



Report to: Development Services Committee

Meeting Date: November 22, 2021

SUBJECT:	Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act Bewell Bungalow - 4592 Highway 7 East, Ward 3
PREPARED BY:	Evan Manning, Heritage Planning, ext. 2296
REVIEWED BY:	Regan Hutcheson, Manager, Heritage Planning, ext. 2080 Ron Blake, Senior Development Manager, ext. 2600

RECOMMENDATION:

- 1) That the report dated November 22, 2021, titled “Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act, Bewell Bungalow, 4592 Highway 7 East, Ward 3”, be received;
- 2) That as recommended by the Heritage Markham Committee, and required as a condition of development approval, the Bewell Bungalow be approved for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 3) 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;
- 4) 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;
- 5) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the matter return to Council for further consideration;
- 6) That if the intention to designate proceeds and there are any appeals of the designation by-law, the Clerk be directed to refer the proposed designation to the Ontario Land Tribunal (OLT);
- 7) That if the designation is referred to the OLT, Council authorize the City Solicitor and appropriate staff to attend any hearing held by the OLT 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.

EXECUTIVE SUMMARY:

Not Applicable

PURPOSE:

The purpose of this report is to recommend designation of the “Bewell Bungalow” under Part IV, Section 29 of the Ontario Heritage Act (the “Act”).

BACKGROUND:**The subject property is not currently municipally-recognized as a heritage resource**

The Bewell Bungalow, municipally known as 4592 Highway 7 East (the “subject property” or the “building”), is not currently 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 value or interest, in addition to Part IV properties (individual designations), and Part V properties (district designation).

The Bewell Bungalow is a heritage resource within a development site

The Bewell Bungalow is contained within a development site that includes both the subject property and the adjacent property municipally-known as 4600 Highway 7 East. These lands are subject to Minor Variance (A/143/20) and Site Plan Applications (SPC 20 107969) to facilitate construction of a new automobile dealership. Originally proposed for removal, the owner (Southshore Investments Inc.) has agreed to retain the Bewell Bungalow following discussions with City staff.

Designation of the subject property under the Ontario Heritage Act is a condition of both minor variance approval as per the Committee of Adjustment (March 10, 2021), as well as Site Plan Approval (SPA)(May 3, 2021). The entering into a Heritage Easement Agreement is also a condition of SPA.

The Bewell Bungalow is an Arts and Crafts style dwelling

The Bewell Bungalow is a one-and-a-half storey brick dwelling constructed in 1922. It is a remnant of early twentieth century suburban development along Highway 7, and is a good representative example of Art and Crafts architecture within a residential context. While mainly residential at the time of the building’s construction, land use along Highway 7 has since transitioned to be predominantly commercial in character.

The building has been 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. It was evaluated as a Group 2 Heritage building. Group 2 buildings are those buildings of significance and worthy of preservation. Group 2 buildings are also considered worthy of designation under the Act.

The building has been assessed using the Province’s Designation Criteria

The Government of Ontario on January 25, 2006 passed a regulation (O.Reg. 9/06) 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. This criteria was unchanged by the amendments to the Act that came into force on July 1, 2021.

The purpose of the regulation is to provide an objective base for the evaluation and determination 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 subject property is a significant cultural heritage resource and merits designation under Part IV, Section 29 of the Act for its design and contextual value.

Design Value

The property has design value as it is a representative example of an Art and Crafts style residential dwelling. This architectural style originated in the United Kingdom during the mid-nineteenth century and spread to North America in the late nineteenth century. The governing principles of the movement were a belief in craftsmanship, simplicity, utility and beauty. While there was regional variation in how these principles were expressed, the reactionary movement shared a common aversion to the perceived excesses of Victorian architecture (i.e. ornamentation and the collection of objects) and the mass production of goods made possible by the Industrial Revolution. Common qualities of the movement included an open floor plan, the use of natural materials such as brick, stone and wood, the arrangement of a few well-designed decorative objects and a structural authenticity. This often included rafters that extended past the roofline creating deep front porches. The popularity of the Arts and Crafts movement faded in the 1920s as discomfort and skepticism with technological innovation faded, and excitement over novel forms of production and building techniques grew.¹

¹Sources:

The Bewell Bungalow was a relatively late product of the Arts and Crafts movement, completed just as the popularity of the architectural style was falling out of favour. Although modest in scale and no longer residential in use, the Bewell Bungalow remains relatively intact and displays many of the characteristics that typify Arts and Crafts dwellings. These include the use of brick masonry, the simple rectangular floor plan, the strong roof profile, and the generous front porch with restrained ornamentation. The rarity of this architectural style within Unionville also contributes to the value of the Bewell Bungalow.

Historical Value

This area to the east of Main Street and Bruce Creek was purchased by Francis “Frank” H. Elliott in 1913. In 1920, a large amount of the property was transferred to his son, William F. Elliott. W. F. Elliott sold off some parcels in the early 1920s, and in 1926 created Plan 2489, a small subdivision.

The Bewell Bungalow was built on a one acre lot immediately to the west of the subdivision boundary, and was sold to Edward and Margaret Bewell in 1922. Edward Bewell (1862 – 1931) was born in Greenbank Village, Reach Township, and served in World War One. He was a retired farmer when he purchased the property. His first wife was Harriet Camplin, and his second wife was Margaret Robinson.

Margaret Bewell sold the home to Jennie Neill in 1947 who in turn sold the property to Edward and Hazel Tucker in 1954. The property remained in the Tucker family until 1973 at which point it was sold to the Cocca Construction Company Limited, thereby ending its residential use.

Contextual Value

The Bewell Bungalow has contextual value as a remnant of Unionville’s early twentieth century growth. This period in the history of the village produced relatively little new construction compared to the three decades that followed the arrival of the Toronto-Nipissing Railway in 1871 (half of the buildings on Main Street Unionville were constructed between 1870 and 1900). The vintage of the property helps make legible the varied architectural character of Unionville, as well as the urban footprint of the village to prior to the arrival of post-war suburban growth. The property is also the only remaining residential property along the north side of Highway 7 between Main Street to the west, and Kennedy Road to the east (see Figure 3). As such, it possesses historical linkages to the former residential character of Highway 7.

The Statement of Significance is attached as Appendix ‘A’.

Heritage Markham Committee 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. At its meeting on January 26, 2021, Heritage Markham recommended that the subject property be designated under the Act as a condition of development approval.

OPTIONS/ DISCUSSION:**The protection and preservation of heritage resources is consistent with City's 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 will help facilitate the integration of the resource into the planning process

As described earlier in this report, designation of the Bewell Bungalow under the Ontario Heritage Act is a condition of development approval. A Heritage Easement Agreement will also be secured to protect this heritage resource as a condition of Site Plan Approval.

Designation will enhance the resource's status during future changes in ownership and offer protection from potential alterations that may affect the heritage attributes and value.

Designation acknowledges the importance of the cultural 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.

The owner is aware of and supports the intention to designate

The owner is working with staff to obtain the designation of the property. The designation of this cultural heritage resource is supported by staff.

Approval Process for a Designation By-law

The following is a summary of the key process and notification requirements associated with the designation of a property:

- Council approves the Notice of Intention to Designate.
- Notice is given to the owner, the Ontario Heritage Trust and is published in a newspaper.
- Within 30 days of the newspaper publication, anyone may serve on the Clerk notice of objection to the notice of intention to designate the property.
- Council is required to consider the objection and make a decision whether or not to withdraw the notice of intention to designate the property within 90 days after the end of the 30-day notice period.
- If no notice of objection is served within the 30-day period or a notice of objection is served within that period, but Council decides not to withdraw the notice of intention to designate the property, the Council may pass a designation by-law.
- Notice of the approval of the designation by-law is provided to the owner, the Trust and is published in a newspaper. Within 30 days of the publication in the newspaper, any person may serve on the Clerk notice of appeal and the by-law would be referred to the Ontario Land Tribunal.
- If there is no appeal, the by-law comes into effect and is registered against the properties affected in the land registry office and a copy of the registered by-law is served on the Trust.

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 buildings 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

BUSINESS UNITS CONSULTED AND AFFECTED:

Acceptance of this recommendation to designate the Bewell Bungalow 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;
- Refer any objections to the proposed designation back to Council;
- Place the designation by-law for the property on the Council agenda; and
- Publish and serve on the property owner, the Ontario Heritage Trust and the public through newspaper advertisement, notice of approval of the designation by-law as per the requirements of the Act

RECOMMENDED BY:

Biju Karumanchery
Director of
Planning & Urban Design

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 – Archival Aerial Photograph

Figure 4 - Building Photographs

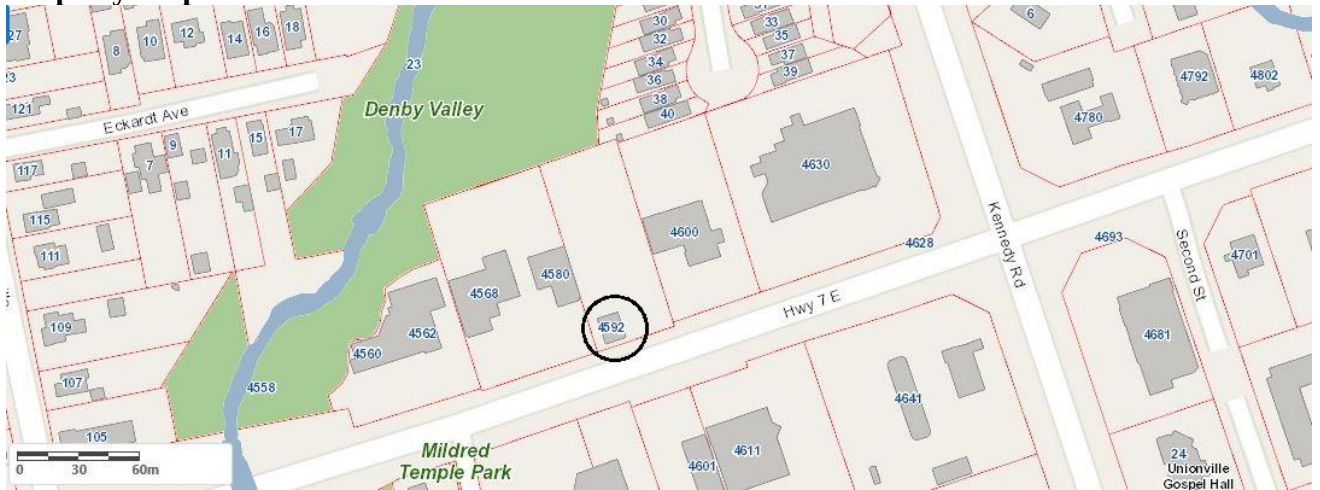
Figure 5 - Site Plan

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

FIGURE 1**OWNER:**

Southshore Investments Inc.
152 Ramona Blvd
Markham, Ontario L3P 2K8

c/o Philip Frederickson
RH Carter Architects Inc.
5040 Dundas Street West
Toronto, Ontario M9A 1B8

Property Map:

The Bewell Bungalow is circled

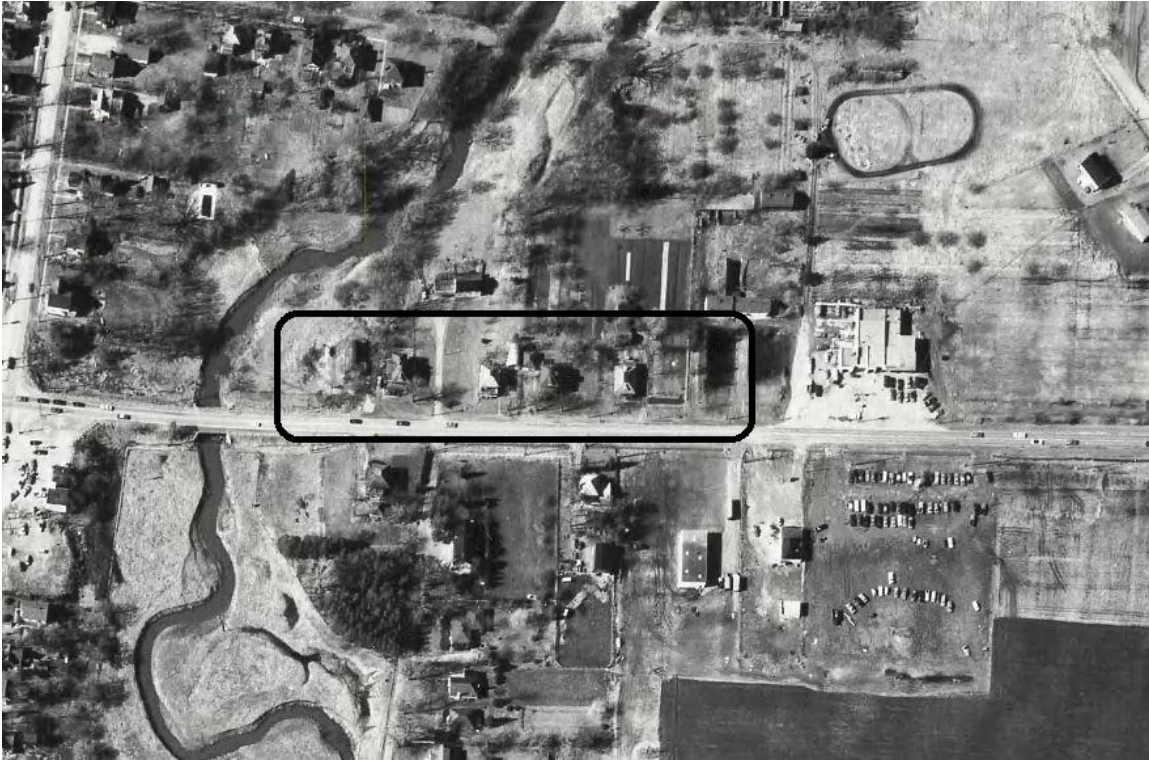
FIGURE 2

Aerial Image:



The Bewell Bungalow is circled

FIGURE 3
Archival Aerial Photograph



Aerial photograph c1969. The residential properties along the north side of Highway 7 are outlined in black. The subject property is at the centre. Note that with exception of the Bewell Bungalow 7, none of these residential properties remain.

(Source: City of Toronto Archives)

FIGURE 4
Building Photographs



South (primary) elevation



North elevation

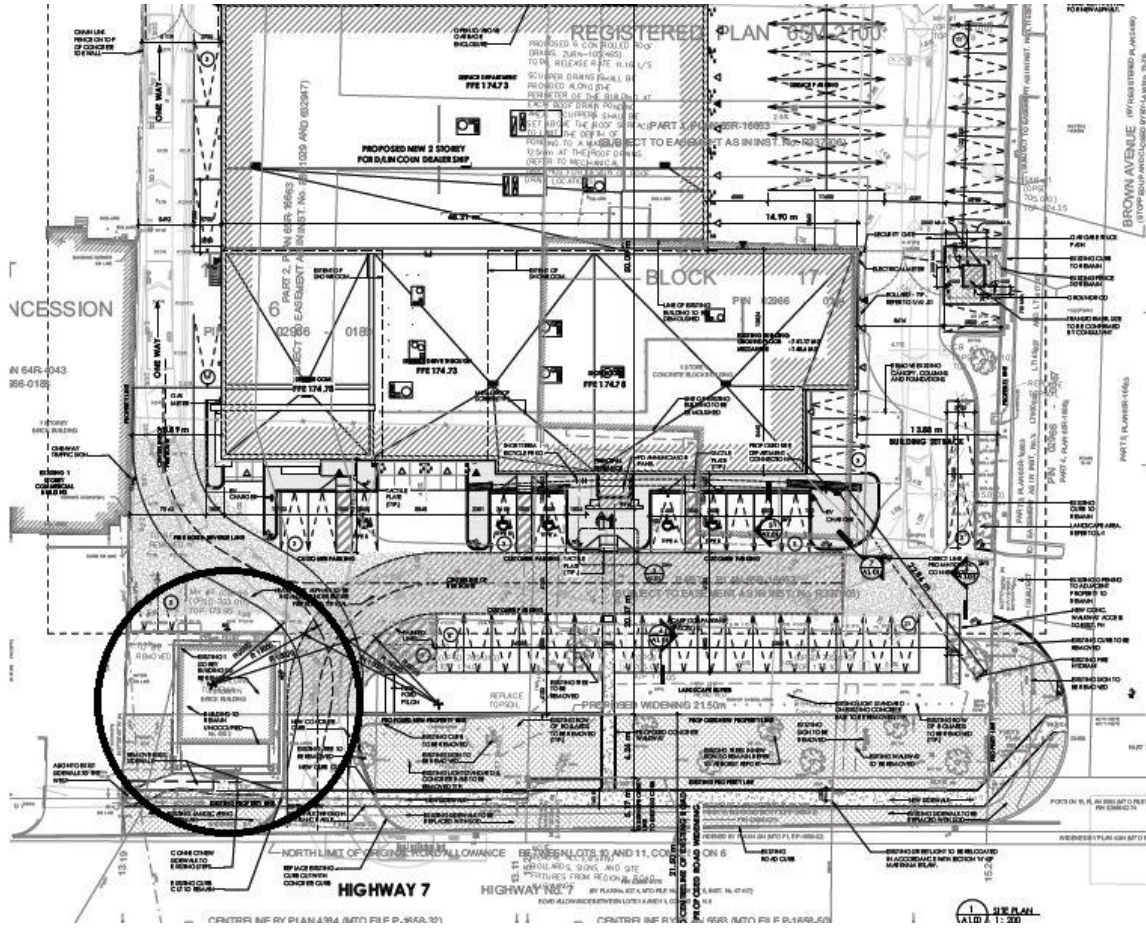


East elevation



West elevation

FIGURE 5
Site Plan



The Bewell Bungalow is circled

APPENDIX 'A' – Statement of Significance/ Reasons for Designation**STATEMENT OF SIGNIFICANCE****Bewell Bungalow**
4592 Highway 7 East

The Bewell Bungalow 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 following Statement of Significance.

Description of Property

The Bewell Bungalow is a one-and-a-half storey brick dwelling converted to commercial use located on the north side of Highway 7 East. The property, municipally-known as 4592 Highway 7 East, is situated within a series of commercial plazas located between Main Street Unionville to the west, and Kennedy Road to the east.

Design or Physical Value

The Bewell Bungalow is of design or physical value as a good example of an Arts and Crafts style dwelling. The building is compact and rectangular in form with a minimum of ornamentation, reflecting the stylistic influence of Arts and Crafts architecture on residential design in the late-nineteenth and early twentieth centuries. The guiding principles of the movement were a belief in craftsmanship, simplicity, utility, and a restrained, subdued beauty. The building's clarity in form, structural authenticity, and use of natural materials, such as brick masonry, are all indicative of these principles.

Historical or Associative Value

The Bewell Bungalow has historical or associative value as a property within a former cluster of suburban lots sold by W. F. Elliott in the early 1920s. This house was built for Edward and Margaret Bewell on a one acre lot purchased in 1922. A very similar house at 106 Main Street Unionville was constructed in 1920, which suggests that the same builder was responsible for its construction. The vintage of the house is significant as it is representative of a phase of growth in Unionville in which there are relatively few extant examples.

Contextual Value

The Bewell Bungalow has contextual value as a remnant of early twentieth century suburban development along Highway 7, at the south end of the village of Unionville. The property is of significance as it is one of only two former residential properties remaining on Highway 7 between Main Street Unionville and Kennedy Road. As such, it is revealing of both the urban footprint of Unionville prior to the arrival of post-war suburban growth, and the former residential character of Highway 7.

Significant Architectural Attributes

Character-defining attributes that embody the cultural heritage value of the Bewell Bungalow are organized by their respective Ontario Regulation 9/06 criteria below:

Heritage attributes that convey the property's design value as a representative example of an Arts and Crafts dwelling:

- Overall form of the one storey, rectangular-plan building;
- Truncated hipped roof with hipped-roofed dormers on the front and rear slopes;
- Full-width front veranda, supported by four brick columns resting on brick piers with concrete caps;
- Brick balustrade with a checkerboard pattern, capped with concrete copings. Brick skirting in the same checkerboard pattern
- Red-orange brick masonry;
- Variable-sized, flat-headed window openings with wooden sash-style windows and storms with upper sash containing divided panes in varying numbers depending on window size;
- Wooden storm windows;
- Masonry lintels and lugsills; and
- Small square windows with no pane divisions on the west and east elevations;

Note that the exterior paint colour, wall mounted signage boxes, existing front and rear doors, skylights, and electrical light fixtures flanking the front entrance are not original to the property, and are not considered to contain significant cultural heritage value. As such, they have not been identified as heritage attributes.

Heritage attributes that convey the property's historical and contextual value as a fragment of Unionville's early twentieth century growth include:

- The dwelling's setback from Highway 7 which, despite past road widening, helps communicate the former residential use of the property, and the historic character of Highway 7 more broadly; and

- The unobstructed visibility of the dwelling's south (primary), east and west elevations from Highway 7 reflecting its original condition when constructed.