



## MEMORANDUM

**TO:** Heritage Markham Committee

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

**DATE:** August 10, 2022

**SUBJECT: Request for Feedback**  
Update on Rouge National Urban Park Cultural Heritage (Parks Canada) and  
Proposed Demolition  
7861 Highway 7, Locust Hill  
The Nighswander Tenant House

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**Property/Building Description:** 1 ½ storey dwelling built circa 1890  
**Use:** Vacant, formerly Residential  
**Heritage Status:** Listed on Markham Register of Property of Cultural Heritage  
Value or Interest

### **Application/Proposal**

- To provide a brief update on 1) the cultural heritage activities in the Rouge National Urban Park; and 2) a proposed demolition of 7861 Highway 7.
- To use proposed removal of the building as a pilot/test run of going through the Markham heritage review/demolition process by Parks Canada to receive Heritage Markham and the municipality's feedback.

### **Background**

- *Rouge National Urban Park (RNUP)*
  - There are over 80 cultural heritage resources in the RNUP as identified by the City of Markham.
  - A signed draft Memorandum of Understanding related to RNUP cultural heritage resources is attached as Appendix "A". A number of the houses and other buildings within the Park boundaries in east Markham have heritage value and preserving and celebrating this heritage is a mutual goal of Parks Canada, Markham and York.
- *Ownership*
  - The majority of lands now in the Markham component of RNUP were previously owned by Transport Canada as part of land holdings associated with a potential airport in Pickering.

- The property proposed for demolition was previously owned by the Ontario Realty Corporation (ORC) (Province of Ontario) and later Infrastructure Ontario (IO).
- Recently, the property was obtained by Parks Canada (Government of Canada) and is now included in the Rouge National Urban Park.
- *Historical Information*
  - The property proposed for demolition is identified as the Nighswander Tenant House and was associated with the Nighswander Brothers Temperance Hotel and Store which was located immediately to the east of this property. The former hotel collapsed a few years ago due to abandonment and lack of maintenance and repair while in provincial ownership (demolition by neglect).
  - The subject building is one of three rental dwellings which were constructed west of the Temperance Hotel circa 1890 by the Nighswander brothers after the introduction of the Ontario and Quebec railroad in the Village of Locust Hill. MPAC data indicates the date of construction at 1872.
  - In 1998, the municipality did not object to the removal of the barn structures at the rear of the subject property.
  - See Appendix “B” for further information on the property.
- *Protection*
  - The property is currently listed on the **Markham Register of Property of Cultural Heritage Value or Interest**.
  - In 2003, Markham Council approved the designation of 21 properties, including 7861 Highway 7, as these properties were located within the Little Rouge Corridor and were to be transferred by the province (Ontario Realty Corporation) to the Town and the TRCA as part of the future Rouge Park. A designation report was prepared for the property and the municipality published a “notice of intention of designate”. While most of the properties were designated under the Ontario Heritage Act and transferred to the municipality or the TRCA, this specific property and the adjacent hotel property were not and remained under provincial control. The proposed designation was appealed and was to be sent to the Conservation Review Board to assess if the designation was supportable. This never occurred as the municipality and the ORC agreed to stand down to see if perceived issues could be addressed.
- *Maintenance and Structural Issues*
  - The subject property has been vacant and neglected for many years.
  - Although boarded and fenced for security purposes, there has been minimal maintenance undertaken on the property.
  - Staff have received a number of enquiries from local residents concerning the state of the building and advocating for repair or removal due to deteriorating state over the last decade. Health and safety risks were often noted.
  - Municipal staff were unsuccessful in having repairs and necessary work undertaken by the province. Little to no money has been invested in the property (or the former hotel property) since the early 2000s. In 2007, the province indicated that “ORC is aware of the heritage significance of the properties and is reviewing their current maintenance and security issues with DEL (contracted by

ORC to maintain provincial land holdings)...No final decisions have been made with regard to their future use or disposition”.

- IO indicated in 2012 that these lands were not of provincial significance, they had no money to invest in them, and would prefer raw land. They also indicated that the properties had structural issues and mould issues due to water infiltration.
- In 2014, IO undertook an assessment in support of demolishing the subject property. City staff had a number of discussions with IO, including recommending that maintenance be undertaken to address issues related to animals and weather infiltration through various holes in the building, recommending rehabilitation rather than abandonment and neglect.
- In February 2021, on behalf of Parks Canada, a structural assessment was completed by WSP confirming the state of the building as: “Structurally unsafe. The building is partially collapsed and unfit to enter. It poses an imminent health and safety risk upon entry and within the immediate surrounding. Entry for investigation, rehabilitation or abatement is not feasible in its current condition. Demolition is recommended.”
- A building decommission plan was produced by WSP in compliance with requirements for Parks Canada processes and also in compliance with demolition requirements for neighbouring Markham jurisdiction.

- *Federal Jurisdiction*

- City staff have been meeting with Parks Canada staff to initiate a cooperative working relationship regarding the protection and conservation of cultural heritage resources in the RNUP including how potential demolitions can be addressed, as well as how other resources can be maintained, re-tenanted and adaptively re-used for other purposes.
- Parks Canada want to use this building as a pilot/test run of going through the Markham heritage review/demolition process, notwithstanding the fact that as a federal department, they are not bound by municipal/provincial requirements. They are working with the City in good faith and of their own volition in order to receive feedback notwithstanding it is non-binding advice. It is important to understand what the City can and cannot influence/achieve given the property’s federal status.

- *Future Use of the Property*

- Adaptive re-use of the property has been considered by Parks Canada once the building is removed. The heritage significance of this site will be featured as part of a trailhead connecting the future Parks Canada trail system with Locust Hill in Markham. Parks Canada wishes to engage with the City of Markham on this heritage interpretation project in the future as trail design is detailed. It is anticipated that an interpretive panel will be developed and placed in situ and the area landscaped to provide a rest-node for trail users and trail connection for Locust Hill residents
- Parks Canada is engaging with a third party contractor to safely salvage and repurpose heritage items at this location.

- *Adjacent Heritage Resources*
  - Contextually, two buildings within Locust Hill and less than 500 metres away on Parks Canada lands are expected to become federal heritage buildings this year and would commemorate the Ontario and Quebec Railway development and prominent Markham farming families. These two homes are in good condition and Parks Canada will continue preserving them as iconic heritage buildings on the local landscape.

### **Staff Comment**

- Demolition of the Subject Property
  - Heritage Section staff has visited the property and concur that the building is in a precarious state and not safe to enter. See attached photographs from a July 2022 site visit (Appendix “B”). There appears to be structural issues including foundation issues, roof collapse, mould, water infiltration and animal infestation.
  - It is recommended that Heritage Markham advise Parks Canada that due to the current condition of the building that has occurred over many years, the committee would not object to the demolition of the building.
  - Parks Canada’s proposed salvage of heritage attributes from the building is also supported.
  - The introduction of a heritage interpretive feature to celebrate and inform visitors of the former Nighswander buildings is also recommended, and could include a Markham Remembered interpretive panel if Parks Canada wishes to utilize the City’s plaque format.
- Cultural Heritage Resource Initiatives
  - Parks Canada has been investing in other cultural heritage resources in the RNUP.
  - In 2023, Parks Canada is planning to make investments to support re-occupancy or upkeep for 91% of the in-park homes located in the Markham area of Rouge National Urban Park. Parks Canada staff welcome the opportunity to demonstrate to this committee in person the heritage preservation efforts underway.
  - Heritage Section staff recently visited 7774 Sixteenth Avenue to review the investment in the heritage dwelling (interior and exterior) by Parks Canada. The property is being marketed as a potential adaptive re-use.
  - Staff will also update the Heritage Markham Committee at the meeting on other properties as Heritage Section site visits are planned for August 8<sup>th</sup>.

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

THAT the Heritage Markham Committee provides the following feedback on the proposed demolition of 7861 Highway 7, the Nighswander Tenant House:

- Due to the advance state of decay and deterioration which has occurred over many years as a result of a lack of maintenance, poor stewardship, vacancy and abandonment, regrettably, the demolition of the building appears to be the most reasonable course of action;
- The potential salvage and re-purposing of heritage elements from the property is supported; and

- The introduction of heritage interpretive features to celebrate and inform visitors of the former Nighswander buildings is also supported, and could include a Markham Remembered interpretive panel

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### **Attachments**

Figure 1 – Location

Figure 2 – Photographs

Appendix A – Draft MOU

Appendix “B” – Designation Report (2003)- History of Property

**Figure 1 – Location**



7861 Highway 7 Locust Hill



## Figure 2 – Photographs

Archival- Early 1900s



(Heritage Section Files)

**2008**



(Heritage Section Photo)



**Recent- July 2022**



Rear tail of building- roof collapse (Heritage Section Photo)



Rear tail of building – roof collapse. Main roof with hole (Heritage Section Photo)



**May 2021**

North Elevation (Front) - Roof Issues on west roof slope



Below: Roof Issues on east roof slope



Google Maps

## Appendix A – Draft MOU

*An excerpt from the signed draft-version of the Memorandum of Understanding between Parks Canada, Markham and York as it relates to this engagement process for homes in the Markham area of Rouge National Urban Park*

### **MOU**

*The houses and other buildings in Rouge National Urban Park are recognized as important features in maintaining a cultural landscape and sense of community and the Parties believe that maintaining and enhancing community is a shared priority.*

*A number of the houses and other buildings within the Park boundaries in east Markham have heritage value and preserving and celebrating this heritage is a mutual goal of the Parties.*

**10.01** Parks Canada and Markham recognize that there will be a need to work collaboratively regarding the houses and other buildings to contribute to the future needs of the residents, the community and the Park.

**10.03** Parks Canada and Markham recognize the collaborative work done to date to evaluate cultural heritage of houses and other buildings within the Park and the Parties will continue to work together on preserving the cultural landscapes and views. Although it is understood that the future plan for the houses and other buildings may require limited building decommissioning for safety purposes, the priority will be to find a sustainable future for as many of the assets as possible.

**10.04** Parks Canada and Markham will engage each other on plans for structures which are listed on Markham's Register of Properties of Cultural Heritage Value or Interest, and on any potential additions to the list.

**10.05** The Parties understand that Parks Canada's Cultural Resource Management Policy and Standards and Guidelines for the Conservation of Historic Places in Canada will guide the management of the Park's cultural resources, with reference to Heritage Markham and Markham's Property Standards and Bylaws.

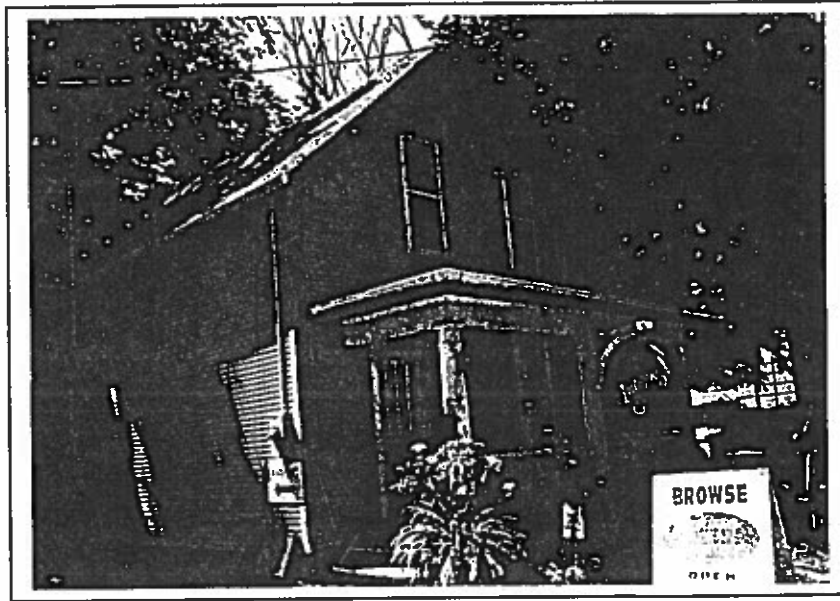
**10.06** The Parties recognize that oversight of the houses and other buildings will be done in such a way that is consistent with responsible management of public funds.

**10.08** The Parties support the continued development of working relationships with the Markham Museum, Heritage Markham, archives and other organizations related to the houses and other buildings in east Markham.

**10.09** The Parties will work together to celebrate cultural heritage in the Park and elsewhere in east Markham through the exploration of opportunities that showcase the cultural built heritage in ways that inspire discovery and facilitate a sense of personal connection to the Park.

## **Appendix “B” – Designation Report**

DESIGNATION REPORT



**THE NIGHSWANDER TENANT HOUSE**  
7861 Highway # 7  
Part Lot 10, Concession 10

Prepared For: Heritage Markham

Prepared By: Michael Seaman &  
Marie Jones

## STATEMENTS OF HERITAGE ATTRIBUTES

The Nighswander Tenant House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value and interest containing the following heritage attributes:

### Historical Attributes

Lot 10, Concession 10 was originally granted to Samuel Reynolds in 1813. A United Empire Loyalist, Reynolds came from Dutchess County N.Y., through New Brunswick, and settled on Lot 10, Concession 10 in about 1799. When Samuel passed away in 1843, and his wife Margaret in 1851, the 200 acre parcel was divided up for his children: Justus Reynolds received 60 acres of the E ½ and 9 acres on the W ½ and Asa 50 acres in the centre, which was later sold to William Armstrong.

Tremaine's map of 1860 does not show the village of Locust Hill, but does indicate Belford P.O. to the south on Lot 8 at the 11<sup>th</sup> Concession. There was little settlement in this area until the 1880's.

It was not until the arrival of the Ontario and Quebec railroad in the 1880's that the Village of Locust Hill finally took shape. Once just rural farm land the village was subdivided into smaller town lots about this time. The coming of the station to the village attracted various businesses to the area including the Nighswander brothers who purchased their acre of land from William Armstrong in 1890. The three houses to the west of the Temperance Hotel, of which 7861 Highway # 7 is the first, were built on this property and were rented for \$36 a year each.

### Architectural Attributes

The 1 ½ storey Classic Revival dwelling was built c.1890, 2 bays x 3 bays. The roof is a high pitch gable with plain projecting eaves and verges. The rectangular front entrance located on the gable end is offset left. The cladding on the building is a narrow wood clapboard with corner boards. The wood windows are rectangular with 1/1 pane division and have plain wood trim with lugsills. The one storey open verandah with square posts and open railing runs the full width of the front of the house.

### Contextual Attributes

The dwelling located at 7861 Highway # 7 is of contextual significance for its association with the historic hamlet of Locust Hill. The house is one of three rental dwellings, which were constructed c.1890 by the Nighswander brothers after the advent of the Ontario Quebec Railroad Company. These buildings, along with others, represent a cluster of



various styled buildings in the hamlet of Locust Hill, which became one of the busiest stations between Peterborough and Toronto.

**Significant Heritage Attributes**

1. All wood double hung windows on all elevations;
2. All original exterior doors and storm doors on the west, east and south elevations;
3. The fieldstone foundation;
4. The original roofline;
5. The original footprint of the front part of the dwelling;
6. The existing wood clapboard.
7. The existing front verandah

## **IDENTIFICATION**

<u>Property:</u>	The Nighswander Tenant House 1
<u>Legal Description:</u>	Part Lot 10, Concession 10
<u>Owners:</u>	
<u>Inventory Number:</u>	K6 -4
<u>Assessment Roll Number:</u>	030255751000000
<u>Date of Construction:</u>	c.1890
<u>Style of Construction:</u>	Classic Revival
<u>Type of Structure:</u>	Residence
<u>Number of Storeys:</u>	1 ½
<u>Exterior Wall Material:</u>	Wood Clapboard