
SUBJECT: Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act, McCauley-Cooperthwaite House, 5560 14th Avenue, Ward 7

PREPARED BY: Evan Manning, Heritage Planning, ext. 2296

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

RECOMMENDATION:

- 1) That the report dated February 2, 2022 titled “Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act, McCauley-Cooperthwaite House, 5560 14th Avenue, Ward 7”, be received;
- 2) That as recommended by the Heritage Markham Committee, and required as a condition of development approval, the McCauley- Cooperthwaite House 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.

PURPOSE:

The purpose of this report is to recommend designation of the “McCauley-Cooperthwaite House” under Part IV, Section 29 of the Ontario Heritage Act.

BACKGROUND:

The subject property is currently municipally-recognized as a heritage resource
The McCauley- Cooperthwaite House, municipally known as 5560 14th Avenue (the “subject property” or the “heritage building”), is listed on the Markham Register of Property of Cultural Heritage Value or Interest, but is not currently designated under the Ontario Heritage Act. 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 McCauley- Cooperthwaite House is a heritage resource within a development site

The McCauley-Cooperthwaite House is contained within a development site for which the City has received concurrent Zoning By-law and Site Plan Control applications (SPC 20 116893 001) as well as an application for Draft Plan of Subdivision (21 116893 002 PLAN). The applicant is proposing to construct a two-storey, multi-unit warehouse building containing twenty-three units. The McCauley-Cooperthwaite House is proposed to be retained in-situ and converted into warehouse space as part of the development scheme (see the drawings appended as Figure 4 of this memo).

Designation of the subject property under the Ontario Heritage Act is a condition of Draft Plan of Subdivision approval, as is the entering into both a Heritage Easement Agreement, and Site Plan Agreement for the heritage building. As part of the redevelopment of the subject property, conservation work will be undertaken to restore the McCauley-Cooperthwaite House to a more historically accurate condition.

The McCauley-Cooperthwaite House is a vernacular farmhouse with Gothic Revival influences

The McCauley-Cooperthwaite House is a one-and-a-half storey frame dwelling constructed in 1870. It is a remnant of the formerly agricultural character of Markham Township as well as 14th Avenue more broadly. The built form context of southeast Markham has since transitioned to contain a mixture of residential and commercial uses typical of a suburban context.

The dwelling is also a representative example of a vernacular farmhouse with clear Gothic Revival influences. These include the L-shaped plan, picturesque massing, prominent front facing gable, roof profile, and recessed area along the south elevation that once contained a verandah with decorative wood detailing. An archival photograph appended as Figure 3 of this report provides evidence of this former condition, and will be used to guide forthcoming restoration work.

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 Ontario Heritage 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 Ontario Heritage Act for its design, historical and contextual value.

The Statement of Significance is attached as Appendix 'A' of this memo.

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 February 9, 2021, Heritage Markham recommended adoption of the aforementioned approval conditions

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 McCauley-Cooperthwaite House 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 approval for the Draft Plan of Subdivision.

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.

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- 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 McCauley-Cooperthwaite House 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 Ontario Heritage Act;
- Refer any objections to the proposed designation back to Council;
- Place the designation by-law for the property on the Council agenda; and

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- 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 Ontario Heritage Act.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
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 Images

Figure 3 - Contemporary and Archival Photography

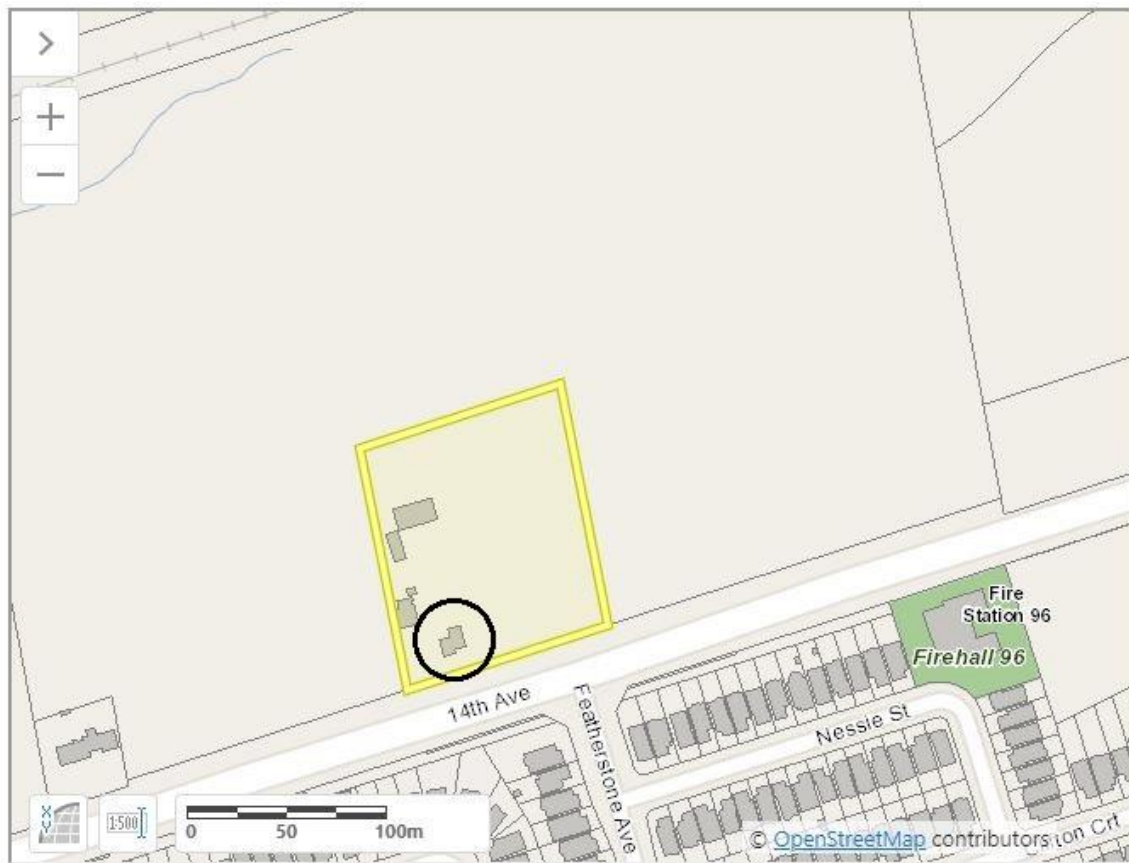
Figure 4 - Site Plan and Elevation Drawing

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

FIGURE 1**OWNER:**

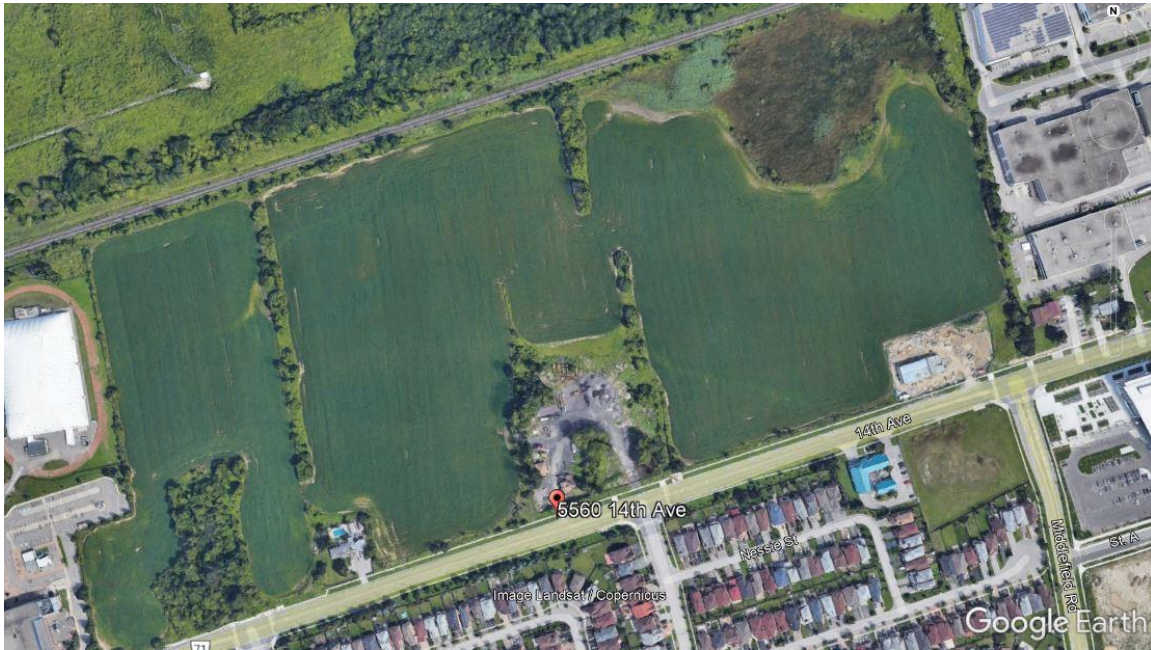
Jamshed Hussaini
2697416 Ontario Inc.

c/o Bob Shanbhag
Construction Point
178 Main Street, Unit 304
Markham, Ontario L3R 2G9

Property Map

The McCauley-Cooperthwaite House is circled

FIGURE 2
Aerial Images



The McCauley-Cooperthwaite House is indicated by the red pin (Source: Google Earth)



The McCauley-Cooperthwaite House is visible near the centre of the image. The barn was demolished in 2018 (Source: Google Earth)

FIGURE 3
Contemporary and Archival Photography

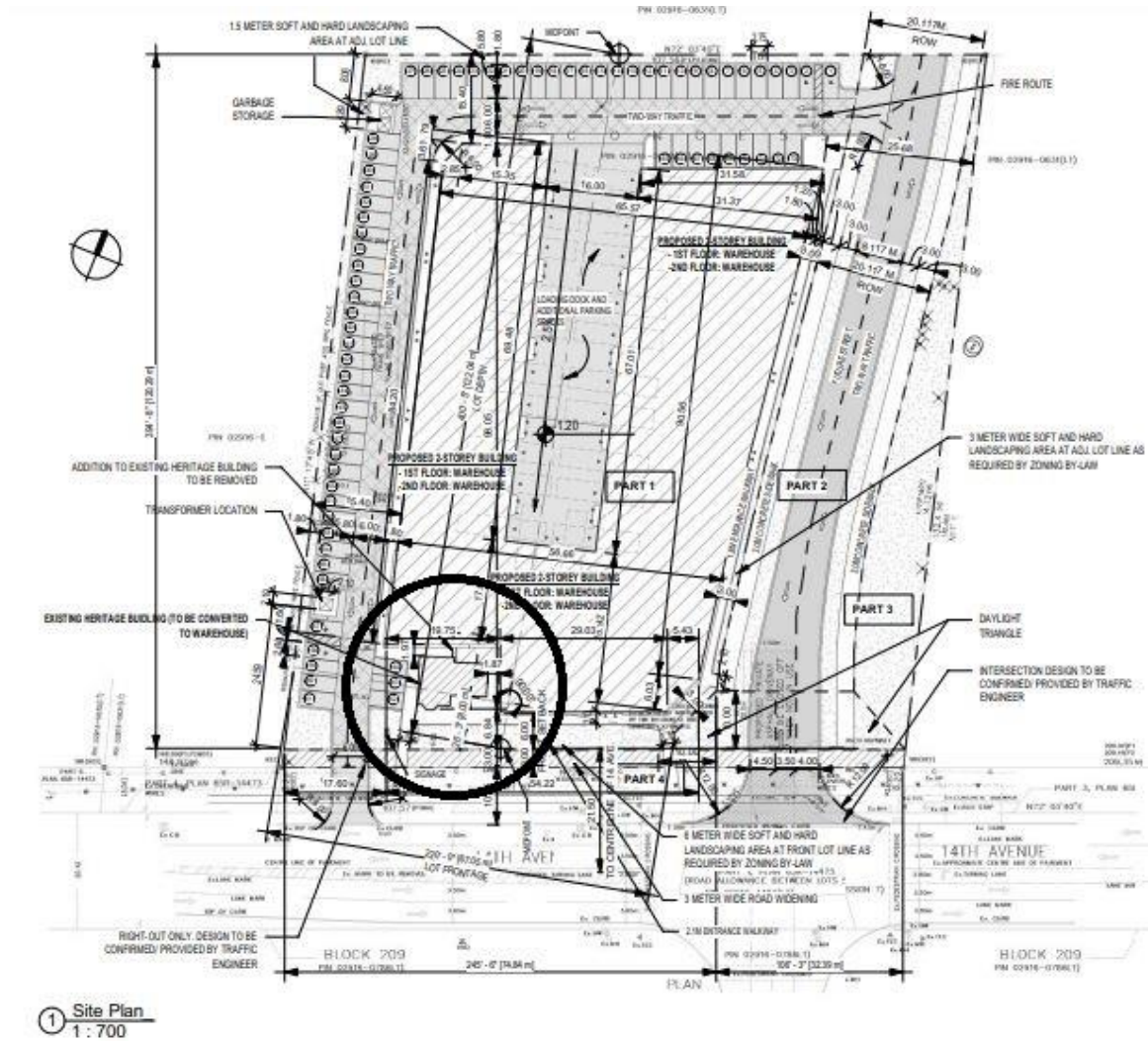


South (primary) and west elevations of The McCauley-Cooperthwaite House visible. The west elevation is in shadow.

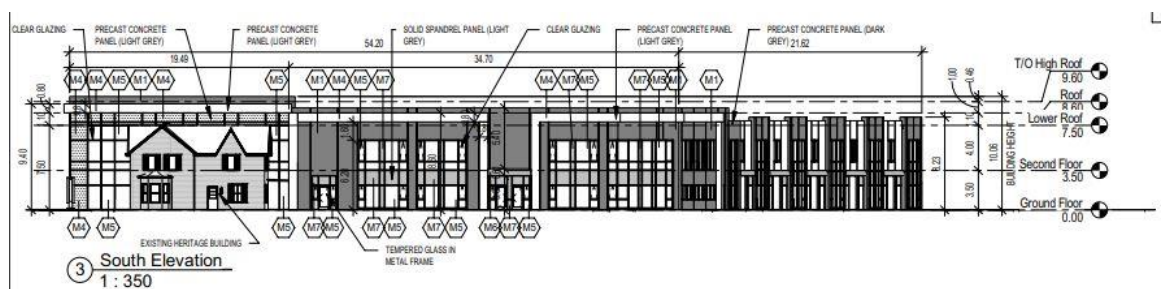


South elevation of The McCauley-Cooperthwaite House (c1910s) showing original vertical wood cladding and verandah (Source: Markham Museum)

FIGURE 4
Site Plan and Elevation Drawing



The McCauley-Cooperthwaite House is circled in the proposed site plan (Source: TAES Architects Inc.)



The McCauley-Cooperthwaite House is visible at left hand side of the above drawings showing the proposed south elevation of the warehouse (Source: TAES Architects Inc.)

APPENDIX 'A' – Statement of Significance/ Reasons for Designation**STATEMENT OF SIGNIFICANCE****McCauley-Cooperthwaite House**
5560 14th Avenue

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

Description of Property

The McCauley-Cooperthwaite House is a one-and-a-half storey frame dwelling located on the north side of 14th Avenue, approximately midway between McCowan Road to the west, and Markham Road to the east. The house, which is oriented southwards, is situated on former agricultural land that is transitioning to industrial and commercial uses.

Design and Physical Value

The McCauley-Cooperthwaite House has design and physical value as a representative example of a vernacular farmhouse with Gothic Revival influences. This is most clearly seen in its asymmetrical form, roof pitch, and steep gables. This building form was popular from the mid to the late 19th century. The McCauley-Cooperthwaite House, constructed in 1870, is a picturesque house that contrasts with the sober Georgian symmetry of earlier vernacular farm residences in the former Markham Township. Based on a review of archival photography, the dwelling always featured restrained ornamentation in contrast to other frame dwellings of its time period.

Historical and Associative Value

The McCauley-Cooperthwaite House has historical and associative value as the former home of Thomas McCauley, a Scottish immigrant, and his wife, Nancy Stover McCauley, a member of an early American immigrant Mennonite family that had established themselves at this location in 1816. The property is of additional historical interest as the former home of John and Sarah Cooperthwaite, whose presence on the property was documented in an archival photograph in the collection of the Markham Museum that shows the farmhouse as it appeared in the 1910s

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Contextual Value

The McCauley-Cooperthwaite House is one of the few remaining heritage buildings in the southeastern part of Markham. Development in the 1970s and 1980s removed many of the original farmhouses dating to the nineteenth and early twentieth centuries, replacing the associated agricultural uses with residential and commercial buildings typical of a suburban setting. The existing house remains as a reminder of the former agricultural community that preceded the current built environment.

Significant Architectural Attributes

Character-defining attributes that embody the cultural heritage value of the McCauley-Cooperthwaite House 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 a vernacular farm house:

- Vertical wood tongue and groove siding believed to remain under the existing siding;
- Fieldstone foundation;
- Wood trim around door and window openings, and projecting wood sills;
- Existing flat-headed window openings.

Heritage attributes that convey the property's design value as a representative example of Gothic Revival architecture in a rural context:

- L-shaped plan;
- Picturesque massing;
- Recessed portion of the south (primary) elevation where a wood veranda was formerly located;
- Medium pitched cross-gable roof with open, overhanging eaves and additional gables on the north and south elevations;
- Bay window along the ground floor of the south elevation;
- 2/2 wooden windows;
- Front door opening on the south elevation, and secondary door opening on the east elevation.

Heritage attributes that convey the property's historical and contextual value as a fragment of both 14th Avenue's and Markham Township's formerly rural character:

- The dwelling's setback from 14th Avenue which, despite past road widening, helps communicate the former residential use of the property, and the rural character of 14th Avenue and Markham Township more broadly;

The unobstructed visibility of the dwelling's south (primary), east and west elevations from 14th Avenue reflecting its original condition when constructed.