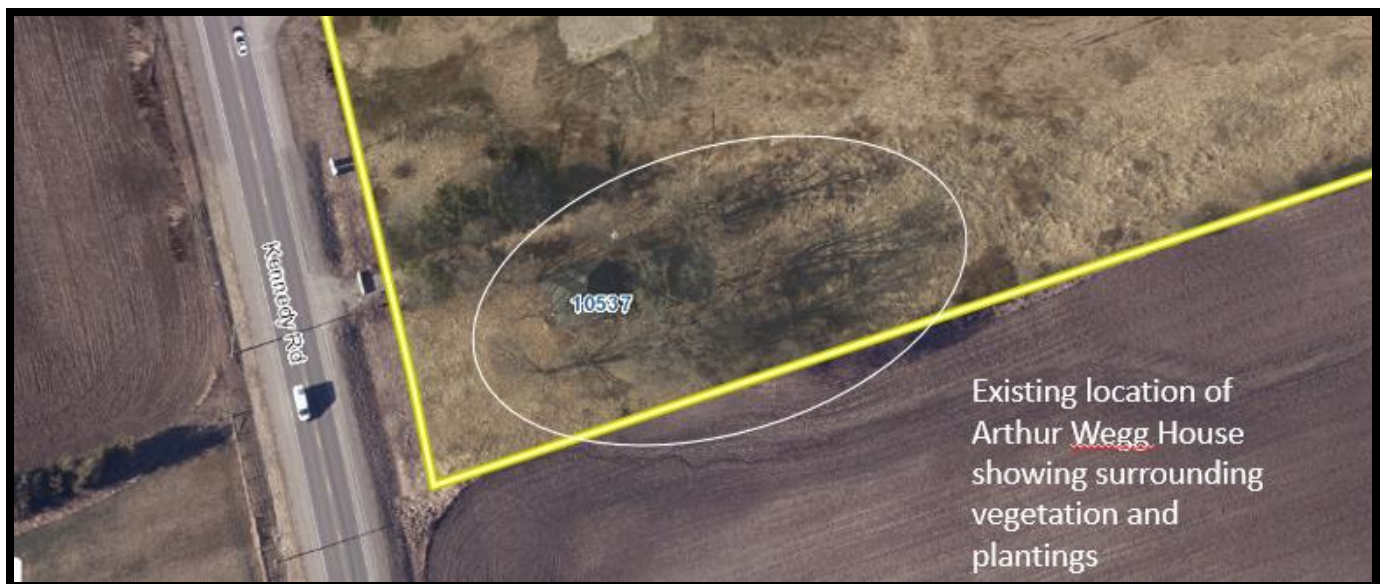
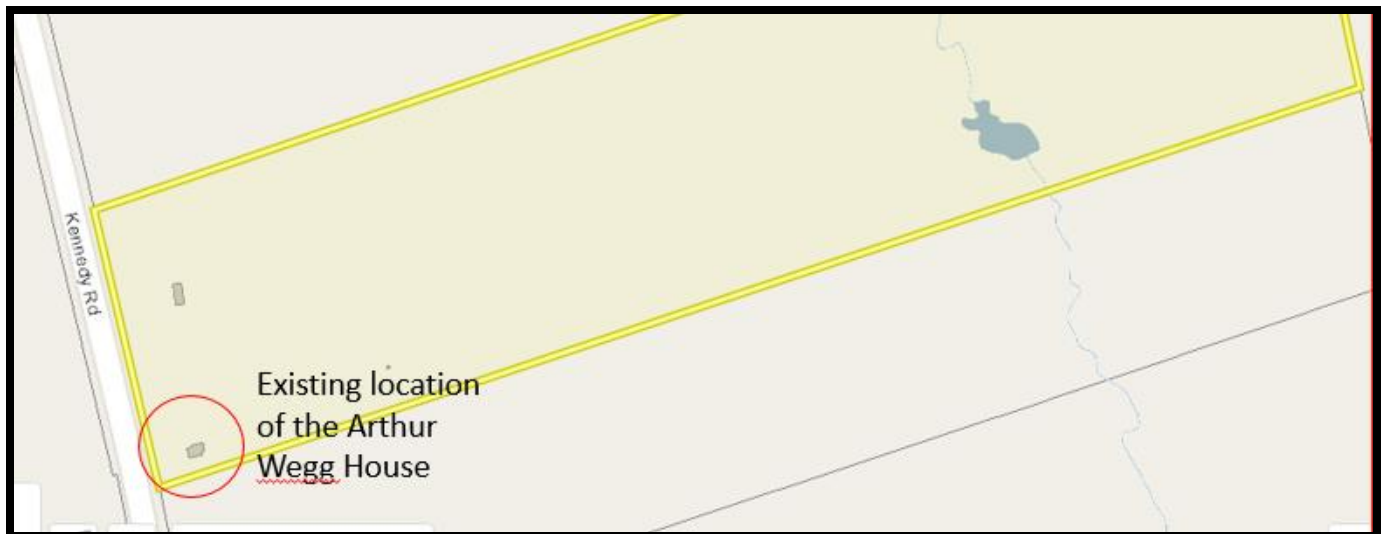
THAT the City's standard heritage requirements be conditions of draft approval for the plan of subdivision and/or included in the Subdivision Agreement;

AND THAT the applicant secure and protect the building from damage through the requirements outlined in the City of Markham's Property Standards By-law (Part III – Heritage Buildings), and the Keep Markham Beautiful (Maintenance) By-law including Section 8 – Vacant Heritage Property, and erect a "No-trespassing" sign in a visible location on the property indicating that the Heritage Building is to be preserved onsite and should not be vandalized and/or scavenged.

File: 10537 Kennedy Road

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**The Arthur Wegg House**





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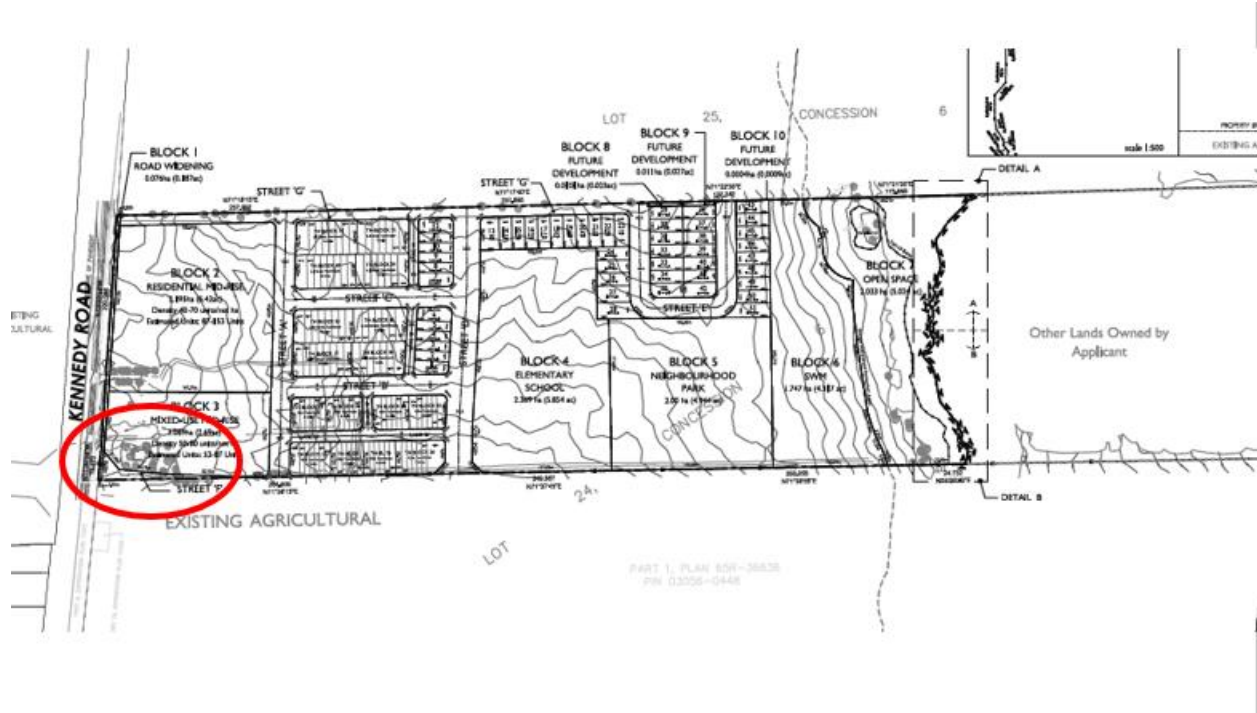


Above: The Arthur Wegg House shown in Google Street View in 2009  
Below: City of Markham Photo c.2014



# Conceptual Site Plan and Draft Plan of Subdivision

Detail



Detail of above

