



SUBJECT: RECOMMENDATION REPORT
Objections to Notices of Intention to Designate – Phase X and XI Properties

PREPARED BY: Evan Manning, Senior Heritage Planner, ext. 2296

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning, ext. 2080
Stephen Lue, Senior Development Manager, ext. 2520

RECOMMENDATION:

- 1) THAT the Staff report, dated September 17, 2024, titled "RECOMMENDATION REPORT, Objections to Notices of Intention to Designate – Phase X and XI Properties", be received;
- 2) THAT the written objection to designation under the *Ontario Heritage Act* as submitted by or on behalf of the property owners of 9418 Kennedy Road (Ward 6) and 15 Victoria Street (Ward 2), be received as information;
- 3) THAT Council affirm its intention to designate 9418 Kennedy Road (Ward 6) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 4) THAT Council affirm its intention to designate 15 Victoria Street (Ward 2) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 4) THAT the Clerk's Department be authorized to place designation by-laws before Council for adoption;
- 5) THAT the Clerk's Department be authorized to publish and serve notice of Council's adoption of the designation by-laws as per the requirements of the *Ontario Heritage Act*;
- 6) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report provides information on objections submitted for two properties for which Council has stated its intention to designate under Part IV, Section 29 of the *Ontario Heritage Act* (the "Act"), in accordance with the Staff recommendations adopted by Council on May 21 and June 18, 2024, respectively, and noted in the recommendations of this report.

BACKGROUND:

Notice of Council's Intention to Designate has been provided to the Property Owner

On May 21 and June 18, 2024, Council stated its intention to designate fourteen properties under Part IV, Section 29 of the Act as part of Phases X and XI of the Priority Designation Project. A notice of intention to designate ("NOID") was provided to the affected property owners and the Ontario Heritage Trust. The NOID for each property was also posted on the City's website in accordance with the Act. The objection period for the two Phases ended on July 2 and August 7, 2024, respectively.

The City Clerk received a notice of objection for two of the fourteen properties within the timeframe as set out in the Act: 9418 Kennedy Road ("St. Philip's Old Rectory") and 15 Victoria Street ("Frisby House"). Refer to Appendix 'A' for images of the properties.

The Act requires that Council consider and make a decision on an objection within 90 days from the end of the objection period. Council may decide to withdraw, amend, or affirm its intention to designate. Council has until September 28, 2024, to make a decision on the objection submitted for 9418 Kennedy Road and November 5, 2024, to make a decision on the objection submitted for 15 Victoria Street.

If Council decides not to withdraw the NOIDs, Council may pass a by-law designating the properties. Council has 120 days from the date of publication of the NOIDs to pass a designation by-law (May 31, 2024, and July 8, 2024). Should Council not act within these timeframes, the NOIDs are deemed to be withdrawn. As previously noted, the deadlines are September 28, 2024, and November 5, 2024 for the Phase X and XI properties, respectively.

Properties are to be assessed using Provincial Designation Criteria

Ontario Regulation 9/06, as amended, (“O.Reg. 9/06”) prescribes criteria for determining a property’s cultural heritage value or interest for the purpose of designation. The regulation provides an objective base for the determination and evaluation of resources of cultural heritage value, and ensures the comprehensive, and consistent assessment of value by all Ontario municipalities. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets two or more of the prescribed criteria (excerpted from O.Reg. 9/06):

1. *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.*
2. *The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*
3. *The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.*
4. *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.*
5. *The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*
6. *The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
7. *The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*
8. *The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*
9. *The property has contextual value because it is a landmark.*

OPTIONS/ DISCUSSION:

Heritage Section Staff (“Staff”) considered the property owners reasons for objection to the Notice of Intention to Designate

9418 Kennedy Road

Staff received a letter via email from an agent of the property owner outlining their objections to designation (refer to Appendix ‘C’). Below is a summary of the key objections along with a Staff response:

As described in the appended letter, it is the opinion of the agent that the property does not meet the minimum number of O.Reg 9/06 criteria to warrant designation under Part IV of the Act (a minimum of two criteria must be met). While the agent agrees that the property possesses historical/associative value in accordance with the associated O.Reg 9/06 criteria, he finds that the property does not have significant design/physical value or contextual value.

Regarding design/physical value, the agent takes issue with the following description of the dwelling in the property’s Statement of Significance:

“a mid-nineteenth century country clergyman’s residence in a vernacular rendition of the Georgian architectural tradition” as he finds that a *“mid-nineteenth century country clergyman’s residence is not an example of an identifiable and established type or style of building, and the Rectory is not an example of the Georgian Architectural Tradition”*.

Regarding the first point, the agent is perhaps confusing a description of tenancy (i.e. clergyman’s residence) with an architectural description. Regarding the second point, the agent is relying on a brief description of architectural styles found in Markham as prepared by Heritage staff and posted on the City’s website (“Architectural Styles”). This description of architectural styles is cursory in nature and is by no means an exhaustive exploration of each of the commonly found historical styles within Markham. The fact that some of the exterior heritage attributes identified in the appended Statement of Significance are not found on the “Architectural Styles” page does not, therefore, mean that they are not characteristic of Georgian architecture. Staff maintain that the St. Philip’s Old Rectory is a *representative* example of a mid-nineteenth century residence in a vernacular rendition of the Georgian architectural tradition. As such, Staff find that the property has design/physical value in accordance with the relevant O.Reg 9/06 criteria.

The agent also objects to the Staff position that the property has contextual value because it is physically, functionally, visually and historically linked to its surroundings. While the St. Philip’s Old Rectory is not of the same vintage as the c.1986 St. Philip’s-on-the-Hill church, there is a programmatic connection between the two, along with the adjacent St. Philip’s Anglican Cemetery, that is of historical significance. It is also important to note that when the St. Philip’s-on-the-Hill Anglican Church relocated to Unionville in the nineteenth century, they retained ownership of the lands along Kennedy Road (with the exception of the site of the existing dwelling). As such, the connection between the former church site (now occupied by the c.1986 St. Philip’s-on-the-Hill church), the St. Philip’s Anglican Cemetery, and the St. Philip’s Old Rectory was maintained even after the congregation moved. Further, contrary to the agent’s position, Staff do not find that the visual connection between the St. Philip’s Old Rectory and the adjacent cemetery has been severed because of the screening offered by mature vegetation. Staff have visited the property and find that there remains a discernable visual connection between the two. Even if there was no visibility, the

physical proximity alone of the St. Philip's Old Rectory to the St. Philip's Anglican Cemetery maintains their historical connection.

Staff maintain that the St. Philip's Old Rectory has contextual value in accordance with O.Reg 9/06 because it is physically, functionally, visually and historically linked to its surroundings where it has stood since c.1850, and for being an essential component of a historical grouping that includes St. Philip's Anglican Cemetery, St. Philip's-on-the-Hill Anglican Church, and the Bethesda Lutheran Cemetery.

15 Victoria Street

Staff received an email from the property owner outlining their objection to designation (refer to Appendix 'C'). Below is a summary of the key objections along with a Staff response:

As described in the appended material, the property owner is concerned that the house is drafty, has poor air quality, and is too small for their family. Staff note that the appended Statement of Significance does not identify any heritage attributes within the interior of the dwelling. As such, the property owner is free from a heritage perspective to undertake whatever interior remediation work is required, including modifying the dwelling, to remove any substances that may adversely impact air quality as well as add insulation to improve the thermal performance of the building envelope. Staff also have no objection to a sensitively designed rear addition should the property owner wish to enlarge their home and are happy to work with them to craft a supportable design solution. It should also be noted that the property owner does not contest that 15 Victoria Street is a significant cultural heritage resource.

The protection and preservation of heritage resources is consistent with City policies

Markham's Official Plan 2014 contains cultural heritage policies related to the protection and conservation of heritage resources that are often a fragile gift from past generations. They are a non-renewable resource, and once lost, are gone forever. Markham understands the importance of safeguarding its cultural heritage resources and uses a number of mechanisms to protect them. Council's policy recognizes their significance by designating individual properties under the Act to ensure that the cultural heritage values and heritage attributes are addressed and protected.

Provincial planning policies support designation

The Provincial Policy Statement, 2020, issued under Section 3 of the *Planning Act* includes cultural heritage policies that indicate significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection.

Designation acknowledges the importance of a cultural heritage resource

Designation signifies to an owner and the broader community that a property contains a significant resource that is important to the community. Designation does not restrict the use of the property or compel restoration. However, it does require an 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 Process and Procedures for Designation under Part IV of the Act are summarized below

- Staff undertake research and evaluate the property under O.Reg. 9/06 to determine whether it should be considered a significant cultural heritage resource worthy of Part IV designation;

- Council is advised by its municipal heritage committee with respect to the cultural heritage value of the property;
- Council may state its Intention to Designate the property under Part IV of the Act and is to include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property;
- Should Council wish to pursue designation, notice must be provided to the owner and the Ontario Heritage Trust that includes a description of the cultural heritage value of the property. A notice, either published in a local newspaper or posted digitally in a readily accessed location, must be provided with the same details (i.e. the City's website);
- **Following the publication of the notice, interested parties can object to the designation within a 30-day window. If an objection notice is received, Council is required to consider the objection and make a decision whether or not to withdraw the notice of intention to designate;**
- Should Council proceed with designation, it must pass a by-law to that effect within 120 days of the date in which the notice was published. There are notice requirements and a 30-day appeal period following Council adoption of the by-law in which interested parties can serve notice to the municipality and the Ontario Land Tribunal ("OLT") of their objection to the designation by-law. Should no appeal be received within the 30-day time period, the designation by-law comes into force. Should an objection be received, an OLT hearing date is set to examine the merits of the objection and provide a final decision.

FINANCIAL CONSIDERATIONS:

There has been a significant increase in the number of designation by-laws adopted by Council in response to amendments to the Act through Bill 23 and Bill 200. As a result, there may be an increase in the number of OLT appeals relative to previous years, along with the potential need to secure additional funds from Council to support Staff preparation and attendance at the OLT. Should existing funding sources be found inadequate, staff will advise Council through a future Staff report.

HUMAN RESOURCES CONSIDERATIONS:

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

BUSINESS UNITS CONSULTED AND AFFECTED:

Heritage Markham, Council's advisory committee on heritage matter, was consulted on the designation proposals. Clerks and Planning and Urban Design Department (Heritage Section) will be responsible for future notice provisions. An appeal to the OLT would involve staff from the Planning and Urban Design (Heritage Section), Legal Services, and Clerks Department.

RECOMMENDED BY:

Giulio Cescato, RPP, MCIP
Director of Planning and Urban Design

Arvin Prasad, MPA, RPP, MCIP
Commissioner of Development Services

APPENDICES:

Appendix 'A': Locations and Images of the Properties

Appendix 'B': Statements of Significance

Appendix 'C': Letters of Objection

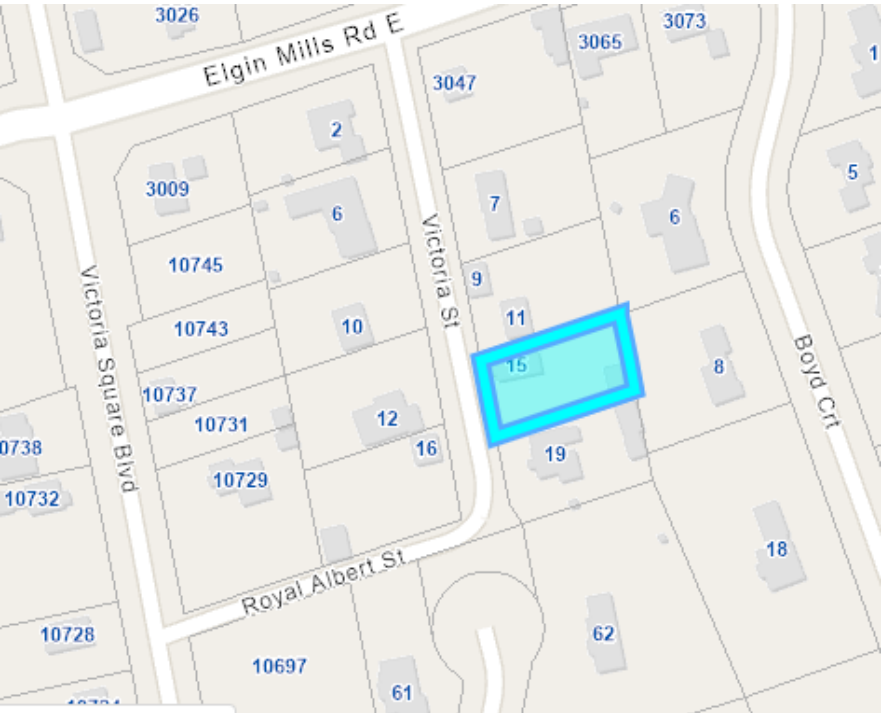
Appendix 'D': Research Reports

APPENDIX 'A'
Locations and Images of the Properties

9418 Kennedy Road (Ward 6): "St. Philip's Old Rectory"
Primary Elevation and Property Map



15 Victoria Street (Ward 2): “The William Macey House”
Primary Elevation and Property Map



APPENDIX 'B': Statements of Significance

STATEMENT OF SIGNIFICANCE

St. Philip's Old Rectory

9418 Kennedy Road
c.1850

St. Philip's Old Rectory 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 the following Statement of Significance.

Description of Property

St. Philip's Old Rectory is a one-and-a-half storey frame dwelling located on the west side of Kennedy Road, immediately north of St. Philip's-on-the-Hill Anglican Church and Cemetery. The house faces east.

Design Value and Physical Value

St. Philip's Old Rectory has design and physical value as a representative example of a mid-nineteenth century country clergyman's residence in a vernacular rendition of the Georgian architectural tradition. The front doorcase, with its sidelights and decorative surround, hints at a measure of Neo-classical refinement in an otherwise modestly scaled and designed dwelling. The essential Georgian principles of symmetry, order and formality influenced vernacular architecture for much of the nineteenth century, long after the Georgian period ended in 1830. In a rural community such as Markham Township, the design principles of the Georgian architectural tradition were stripped down to their most basic elements in dwellings such as this one. Although the exterior materials have been updated, the renovations have been carried out with sensitivity to the historical character of the building and therefore the overall form and character of St. Philip's Old Rectory as viewed from the street and adjacent cemetery remains little altered.

Historical Value and Associative Value

St. Philip's Old Rectory has historical value for its association with Unionville's early Anglican congregation and its role in the spiritual, social and political life of the community, and for its association with the Reverend George Hill, who in addition to serving the Anglican Church, was Superintendent of Schools from the 1840s to the 1870s and an influential figure in the establishment of high-quality public education in Markham Township. The origins of St. Philips Anglican Church can be traced back to 1829 with the arrival of Reverend Vincent P. Mayerhoffer at St. Philip's Lutheran Church, a congregation founded by the Berczy Settlers in 1794. Mayerhoffer conducted services in the Anglican form of worship when he became the clergyman serving St. Philip's Church. During the tumultuous time of the Upper Canadian Rebellion of 1837, a split occurred in the congregation along political lines that resulted in the Reverend Mayerhoffer founding a new St. Philip's Church across the road from the old one, taking Anglican supporters with him. After Reverend Mayerhoffer's departure in 1848, Reverend George Hill became the Rector and a new Rectory was constructed for his use. The Rectory served St. Philip's until the congregation relocated to Unionville in 1913, after which it was sold and served as a private residence.

Contextual Value

St. Philip's Old Rectory has contextual value because it is physically, functionally visually and historically linked to its surroundings where it has stood since c.1850, and for being an essential component of an historical grouping that includes St. Philip's Anglican Cemetery, St. Philip's-on-the-Hill Anglican Church, and the Bethesda Lutheran Cemetery across the road.

Heritage Attributes

Character-defining attributes that embody the cultural heritage value of St. Philip's Old Rectory are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

Heritage attributes that convey the property's design and physical value as a representative example of a mid-nineteenth century country clergyman's residence in a vernacular rendition of the Georgian architectural tradition:

- Rectangular plan of main block;
- One-and-a-half storey height;
- Medium-pitched gable roof with deep, projecting eaves;
- Three-bay composition of the primary (east) elevation;
- Centre doorcase with single-leaf door and sidelights with Neo-Classical wood surround;
- Flat-headed rectangular window openings on front and gable-end walls.
- Hip-roofed front veranda supported on turned wood posts.

Heritage attributes that convey the property's historical value for its association with Unionville's early Anglican congregation and its significant role in the spiritual, social and political life in the history of the community, and as the residence of Reverend George Hill from c.1850 to 1876:

- The dwelling is a tangible connection to the early history of St. Philip's-on-the Hill Anglican Church.

Heritage attributes that convey the property's contextual value because it is physically, functionally, visually or historically linked to its surroundings:

- The building's location on its original site north of St. Philip's-on-the-Hill Anglican Church and Cemetery, where it has stood since c.1850.

Attributes of the property that are not considered to be of cultural heritage value, or are otherwise not included in the Statement of Significance:

- Non-wood board and batten siding;
- Modern doors and windows within old door and window openings;
- Decorative shutters;
- Modern chimney;
- Rear wing and additions;
- Accessory building.

STATEMENT OF SIGNIFICANCE

Frisby House

15 Victoria Street
c.1873

The Frisby 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 the following Statement of Significance.

Description of Property

The Frisby House is a one-and-a-half storey stucco dwelling located on the east side of Victoria Street, in the historic hamlet of Victoria Square. The house faces west.

Design Value and Physical Value

The Frisby House has design and physical value as a representative example of a village dwelling in the Ontario Classic style. The Ontario Classic is a house form that was popular from the 1860s to the 1890s with many examples constructed on farms and in villages throughout Markham Township. These vernacular dwellings were often decorated with features associated with the Gothic Revival style as is the case here with the steep centre gable containing a pointed-arched casement window. With its one-and-a-half storey height, rectangular plan, symmetrical three-bay facade, and steep centre gable, this vernacular dwelling possesses the essential characteristics of the Ontario Classic.

Historical Value and Associative Value

The Frisby House has historical and associative value representing the theme of urban development, specifically the nineteenth century development of the crossroads hamlet of Victoria Square, originally named Read's Corners. Victoria Square was located along the route of the Markham and Elgin Mills Plank Road which was constructed across Markham Township in 1850. A significant phase of development in the hamlet occurred with the subdivision of village lots by blacksmith William G. Hingston in 1856 at the northwest corner of Markham Township Lot 25, Concession 4. The Frisby House, built c.1873, is one of a number of dwellings constructed within the Hingston subdivision in the latter half of the nineteenth century. The Frisby House has further historical and associative value for its association with the locally significant Frisby family. John and Lucy Frisby emigrated from England in 1831 and settled in the vicinity of what would become the crossroads hamlet of Victoria Square. The family played a significant role in the agricultural and industrial development of the community. John Frisby tragically died during a business trip to Milwaukee when the steamship *Niagara* burned and sank on Lake Superior in 1856. His son, Thomas Frisby Sr., purchased a group of lots on Victoria Street between 1872 and 1883 where a frame house was constructed for his widowed mother, Lucy Frisby. The house was later lived in by Thomas Frisby Sr. and his family.

Contextual Value

The Frisby House is of contextual value as one of a grouping of older buildings that are important in defining, maintaining and supporting the character and extent of the historic hamlet of Victoria Square, and for being historically linked to the Thomas Frisby Jr. House at 83 Thomas Frisby Jr. Crescent.

Heritage Attributes

Character-defining attributes that embody the cultural heritage value of the Frisby House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

Heritage attributes that convey the property's design and physical value as a representative example of a village dwelling in the Ontario Classic style:

- Rectangular plan;
- One-and-a-half storey height;
- Stucco cladding;
- Medium-pitched gable roof with projecting, open eaves and steep centre gable;
- Three-bay composition of the primary (west) elevation;
- Centrally-placed, single-leaf door opening;
- Flat-headed single-hung windows with six-over-six panes;
- Pointed-arched casement window in the centre gable;
- Edwardian Classical front porch with pedimented gable roof supported on square wooden posts resting on brick pedestals.

Heritage attributes that convey the property's historical value and associative value, representing the theme of urban development, specifically the nineteenth century development of the crossroads hamlet of Victoria Square, and for its association with the locally significant Frisby family:

- The dwelling is a tangible reminder of the development of village lots in Victoria Square in the nineteenth century and of the locally significant Frisby family that owned the property from c.1873 to c.1922.

Heritage attributes that convey the property's contextual value as a building that is important in defining, maintaining and supporting the character and extent of the historic hamlet of Victoria Square:

- The location of the building on its original site, facing west, within the historic hamlet of Victoria Square.

Attributes of the property that are not considered to be of cultural heritage value, or are otherwise not included in the Statement of Significance:

- Modern second storey casement windows on north and south gable ends;
- Rear additions;
- Accessory building.

APPENDIX 'C': Letters of Objection

Provided under separate cover

APPENDIX ‘D’: Research Reports

RESEARCH REPORT



St. Philip's Old Rectory
East Part Lot 17, Concession 5
9418 Kennedy Road
c.1850

Heritage Section
City of Markham Planning & Urban Design
1995 Report, Updated 2024

History

St. Philip's Old Rectory is located on a portion of the eastern part of Markham Township Lot 17, Concession 5, north of old Unionville.

John Gotlieb Wichur, one of the Berczy settlers, received the Crown patent for Markham Township Lot 17, Concession 5, in 1803. He and his wife Hannah were noted as residing on the property in William Berczy's 1803 Census of Markham Settlers. At that time, John G. Wichur was 38 years of age, and his wife Hannah was 42. The larger west part of the property was sold to John Noye in 1805. The eastern or rear 70 acres was sold to Michael Dye in 1813. According to a report in the *Upper Canada Gazette* in 1817, Michael Dye was an inn-keeper in Thornhill. That same year, he sold to Isaiah Willmot, who in turn sold to

James Hopkins in 1821. James Hopkins was among those who voted for William Lyon Mackenzie, the ardent Reformer, as York County Representative in the Upper Canada election of 1832.

In 1832, James Hopkins sold the 70-acre property to Reverend Vincent P. Mayerhoffer, the Pastor of St. Philip's Lutheran Church. The history of St. Philip's dates back to the arrival of the Berczy Settlers, the first European occupants of the area, in 1794. The settlers were mainly Lutherans of German and Danish origin. Their first pastor was Reverend George Sigmund Liebich, followed by Reverend Johann Dieter Petersen in 1819. The first church building was erected on Philip Eckardt's farm at the crest of the hill on Lot 17, Concession 6, in 1820. Reverend Mayerhoffer took over from Reverend Petersen in 1829 and would prove to be a most disruptive presence in the congregation.

Vincent P. Mayerhoffer was born in Hungary. He became a Franciscan monk and was later a chaplain with Napoleon's army during the campaign against Moscow. After arriving in the United States, he converted to Protestantism and served four congregations. Three were in the Buffalo, New York area and one was in Upper Canada. Based on favourable information from an Episcopalian clergyman, Mayerhoffer decided to settle in Upper Canada and become Anglican (Church of England). After being examined in the residence of Lieutenant-Governor Sir John Colborne, he took his Anglican orders.

With the arrival of Reverend Mayerhoffer at St. Philips, the church was nominally Lutheran, but the form of worship was Anglican. By the 1830s, the congregation included not only members of the original Berczy families but also families from outside of the group that had also settled in Markham Township. Around the tumultuous time of the 1837 Rebellion in Upper Canada, Reverend Mayerhoffer's Tory political position and support for the so-called "Family Compact" proved a divisive force in the congregation. Many of the Lutherans who had nominally conformed to the Anglican Church were sympathetic to the Reform cause and some were active participants in the uprising against the colonial government. The Reform-minded members decided to bar Reverend Mayerhoffer from the church.

At this point, Reverend Mayerhoffer took the Anglican members of the congregation and the name "St. Philips" and proceeded to establish a church on his property on the opposite side of the Sixth Line (today's Kennedy Road). A frame church in the Early Gothic Revival style was erected in 1839 to face the original Lutheran church. A cemetery was established adjacent to the new St. Philip's Church. In time, the Lutherans renamed their church "Bethesda Lutheran."

Reverend Mayerhoffer had and his wife deeded their property back to the Crown (and by extension to the Church of England) in 1835. Old maps mark it as "Glebe," an historical term referring to "land belonging or yielding revenue to a parish church or ecclesiastical benefice," according to Webster's Dictionary. The Glebe contained the church, cemetery, and a rectory (residence for the clergy and their family). The first rectory was likely the original Mayerhoffer residence on the property.

In 1848, Reverend Mayerhoffer left St. Philips and settled in Whitby. He was replaced by Reverend George Hill, and a new rectory (9418 Kennedy Road) was constructed for his use to the north of the cemetery c.1850.

According to census records, Reverend George Hill was born in East India. He became a leading figure in Markham Township, not only for his service at St. Philip's Church, but also for his service at other Anglican churches and as the Superintendent of Markham Township's public schools. He served in this position from the 1840s to the 1870s and was also Rector for Grace Church in Markham Village. In 1871, Reverend Hill received formal certification as Inspector of Public Schools and was appointed as a member of the board of examiners for examination and licensing of teachers in all counties and cities in the province. As the result of his long tenure with the public school system, Reverend George Hill was probably one of the most influential figures in the establishment of a high-quality education system in Markham Township.

Reverend Hill died in 1876. He was followed by Reverend John Fletcher, Reverend Henry B. Owen, Reverend W. J. Brain, Reverend Samuel Albert Lawrence, Reverend James E. Fleming, and Reverend George B. Johnson.

The new rectory served as the residence of this series of clergymen and their families until 1913, the same year the congregation relocated to a more convenient site in the village of Unionville where the church was rebuilt in brick, using some of the old materials from the 1839 building. Reverend George B. Johnson was the last to reside in St. Philip's Rectory. The congregation retained the land containing the cemetery, and the Glebe with the Rectory was sold to Wilson B. Markle in 1915, who in turn sold to Frederick and Ethel Deacon in 1916. The former Glebe became part of the Deacon's Glenburn Farms, which also encompassed the larger western part of Lot 17, Concession 5.

Col. Frederick Deacon, a Colonel in the Canadian Expeditionary Force in 1918 during World War I, was a stockbroker who lived at 2 Elm Avenue in Toronto. He established the firm of F. H. Deacon and Co. Ltd. His Markham property was a summer retreat for the family and a shorthorn cattle farm.

In 1957, Glenburn Farms Ltd. sold a parcel of land containing the old rectory to Dr. George F. Kelly, the well-known Buttonville veterinarian. In 1969, much of Glenburn Farms, including the former Glebe except the old rectory property, was sold to York Downs for a new golf course. That property is currently undergoing urban development.

In 1971, James and Dorothy Smith purchased the old rectory property from Dr. George F. Kelly's estate. Shortly afterwards, the property was granted to the Director of the Veteran's Land Act, who would hold title until 1986 when the property was granted back to James and Dorothy Smith. It is believed that the Smith family were tenants during that period. In 1987, the property was sold to William and Helen Clark. The current owner is Iain Stuart.

Architecture

St. Philip's Old Rectory is a one-and-a-half storey frame dwelling with a rectangular plan, oriented to face Kennedy Road. The foundation material is not readily visible as the ground floor is set close to grade, limiting exposure, but the current owner advised that repairs have been made in concrete. There is a full-width veranda on the front wall, and a rear wing that extends from the west wall. The ground floor of the rear wing has a fieldstone foundation and heavy framing visible in the basement, therefore it is likely the original kitchen wing. A second storey has been added to the rear wing and openings have been altered. A

large stone fireplace chimney, a modern addition, is centred on the gable-end wall, and a shed-roofed side entryway has been added to the north wall, within the ell.

The current siding is recent board-and-batten. According to the building description in the 1981-1982 *Markham Inventory of Heritage Buildings*, the front wall was sided with narrow tongue and groove wood on the front wall and clapboard on the gable end walls. The clapboard may have been the original exterior finish.

The medium-pitched gable roof has projecting, open eaves without eave returns. Typically, a house of this period would have returned eaves, so this is a noteworthy variation from other extant mid-nineteenth century Markham houses. The flat soffits suggest that eave returns may have once existed but have been removed during renovations. Also noteworthy is the depth of the roof overhang, larger than usual for this style of dwelling. There is a single-stack stone chimney at the north gable end that is in a traditional position but is made of modern stone.

The primary (east) elevation is composed of three-bays, with the principal entrance centred between two windows. The doorcase has a single-leaf glazed and panelled door flanked by modern stained glass sidelights with simple panels below framed by a wood surround. The entry system is a modern unit installed in the early 2000s as a renovation, but a Neo-classical door surround with flat pilasters and a moulded entablature remains. The window openings are flat-headed and rectangular. They contain modern single-hung windows with six-over-six panes. Non-functional shutters frame the window openings. The front veranda has a hipped roof supported on slender turned posts. The veranda is a sympathetically-designed historical replica.

The north and south gable ends each have two regularly placed windows on the ground floor and another two windows on the second floor. The windows within the openings are modern units. Similar to the windows on the primary elevation, they are framed by decorative shutters.

St. Philip's Old Rectory is a representative example of a mid-nineteenth century country clergyman's residence in a vernacular rendition of the Georgian architectural tradition. The front doorcase, with its sidelights and decorative surround, hints at a measure of Neo-classical refinement in an otherwise modestly scaled and designed dwelling. The vernacular Georgian architectural tradition in Ontario persisted long after the Georgian period ended in 1830. The essential principles of uncluttered designs with a sense of symmetry, order, and formality carried forward to influence vernacular architecture for much of the nineteenth century. In a rural community such as Markham Township, the design principles of the Georgian architectural tradition were stripped down to their most basic elements in dwellings such as this one.

Although the exterior materials have been updated, the renovations have been carried out with sensitivity to the historical character of the building and therefore the overall form and character of St. Philip's Old Rectory as viewed from the street and adjacent cemetery remains little altered.

Context

St. Philip's Old Rectory is of contextual value as a reminder of the origins of both the Anglican and Lutheran congregations in Unionville. Together with the adjacent cemetery, the dwelling is part of a historic grouping of buildings that is enhanced by the presence of the c.1986 St. Philip's-on-the-Hill church which was constructed on the site of the 1839 church, and the historic Bethesda Lutheran Cemetery at 9423 Kennedy Road. The house is set back from Kennedy Road on a well-vegetated lot. It is visible from the street through an opening in the landscaping and serves as an important reference point to the early nineteenth century settlement that once existed on the crest of "Settlers' Hill."

Sources

Abstract Index of Deeds for Markham Township Lot 17, Concession 5.

Canada Census: 1851, 1861, 1871, 1881 and 1891.

Markham Township Directories: Walton (1837), Brown (1846-47), Rowsell (1850-51), Mitchell (1866), Nason (1871) and 1892 Directory.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860) and Historical Atlas of the County of York, Ontario (1878).

Property File for 9418 Kennedy Road, Heritage Section, City of Markham Planning & Urban Design including detailed research notes supporting the 1995 Historical Background Report.

Historical Background, St. Philip's Anglican Church Rectory, by Michael Seaman. Heritage Section, Town of Markham, 1995. Pages 134-139.

Champion, Isabel (ed.). *Markham 1793-1900*. Markham: Markham Historical Society, Second Edition, Revised, 1989. Pages 55-57, 164-165.

"St. Phillip's Unionville to Celebrate 100th Birthday." *The Evening Telegram*, October 12, 1929.

Site visit April 15, 2024.

Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest

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.

St. Philip's Old Rectory has design and physical value as a representative example of a mid-nineteenth century country clergyman's residence in a vernacular rendition of the Georgian architectural tradition. The front doorcase, with its sidelights and decorative surround, hints at a measure of Neo-classical refinement in an otherwise simple dwelling.

The property has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community.

St. Philip's Old Rectory has historical value for its association with Unionville's early Anglican congregation, and for its role in the spiritual, social, and political life of the community. It has further historical value for its association with the Reverend George Hill, who in addition to serving the Anglican Church, was Superintendent of Schools and an influential figure in the establishment of high-quality public education in Markham Township.

The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.

St. Philip's Old Rectory has contextual value because it is physically, functionally visually and historically linked to its surroundings where it has stood since c.1850, and for being an essential component of a historical grouping that includes St. Philip's Anglican Cemetery, St. Philip's-on-the-Hill Anglican Church, and the Bethesda Lutheran Cemetery.

RESEARCH REPORT



Frisby House

**Lot 13 and Part Lot 14, Plan 184
15 Victoria Street, Victoria Square
c.1873**

**Heritage Section
City of Markham Planning & Urban Design
2024**

History

The Frisby House is located on Lot 13 and part of Lot 14, Plan 184. Plan 184 was created in 1856 as a subdivision of six acres on the northwestern corner of Markham Township Lot 25, Concession 4.

The early history of Markham Township Lot 25, Concession 4 indicates an association with William Berczy, the leader of a group of German immigrants who arrived here in 1794 and are considered to be the founders of Markham. Jacob Rawn and his family were noted as residing on the property in Berczy's census of 1803. In 1804, Rawn purchased the 200-acre property from William Berczy, however he also received the Crown patent for the same lot in 1822. Not much is known about Jacob Rawn. He was not a member of the Berczy group. In 1818, he sold the eastern 50 acres to D'Arcy Boulton, and in 1822, sold the western 150 acres to Peter Wolfe. Both were non-resident investors. The 150-acre western portion passed through a series of owners until it was purchased by William Cantley in 1831. In 1849, Cantley sold six acres to blacksmith William G. Hingston who created a subdivision in 1856 that became the south-east quadrant of the hamlet of Victoria Square. The balance of the Cantley property remained as farmland.

Thomas Frisby Sr. (1822-1905), the eldest son of English immigrants John Frisby (1797-1856) and Lucy Frisby (1801-1878), was a tenant on the Cantley property as early as 1851, based on the census of that year. The Frisby family emigrated to Canada in 1831. The McPhillips Map of Markham Township, dated 1853-54, shows Thomas Frisby Sr. on the farm property to the east of the hamlet. In 1856, the 140-acre property was formally purchased by John Frisby from William Cantley. John Frisby resided on another farm in Victoria Square (Lot 23, Concession 3), which is today the site of the Cathedral of the Transfiguration of our Lord, located to the south of the hamlet. He died tragically that same year during a business trip to Milwaukee when the steamship *Niagara* burned and sank while crossing Lake Superior. In 1859, John Frisby's widow, Lucy, transferred ownership of the farm on Lot 25, Concession 4 to her son, Thomas Frisby Sr.

Thomas Frisby Sr. and Jane (Newlove) Frisby raised a large family on the farm. The 1861 census describes their residence as a one-and-a-half storey frame building. One of their sons, William, became a well-known local blacksmith. Sons George, Thomas, and Richard were farmers, though Thomas Jr. was listed as a wagon maker in the 1881 census.

Thomas Frisby Sr. purchased a number of lots on Victoria Street between 1872 and 1883. The dwelling at 15 Victoria Street is primarily located on Lot 13, Plan 184, which was purchased in 1872, and part of Lot 14, purchased in 1873. There is a local tradition that the house at 15 Victoria Street was constructed sometime between 1856 and 1860 for John Frisby's widow Lucy following her husband's death in 1856. At the time of the 1861 census, however, she was living with her son, William Frisby, and his wife Harriet on a different property, Lot 23, Concession 3, probably in the original Frisby family home. There is no information about the location of Lucy Frisby in the 1871 census, but information written on the back of an archival photograph in the collection of the Markham Museum indicates that she lived in the house at 15 Victoria Avenue, later occupied by her son Thomas Frisby Sr. Based on research, this house appears to have been constructed c.1873.

Lucy Frisby died in 1878. The Thomas Frisby Sr. family lived in this house through the latter decades of the nineteenth century. When Thomas Frisby Sr. died in 1905, he bequeathed the property comprising Lots 11 through 15 to his widow Jane Frisby for her lifetime use. The property passed to their son George E. Frisby in 1909.

George Frisby sold to Robert Henry Hopper in 1922 who lived there with his sisters Mary Hannah Hopper and Alice Hopper. They were unmarried children of Henry Hopper and Sarah (Williamson) Hopper who farmed the western half of Lot 29, Concession 4, north of Victoria Square. In 1926, Robert H. Hopper sold the property to his sister, Mary Hannah Hopper. In 1949, Robert Hopper once again was the owner through Mary H. Hopper's will. Robert H. Hopper's estate sold the property to Cecil Storey in 1953. From that point onwards, portions of the property were sold off until the Frisby House stood on only Lot 13 and the northern portion of Lot 14. A driveway that once served the Frisby family still stands at 9-11 Victoria Street.

Architecture

The Frisby House is a one-and-a-half storey, stucco-clad frame dwelling with a rectangular plan. The house is oriented westwards. The ground floor is set slightly above grade level, and the foundation material is not readily visible. The original portion of the building is the western section, closest to the street. A gable-roofed one-and-a-half storey addition extends from the rear wall, with another addition, one storey in height with a flat roof, extending from the rear wall of that addition. The medium-pitched gable roof has projecting, open eaves and a steeply-pitched centre gable on the front roof slope. No historic chimneys remain. There is a heavy exterior masonry chimney located on the south wall of the main rear addition. The chimney is made of light grey concrete brick and likely dates from the mid-twentieth century.

The current stucco cladding has been in place for some time as it appears in photographs on file in the Heritage Section taken in the early 1980s.. The original cladding, based on an archival photograph in the collection of the Markham Museum, was narrow clapboard trimmed with corner boards.



Archival photograph of the Frisby House showing clapboard siding and bellcast-roofed veranda. Markham Museum Collection.

The house has a three-bay primary (west) elevation with a centrally-placed single-leaf door sheltered by a gable-roofed porch supported on square wooden posts resting on brick pedestals. The porch roof has a closed pediment in the Edwardian Classical style, suggesting an early twentieth century date for the construction of this porch. It replaced a bellcast-roofed veranda supported on delicate wooden treillage, as seen in the above archival photograph. The door is flanked by flat-headed single-hung windows with six-over-six panes, framed with simple wood trim and modern non-functional shutters. The window openings have projecting lugsills. In the centre gable above the door is a pointed-arched Gothic Revival casement window.

The south gable end has two windows with six-over-six panes on the ground floor and two smaller window openings on the second floor containing modern casement windows. The second storey openings appear to have been widened during a renovation. The north gable end has a single six-over-six paned

window centred on the ground floor wall with two casement windows on the second storey that match those on the south gable end wall.

Architecturally, the Frisby House is an altered representative example of a village dwelling in the Ontario Classic style, as defined by Marion MacRea and Anthony Adamson in *The Ancestral Roof – Domestic Architecture of Upper Canada* (1963):

“The little vernacular house, still stubbornly Georgian in form and wearing its little gable with brave gaiety, became the abiding image of the province. It was to be the Ontario Classic style.”

The Ontario Classic is a house form that was popular from the 1860s to the 1890s with many examples constructed on farms and in villages throughout Markham Township. The design was promoted in architectural pattern books and a design for “a cheap country dwelling house” of this type appeared in an edition of the journal, *The Canada Farmer*, in 1865. These vernacular dwellings were often decorated with features associated with the picturesque Gothic Revival style, as was the case with the Frisby House, with a pointed-arched window in its steep centre gable. The essential form of the Ontario Classic was symmetrically balanced with a centrally-placed front door flanked by a window on either side, a hold-over from the long-standing, conservative formality of the Georgian architectural tradition, and a steep centre gable above the entrance. A one-and-a-half storey height and a T-shaped plan were typical, with the rear portion of the “T” usually a single-storey kitchen. In some examples the kitchen wing is offset on the rear wall, creating an L-shaped plan. In this case, the kitchen wing of this dwelling, shown in part in the archival photograph, has been replaced by a large, two-storey modern-era addition.

Context

Victoria Square is a former Heritage Conservation District Study Area.

The Frisby House is one of a grouping of late nineteenth and early twentieth century buildings that contribute to and define the character and extent of the historic hamlet of Victoria Square. The old house stands within the context of both recent and historic structures in a village setting, illustrating the evolution of the built environment over time. A frame driveshed that was once associated with this dwelling is located to the north at 9-11 Victoria Street.

Sources

Abstract Index of Deeds for Lot 25, Concession 4 and Lot 23, Concession 3, Markham Township.

Abstract Index of Deeds for Lots 11 through 15, Plan 184.

Plan 184, 1856.

Canada Census: 1851, 1861, 1871, 1881, 1891, 1901, 1911 and 1921.

Directories of Markham Township: Brown (1846-47), Rowsell (1850-51), Mitchell (1866), Nason (1871), 1892 Directory, and 1918 Directory.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860), and Historical Atlas of the County of York, Ontario (1878).

Entry for Thomas Frisby, *History of Toronto and County of York, Ontario – Volume II: Biographical Notices*. Toronto: C. Blackett Robinson, Publisher, 1885.

Victoria Square Heritage Conservation District – Historical Background and Inventory, by Su Murdoch Historical Consulting, 2010. Pages 17-22, 82-85.

Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest

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.

The Frisby House is a representative example of a village dwelling in the Ontario Classic style.

The property has historical or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The Frisby House has historical or associative value representing the theme of the nineteenth century development of the crossroads hamlet of Victoria Square, and for its association with the locally significant Frisby family, early residents of the Victoria Square area with an English origin that played an important role in the agricultural and industrial development of the community.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The Frisby House is one of a grouping of older buildings that contribute to and help define the character and extent of the historic hamlet of Victoria Square. The property is historically linked to the Thomas Frisby Jr. House at 83 Thomas Frisby Jr. Crescent, designated under By-law 2021-72.