



## MEMORANDUM

**TO:** Heritage Markham Committee

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

**DATE:** January 10, 2024

**SUBJECT:** Plan of Subdivision  
10 Ruggles Avenue, Thornhill (Langstaff)  
Conservation of Cultural Heritage Resource – Munshaw House  
SPC 22 247842 & PLAN 22 264894

---

**Property/Building Description:** 1 ½ storey, frame dwelling, c. 1854

**Use:** Vacant building

**Heritage Status:** Munshaw House is individually designated pursuant to Part IV of the Ontario Heritage Act (By-law 2014-20)

### **Current Approvals**

- On May 31, 2023, the City approved an application to expand a previously approved plan of subdivision for a number of properties in the Langstaff community east of Yonge Street and south of Hwy 407, and the new boundaries include the Munshaw House. Approval included changes to the conditions of draft approval to address the Munshaw House.
- The Plan of Subdivision included expanding the boundary to include the full park Block B (which includes the existing location of the Munshaw House).
- As part of the approval, Council indicated no objection to the partial demolition of the non-heritage components and foundation of the Munshaw House to facilitate its relocation to a temporary storage location pending determination of its final location.
- The Conditions of Draft Approval for the plan of subdivision contain heritage conditions to ensure the protection and conservation of the Munshaw House. The owner is also required, prior to final approval of the plan of subdivision or any phase thereof, to provide a scoped Heritage Impact Assessment to address the permanent location for the Heritage Building. See Appendix 'F'.

### **Context**

The Plan of Subdivision is located on the east side of Langstaff Road (see Appendices 'A', 'B' and 'C'). The current location of the Munshaw House is shown.

### **Background**

#### **The Munshaw House will be temporarily relocated to 10 Cedar Avenue**

Based on the unique circumstances involving the overall Langstaff development, the proposed future land use for the Munshaw House property (parkland) and the identified extensive grading challenges, the conservation strategy for the Munshaw House includes temporary relocation.

This strategy was supported by both Heritage Markham Committee (May 10, 2023) and Council (May 31, 2023).

The owner has identified 10 Cedar Avenue (a property which it owns and is in the immediate area) as a safe temporary storage location. The identified location will be one of the final phases of the TOC development and no activity is expected on this parcel for many years at which point the Munshaw House will have been moved to its permanent location.

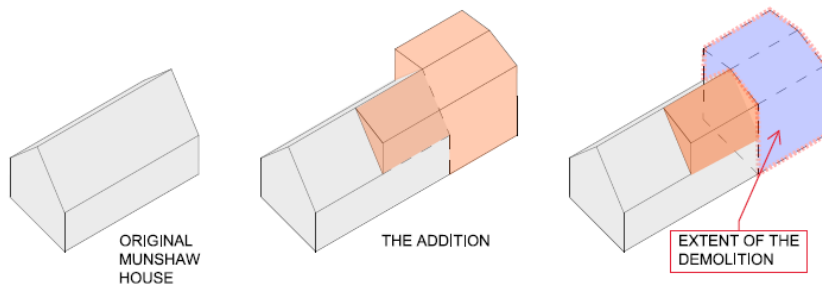


### **Demolition Permit for relocation has been submitted**

The modern addition is shown in the image below. The owner has applied for a scoped demolition permit.



The work will involve sensitively removing the newer addition from the original structure and properly boarding all openings prior to its relocation. The illustration below identifies the extent of the building demolition.



### **A Heritage Impact Assessment was prepared**

A scoped Heritage Impact Assessment (HIA) was prepared by the owner’s heritage consultant (LHC Heritage Planning and Archaeology Inc.) to determine the most appropriate final location for the building and to outline mothballing strategies for the Munshaw House while in its temporary location. The identification of a final location needs to be resolved to clear conditions of the subdivision approval.

Three options were explored in the HIA report:

#### **1) Relocation to School Lands**

“This option would see the Munshaw House relocated to lands immediately east of its current location. The Bridge Station TOC site plan proposes a school at this location, in the podium of a high-rise tower. This option would see the Munshaw House integrated into the podium as a feature of the school. This option would conserve the historical association of the Munshaw House with the community of Langstaff. Given the density of the proposed subdivision, this is the only location within the proposal which supports integration of the Munshaw House aside from open space within the public parklands –an option not supported by the City.” (section 3.1 of HIA)

#### **2) Relocation of Markham Heritage Estates Subdivision;**

“This option would seek to relocate the Munshaw House to an available lot within the Markham Heritage Estates neighbourhood. The proponent proposes to –in accordance with the Administrative Guidelines for the Markham Heritage Estates –construct a new foundation on an appropriate and available lot within the subdivision and restore the building on this new lot” (section 3.2 of HIA)

#### **3) Relocation to Vacant City of Markham Lands**

“This option would seek to identify vacant lands owned by the City of Markham at the east end of the Langstaff Secondary Plan Area for the relocation of the Munshaw House. This option would require additional discussions with City staff and presents a high degree of uncertainty related to whether or not a suitable and viable lot is available. Furthermore, this option presents uncertainty related to future use of the structure.” (section 3.3 of HIA)

The HIA concluded that Options 1 or 2 “were determined to be the most appropriate; however, both would result in adverse impacts on the heritage attributes of the Munshaw House. Option 1 is the preferred alternative to conserve the historic and contextual relationship of the Munshaw House and to satisfy the covenants of the 2014 Heritage Agreement, which require that the Munshaw House be relocated to a property within the Langstaff Secondary Plan area; however, a rehabilitation approach to conservation will be carried out. Integration into the podium of the

tower will result in alteration/intervention and will require careful design and implementation to ensure that the Munshaw House is both prominent and legible. Option 2 is the preferred alternative to ensure that the physical attributes of the Munshaw House are accurately conserved through a restoration conservation approach. This alternative allows for the careful restoration of the Munshaw House as well as its use as a residence. However, this option would represent both a departure from the established Markham Heritage Estates process and would not satisfy the requirements of the 2014 Heritage Agreement.”

The HIA also recommended the following:

“In order to ensure the conservation of the Munshaw House, mitigation measures outlined in Section 3.6 are recommended. This includes:

- Preparation of a formal Relocation Plan in order to identify a process for the preparation, stabilization, and relocation of the structure. (as described in Section 3.6.1)
- Additional mothballing and monitoring measures should be implemented following relocation to 10 Cedar Avenue. Specifically, that:
  - o The roof be inspected –with particular attention paid to any temporary materials installed following the partial demolition of the addition. Necessary repairs must be undertaken;
  - o Gutters be cleaned/repaired/installed to ensure adequate drainage. Gutters should be observed and cleaned in the spring and fall;
  - o Construction fencing remain in place around the structure to deter unauthorized access. Additional measures such as motion-sensor lighting is recommended;
  - o Boards over openings should be installed, inspected and secured, as necessary;
  - o It is recommended that window coverings include metal ventilation covers with insect screens for ventilation;
  - o Any workers on site be made aware of the heritage structures to avoid accidental impacts;
  - o The site supervisor or property manager should monitor the condition of the vacant building for damage or unauthorized access. An external review of conditions is recommended at least monthly;
  - o In the event unauthorized access is suspected, a walk-through to identify and document conditions and any damage should be undertaken.
  - o At 6-month intervals, a qualified architect or engineer with heritage experience should review the site to confirm mothballing measures and identify any additional conservation work required; and,
  - o Annually, photographic evidence of the inspection is recommended to be submitted to City Heritage Staff to monitor any deterioration.”

### **Heritage Staff Comment**

This area of Markham is planned for a high density, high-rise, mixed use development and extensive land disturbance will be required to address the overall vision for the area. The final location of the Munshaw House is to be addressed through mutual agreement between City and Owner; and needs to be in Langstaff, preferably close to original location.

### **The most appropriate option is the School/Mixed Use Development Site**

Staff has reviewed the various options with the owners, development staff from the West District and senior planning department staff and Option 1 is considered the most appropriate. This option would see the Munshaw House relocated near its current location as part of a future mixed use development. See concept below:

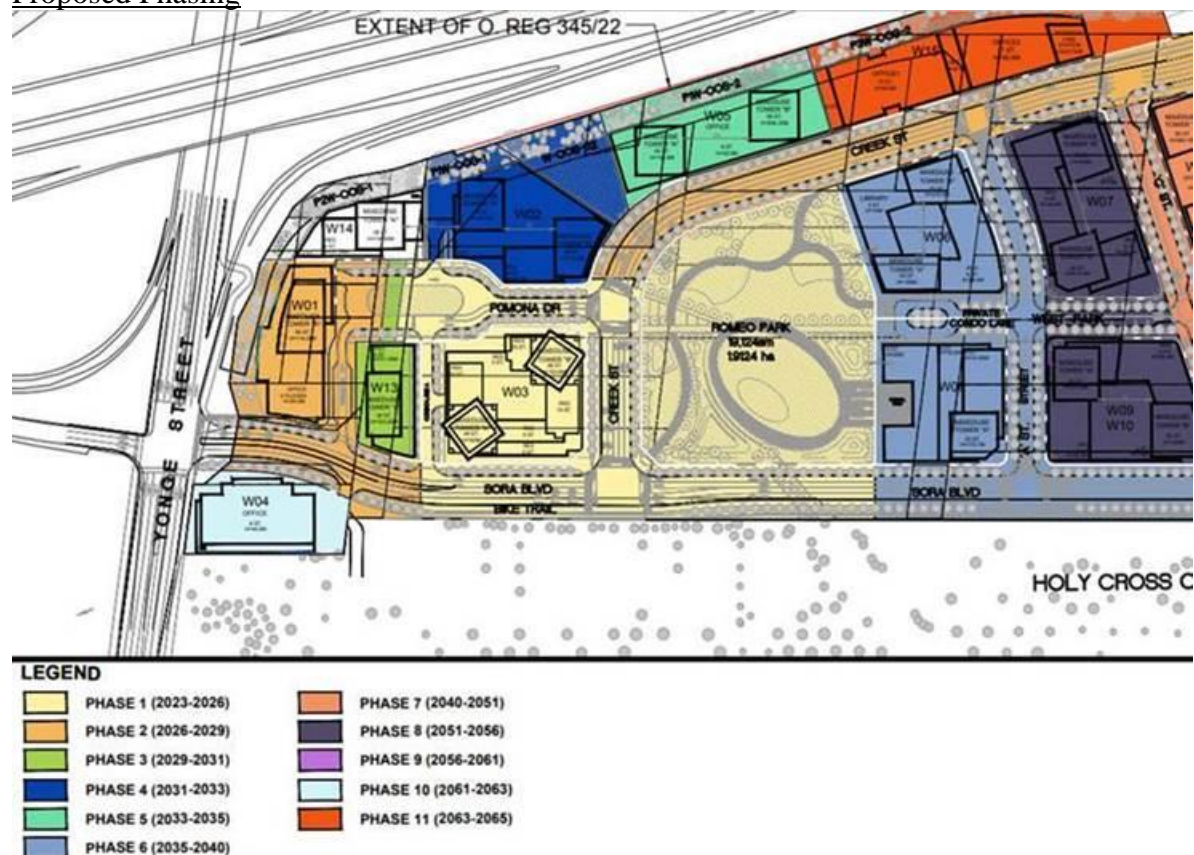




Staff has noted that the School Board is not likely to accept the Heritage Building as part of their holdings, however, the owner has indicated that the Munshaw House will be incorporated into the development plan if not part of the school, then as part of the associated mixed use development (perhaps related to a ground floor commercial use).

Staff also explored other nearby land holdings which are controlled by the owner to see if there might be other opportunities given the proposed phasing of the overall development. The identified development site is proposed to be developed in Phase 6 (2035-2040). See the proposed phasing plan. There did not appear to be other available lands to incorporate the Heritage Building at any earlier stage and the proposed site is the closest to the original site of the Munshaw House.

### Proposed Phasing



Given the future development scenario at Langstaff, the identified site seems to be the most appropriate. Both the owner and staff will have to ensure that the building remains in good shape in its temporary storage location- through annually reviews and ongoing maintenance. These requirements can be included in the Subdivision Agreement and secured through a Letter of Credit.

Also given that the identified development site will not be designed until 2035 at its earliest, it would make the most sense to prepare the heritage building conservation plan and submit the Major Heritage Permit application at that time (rather than now as is normally the case). However, staff recommends that the City secure a formal Heritage Easement Agreement at this time as additional protection.

### **Next Steps**

The proposed conservation approach is to be reviewed by Heritage Markham Committee as the final location was not addressed prior to the approval of the subdivision. If the approach as recommended by staff is supported, it will be included in the upcoming Subdivision Agreement (along with other heritage conditions as outlined in Appendix 'F' of this report). Staff would also ensure that the City has obtained the Heritage Letter of Credit and that the mitigation measures outlined in Heritage Impact Assessment (Section 3.6) are implemented as necessary at this time, and/or included in the Subdivision Agreement as required. If Heritage Markham does not support the identified approach, the matter would have to be considered by Council for a decision.

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

THAT Heritage Markham has no objection to the proposed strategy to address the conservation and incorporation of the Munshaw House through a Major Heritage Permit application as part of the future development at the School/Mixed Use Development Site located east of Romeo Park (Phase 6- 2035 to 2040);

THAT Heritage Markham recommends in order to ensure the conservation of the Munshaw House, the mitigation measures outlined in Heritage Impact Assessment (Section 3.6) be implemented as necessary at this time, and/or included in the Subdivision Agreement as required by Heritage Section staff.

THAT the owner enter into a formal Heritage Easement Agreement with the City to further protect the Munshaw House at both its temporary storage location and the future final site.

---

### **ATTACHMENTS:**

Appendix 'A'	Location Map
Appendix 'B'	Aerial Photograph
Appendix 'C'	Plan of Subdivision
Appendix 'D'	Illustrations of House
Appendix 'E'	Additional Information
Appendix 'F'	Heritage Conditions of Draft Plan Approval



## Appendix 'A' – Location Map



(10 Ruggles Ave highlighted in yellow)

## Appendix 'B' - Aerial Photograph



*Aerial Image of the subject lands with the Part-IV designated property at 10 Ruggles Avenue*

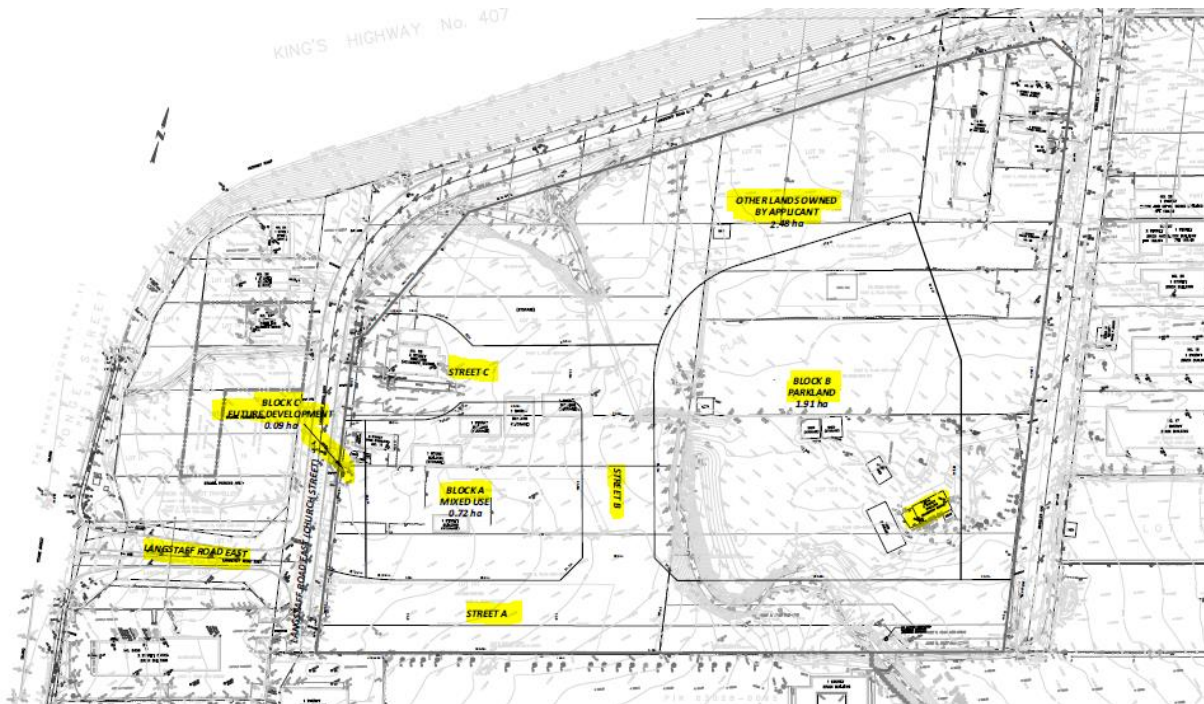
## Appendix 'C' – Plan of Subdivision

### Schedule of Land Use

PROPOSED LAND USE	ha	ac
1) Mixed Use (Block A)	0.72	1.78
2) Parkland (Block B)	1.91	4.72
3) Future Development (Block C)	0.09	0.22
4) Public Roads (Streets A, B & C)	1.26	3.12
5) Other Lands Owned by Applicant	2.48	6.13
<b>TOTAL SITE AREA</b>	<b>6.46</b>	<b>15.97</b>

PROPOSED ROADS	m	ft
1) Street A	304.7	999.6
2) Street B	104.4	342.5
3) Street C	102.7	336.9
<b>TOTAL ROAD LENGTH</b>	<b>511.8</b>	<b>1,679</b>

NOTE: All areas shown subject to rounding, and may not add up to total or convert to the other measuring units directly.





## Appendix 'D' - Illustrations of House



*c. 2008 (Heritage Section Photo Collection)*



*c. 1970s*



*Conceptual Restoration Drawing- Heritage Section staff*

## Appendix ‘E’ – Additional Information

- Historical Information - William M. Munshaw replaced an earlier log dwelling on the property circa 1854 with the current building of timber frame construction (now addressed as 10 Ruggles Avenue). See Appendix ‘D’ for recent images and conceptual illustration after restoration.
- Designation of Property - In 2008, Council supported an intention to designate the property, however the property owner (Condor Properties Ltd.) objected to the designation. In 2013, the designation matter was before the Conservation Review Board (CRB) for a hearing.

The Owner wanted to link preservation of Munshaw House with support for the demolition of four other listed properties (75 and 77 Langstaff, 20 and 24 Ruggles Ave). Heritage Markham Committee had no objection to the other demolitions subject to a binding agreement where the Owner would designate, preserve and restore the Munshaw Homestead at a location acceptable to the City and Owner.

In January 2014, Council approved the finalization and execution of Minutes of Settlement through the CRB process; and approved demolition of the other listed properties. The City and Owner solicitors executed the Minutes of Settlement which included the requirement for a separate Agreement to ensure the ongoing obligations of the Minutes of Settlement run with title so future owners are aware they are responsible for retaining and restoring the House. The Agreement was signed on January 30, 2014.

In February 2014, the Owner withdrew their objection to the designation of the property and the Designation By-law was approved by Markham Council.

- Provincial Involvement
  - In September 2021, the Province announced a proposed Bridge Station Transit Oriented Community (TOC) that would apply to approximately 25 hectares within the Langstaff Gateway Secondary Plan area. The area is bound by Yonge Street to the west, Hwy 7 to the north, Cedar Avenue to the east and the Holy Cross Catholic Cemetery to the south.
  - On April 14, 2022 the Province issued an enhanced Minister’s Zoning Order to provide zoning for the Bridge Station TOC.

### Heritage Policy

#### *Markham Register of Property of Cultural Heritage Value or Interest*

- The Munshaw House property is included in the Heritage Register as an individually designated property (By-law 2014-20).

#### *Markham Official Plan*

- Section 4.5.3.3 of the 2014 Official Plan (the “OP”) directs Staff to use instruments such as subdivision and site plan control agreements to ensure that development that directly affects a *cultural heritage resource* itself and *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;
- Section 4.5.3.4 of the OP notes it is the policy of Council “to impose conditions of approval on development containing a *cultural heritage resource* itself and *adjacent lands* to ensure the continued protection of the *cultural heritage resource*”.
- Section 4.5.3.12 directs staff to retain and conserve a cultural heritage resource on its original location in original or adaptive use, and if that is not appropriate nor viable, to

consider relocation within the area of development (preferably on the development site or former property) or to a sympathetic site within Markham

### **Heritage Agreement**

- The 2014 Munshaw Heritage Agreement includes:
  - A statement of cultural heritage value or interest for the building including a list of significant architectural attributes.
  - Key covenants:
    - a) owner shall not demolish the Munshaw House.
    - b) owner shall not relocate or alter without City consent.
    - c) owner shall move and restore at no cost to City to a location in the Langstaff Secondary Plan acceptable to both parties which location and terms of restoration shall be determined through the development review process for lands controlled by the Owner...relocation to any City property shall be made by the City in its sole discretion at the time of the said development review
    - d) prior to relocation, the House shall be boarded and heated, protected from vandalism, etc.
    - e) owner shall relocate to a final location upon the later of: March 30, 2019 or execution of the first site plan agreement for any new development of property controlled by the owner within the Secondary Plan area following City approval of the Precinct Plan and Phasing Plan, as part of a SP application/agreement which will include a restoration plan.
    - f) owner to enter into standard Heritage Easement Agreement following relocation and restoration.



# **Appendix ‘F’ – Heritage Conditions of Draft Plan Approval**

**Approved by Council May 31, 2023**

**THE CONDITIONS OF THE CITY OF MARKHAM TO BE SATISFIED PRIOR TO RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19TM-18006 (Condor Properties Ltd.)**

## **18. Heritage**

**18.1** The Owner covenants and agrees to obtain a partial demolition permit to relocate and retain the Munshaw House, known municipally as 10 Ruggles Avenue (the “Heritage Building”), at a temporary location (10 Cedar Avenue, Thornhill) prior to its relocation to its permanent location as per Section 1.2.c of the Heritage Agreement signed by ‘10 Ruggles Ave. Developments Inc.’, dated January 30, 2014 (the “Heritage Agreement”) or a location mutually agreed to by the City and Owner after obtaining the recommendations of the Heritage Impact Assessment as per 18.4 a).

**18.2** The Owner covenants and agrees to protect and conserve the Heritage Building at its various locations as per Section 1.2.d of the Heritage Agreement and ensure that the Heritage Building complies with the Keep Markham Beautiful By-law including Section 8 which addresses the appropriate treatment of Vacant Heritage Buildings.

**18.3** The Owner shall covenant and agree in the Subdivision Agreement to prepare and implement a marketing plan, to the satisfaction of the Commissioner of Development Services, which details the ways and means the Heritage Building will be marketed to prospective purchasers;

**18.4** Prior to final approval of the plan of subdivision or any phase thereof, the Owner is to implement the following measures to protect the Heritage Building:

- a. to provide a scoped Heritage Impact Assessment to address the permanent location for the Heritage Building;
- b. to provide at its expense a legal description of the lot or block associated with the Heritage Building to facilitate the registration of the designation by-law and Heritage Easement Agreement;
- c. to permit the amendment of the existing designation by-law (2014-20) currently protecting the property under Part IV of the Ontario Heritage Act and address any necessary revisions to the by-law including the legal description for the temporary location and the permanent location;
- d. to provide a \$250,000 Letter of Credit for the Heritage Building to ensure the preservation of the existing building during and after relocation at its temporary location and permanent location. The financial security shall be retained for use by the City and shall not be released until the following has been addressed:
  - construction and grading on the final location lands and adjacent lots, and roads have been completed to the satisfaction of the City (Commissioner of Development Services),
  - the Heritage Building has been connected to municipal services,
  - the exterior restoration of the Heritage Building is complete,
  - the Heritage Building meets the basic standards of occupancy as

confirmed by the Building Standards Department, and  
- all other heritage requirements of the Subdivision Agreement have been completed.

**18.5** The owner shall covenant and agree in the Subdivision Agreement to preserve the Heritage Building through the following means:

- a. to enter a Heritage Easement Agreement as per the Heritage Agreement;
- b. to provide Heritage Staff with annual photographic evidence of a yearly inspection to ensure that the Munshaw House is stable, being maintained and not deteriorating, and that it complies with the Keep Markham Beautiful By-law;
- c. to obtain a Major Heritage Permit addressing the Heritage Building at its permanent location containing details on the plan such as driveway/parking, grading, connections to municipal services, and detailed elevations reflecting the proposed Conservation Plan, any additions and alterations, and any proposed additional buildings. The Conservation Plan is to be, prepared by a qualified architect with demonstrated experience in heritage restoration projects;
- d. to complete the exterior restoration of the Heritage Building, connection of all municipal services to the allocated lot (water, gas, hydro, cable, telephone etc.) and ensure basic standards of occupancy as confirmed by Building Standards Department. Implementation of the Conservation Plan shall be secured through the \$250,000 Letter of Credit as mentioned in clause 18.4 (d);
- e. to ensure that the height of the first floor of the Heritage Building above grade after relocation onto its new foundation is generally reflective of the first floor height prior to relocation;
- f. to ensure that the final proposed grading on the lots adjacent to the Heritage Building is consistent with the grading of the Heritage Building lot.

**18.6** The Owner shall covenant and agree in the Subdivision Agreement to provide notice and commemoration of the Heritage Building through the following means:

- a. to provide and install at its cost, three interpretative baked enamel plaques. For the Heritage Building, one in the park in the general vicinity of the building's original location and one at the final location of the house. For historic Langstaff, a plaque commemorating the early 20th century history of the Langstaff community to be placed in a location in the Langstaff Community acceptable to the City and the Owner, which may include the park. The plaques are to be designed according to the specifications of the "Markham Remembered" program. Details of the design and location of the plaque are to be submitted for review and approval of the City (Heritage Section);
- b. to include the following notice in the Offer of Purchase and Sale for the Heritage Building:  
"Purchasers are advised that this property is designated pursuant to

the Ontario Heritage Act, and is subject to a heritage easement agreement with the City of Markham. Any proposed additions or alterations to the building or property shall be subject to review and approval of plans by the City.”

**18.7** Prior to final approval of the plan of subdivision or any phase thereof, the Manager of Heritage Planning shall advise that Conditions 18.1 to 18.6, inclusive, have been satisfied.