



Report to: Development Services Committee

Report Date: February 27, 2017

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**SUBJECT:** Intention to Designate a Property under  
Part IV of the Ontario Heritage Act  
Name: Lapp-Pilkey House  
Address: 7186 Eleventh Concession Road

**PREPARED BY:** George Duncan, Senior Heritage Planner, ext. 2296

**REVIEWED BY:** Regan Hutcheson, Manager of Heritage Planning

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**RECOMMENDATION:**

- 1) That Council receive the staff report titled “Intention to Designate a Property under Part IV of the Ontario Heritage Act, Name: Lapp-Pilkey House, Address: 7186 Eleventh Concession Road”;
- 2) That as recommended by Heritage Markham and as a condition of approval for Consent Application B/15/16, the Lapp-Pilkey House at 7186 Eleventh Concession Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 3) That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act;
- 4) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption;
- 5) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board;
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not Applicable

**PURPOSE:**

The purpose of this report is to recommend to Council that the “Lapp-Pilkey House” at 7186 Eleventh Concession Road be designated under Part IV of the Ontario Heritage Act, on the basis of its cultural heritage value or interest. Heritage Designation was a recent condition of approval for Consent Application B/15/16 as approved by the Committee of Adjustment on November 9, 2016.

**BACKGROUND:**

**The building is listed on the City of Markham Heritage Register**

The subject building is located at 7186 Eleventh Concession Road. It is included in the *Markham Register of Property of Cultural Heritage Value or Interest*, the City’s inventory of non-designated properties identified as having cultural heritage value or

interest, as well as Part IV properties (individual designations) and Part V properties (district designation).

**The property is located within the historic community of Cedar Grove**

The Lapp-Pilkey House is one of a number of heritage buildings located within the historic rural community of Cedar Grove. The property is zoned RR1 (Rural Residential One) under By-law 304-87, as amended. The property is designated Agricultural in the in-force Official Plan (1987, revised) and Greenway in the 2014 Official Plan (not yet fully in force). The existing uses are permitted by the Zoning By-law and Official Plan

**Heritage Designation is a condition of severance**

Consent Applications B/15/16 and B/16/16 were for the purpose of creating three residential lots, each containing an existing single detached dwelling, municipally known as 7150, 7186 and 7200 Eleventh Concession Road. The heritage building, 7186 Eleventh Concession Road, is located on Part 2 of the survey plan prepared for the application (Figure 3). The residential lots will be severed from the larger parcels Parts 4 and 6, which will merge under a new address, 7080 Eleventh Concession Road.

Heritage designation and a heritage easement agreement are conditions of severance relating to file number B/15/16 (see Appendix “C” – Conditions of Severance). The owner is aware of these conditions and has agreed to them. These conditions are consistent with the cultural heritage policies of the Official Plan.

**The Lapp-Pilkey House dates from c.1855**

The Lapp-Pilkey House is of historical and associative value as the c.1855 home of William Lapp, a farmer and a member of one of the founding families of Cedar Grove. He later moved to Uxbridge to found Lapp and Son Marble Works. The house is of additional historical and associative value as the former home of William C. Pilkey, a farmer whose grandfather, Pierre le Pelletier (later changing his name to Peter Pilkey) came to Upper Canada from Quebec in 1800. William Pilkey purchased the Lapp property in 1876 and his descendants farmed here until 1951. The Lapp-Pilkey House is a good example of a mid-nineteenth century patterned brick farmhouse in the Georgian architectural tradition, with a centre gable giving it the form of a classic Ontario farmhouse. It is one of several nineteenth century buildings that remain within and help define the historic rural community of Cedar Grove.

**The building has been assessed using the Ministry of Culture’s Designation Criteria**

Government of Ontario Regulation (O.Reg. 9/16) prescribes criteria for determining a property’s cultural heritage value or interest for the purpose of designation. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets one or more of the prescribed criteria. These include design or physical value, historical or associative value, or contextual value.

Through detailed research and evaluation, it has been determined that the subject property has cultural heritage value or interest as it meets the criteria prescribed in the regulation as demonstrated in the Statement of Significance (Appendix ‘A’).

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**Heritage Markham has recommended that the property be designated under Part IV of the Ontario Heritage Act as a condition of severance**

At its September 14, 2016 meeting, when commenting on Consent Applications B/15/16, Heritage Markham recommended that the property be designated under Part IV of the Ontario Heritage Act as a condition of severance. (Heritage Markham Extract Appendix 'B'). A Heritage Easement was also recommended as a condition of severance and that agreement is currently in progress.

**OPTIONS/ DISCUSSION:****The designation of the heritage resource is consistent with City policies**

The Cultural Heritage policies of the Official Plan 2014 represent the City of Markham's commitment to heritage conservation through a strong policy framework. Designation of properties of cultural heritage value or interest within the context of planning applications is consistent with the Cultural Heritage policies of Markham's Official Plan.

**Heritage Designation will highlight the cultural heritage value of the property to the owner**

Designation signifies to both the owner and the broader community that the property contains a significant resource that is important to the community. Designation does not restrict the use of the property. However, it does require the owner to seek approval for property alterations that are likely to affect the heritage attributes described in the designation by-law. Council can also prevent, rather than just delay, the demolition of a resource on a designated heritage property.

**FINANCIAL CONSIDERATIONS**

Not Applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Heritage designation aligns with the strategic priorities of Managed Growth and Environment. Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community.

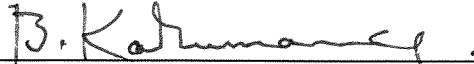
**BUSINESS UNITS CONSULTED AND AFFECTED:**

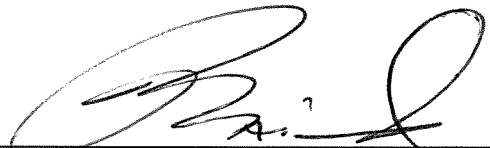
Acceptance of this recommendation to designate the property located at 7186 Eleventh Concession Road under Part IV of the Ontario Heritage Act will require the Clerk's Department to initiate the following actions:

- publish and serve on the property owner, the Ontario Heritage Trust and the public through newspaper advertisement, Council's notice of intention to designate the property as per the requirements of the Act: and
- prepare the designation by-law for the property.

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**RECOMMENDED BY:**

  
Biju Karumanchery, M.C.I.P., R.P.P.  
Director of Planning & Urban Design

  
Jim Baird, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS**

Figure 1 - Location Map

Figure 2 - Building Photograph

Appendix 'A' - Statement of Significance

Appendix 'B' - Heritage Markham Extract

**FILE PATH:** q:\development\heritage\property\eleventh\7186\dscfeb272017.doc

**AGENT:**

Keith Nichols  
Nichols Law Professional Corporation  
51 Main Street North  
Markham ON L3P 1X7

**OWNER:**

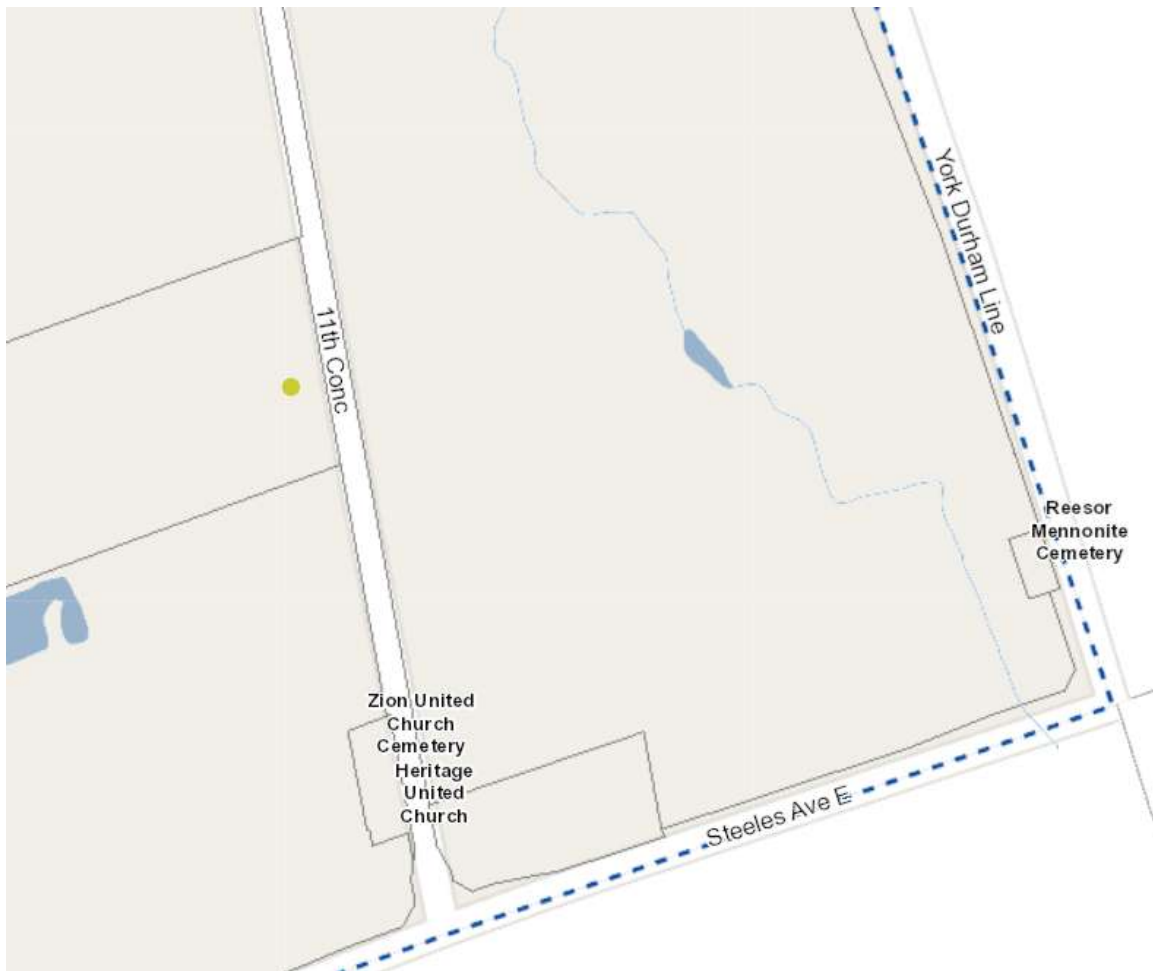
1307306 Ontario Limited

Tel. 905-294-7780 ext. 313

Email: keith@markhamlaw.com

## FIGURE 1

### LOCATION MAP:



**FIGURE 2**

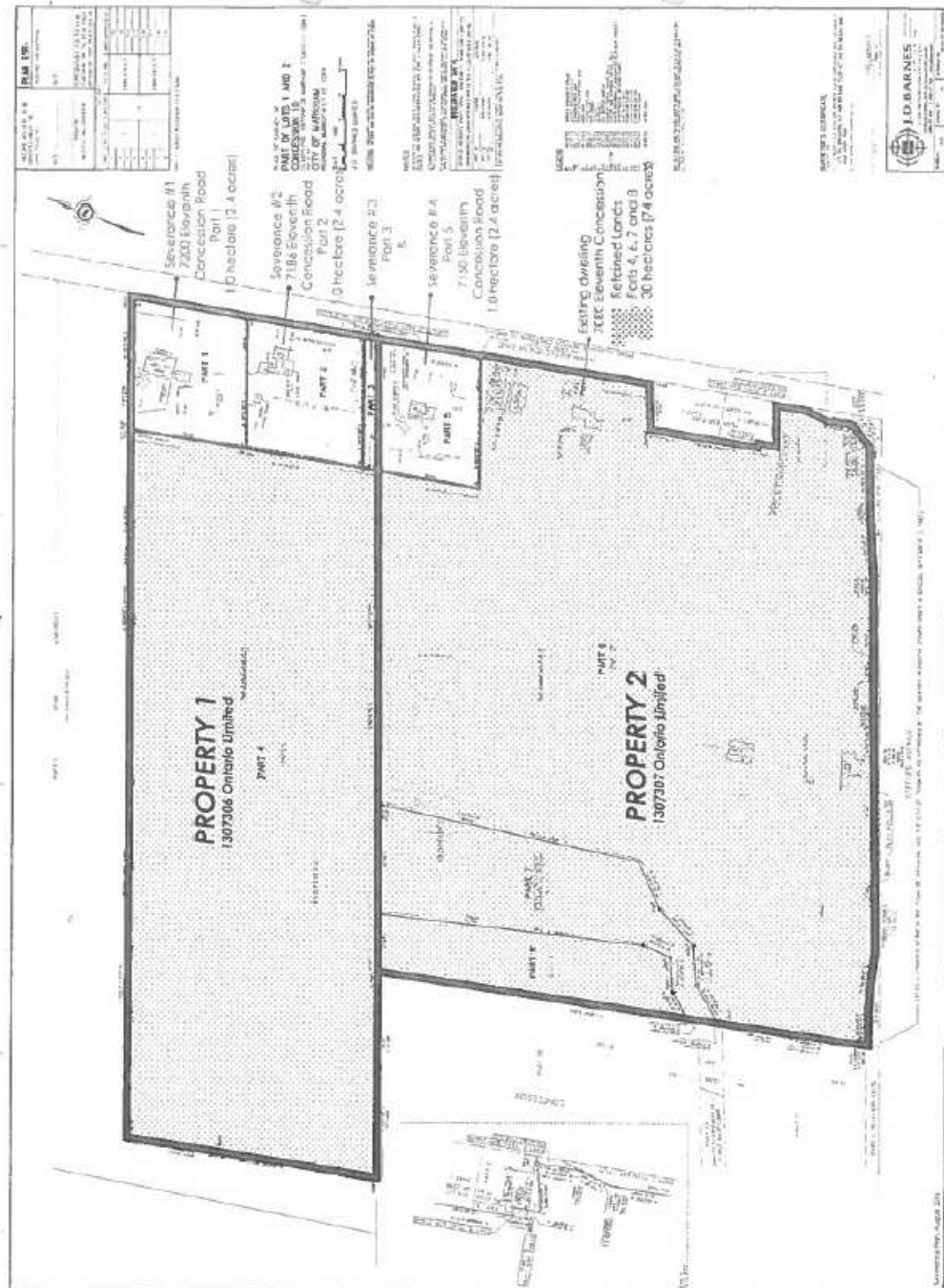
**Building Photograph**



**Lapp-Pilkey House**

**c.1855**

**7186 Eleventh Concession**

**FIGURE 3 – SURVEY SHOWING SEVERANCE PARCELS**

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**APPENDIX 'A'****STATEMENT OF SIGNIFICANCE****Lapp-Pilkey House  
7186 Eleventh Line  
c.1855**

The Lapp-Pilkey House is recommended for designation under Part IV 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 Lapp-Pilkey House is a one and a half storey patterned brick residence located on the west side of the Eleventh Line, north of the Heritage United Church and cemetery. The house is located in a rural setting, and faces east.

**Historical or Associative Value**

The Lapp-Pilkey House is of historical or associative value as the former farmhouse of William Lapp, one of the sons of Henry Lapp, who came to Markham Township from Bucks County, Pennsylvania in the early 1800s. Lot 2, Concession 10 was divided among the three of Henry Lapp and Elizabeth Waldenburger's sons. Their son, William Lapp, farmed the eastern 66 acres and circa 1855, constructed the brick farmhouse that stands at 7186 Eleventh Line. About 1870, the family relocated to Uxbridge where they started Lapp and Son Marble Works, a manufacturer of grave markers that served Uxbridge and Markham. Horace Lapp, a grandson, became a noted pianist, organist, composer and writer. When he died in 1986, he was one of the last surviving silent film musical accompanists in Canada.

The Lapp-Pilkey House is additionally of historical or associative value as the former farmhouse of William C. Pilkey, who purchased the property in 1876. William Pilkey's grandfather, Pierre le Pelletier, came to Upper Canada from Quebec in 1800. He married Catherine Barnhart and changed his name to Peter Pilkey. The family became established in Scarborough Township. Peter Pilkey was a private in the York Militia during the War of 1812. According to family tradition, he was a baker for the garrison at Fort York and was the person who set fire to the magazine at the fort to keep the munitions out of the hands of the enemy during the American assault on the Town of York in 1813. The explosion of the magazine was one of the most dramatic events of the war. William C. Pilkey was the son of Charles Pilkey and Jane Forfar of Maple Lane Farm, near Claremont, Pickering Township. One of William C. Pilkey and Hannah E. Ward's sons, William G. H. "Howard" Pilkey farmed the former Lapp property until he retired about 1951 and moved to north Markham.



**Design or Physical Value**

The Lapp-Pilkey House is of physical or design value as a good example of a mid-19th century patterned brick farmhouse in the Georgian architectural tradition. With its centre gable, the house is in the form of a Classic Ontario farmhouse, an emblematic vernacular form of rural dwelling during the mid to late 19<sup>th</sup> century in this region. The broad, medium-pitched centre gable indicates the influence of the Neo-classic style rather than the more common, steeply-pitched centre gable with a Gothic Revival influence. The physical value of the Lapp-Pilkey House is enhanced due to its superior state of architectural integrity on the exterior, showing no significant alterations. The patterned brick treatment is a representative example of this popular design typical of Southern Ontario in the mid to late 19<sup>th</sup> century.

**Contextual Value**

The Lapp-Pilkey House is of contextual value as an early farm residence within the community of Cedar Grove that contributes to the rural character and farming heritage of the area.

**Significant Architectural Attributes**

Exterior, character-defining attributes that embody the cultural heritage value or interest of the Lapp-Pilkey House include:

- Overall form of the building, including its rectangular plan and one and a half storey height;
- Fieldstone foundation;
- Brick walls with a red brick body trimmed with buff brick accents including quoining at the corners and around door and window openings, splayed arches above door and window openings, and a belt course between the ground floor level and the eaves,
- Medium-pitched gable roof with projecting, open eaves;
- Medium pitched centre gable, with projecting, open eaves;
- Front door with transom light above;
- Six over six single sash windows.

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**APPENDIX 'B'**

**HERITAGE MARKHAM  
EXTRACT**

**DATE:** September 22, 2016

**TO:** R. Hutcheson, Manager of Heritage Planning  
S. Corr, Planner East District  
R. Punit, Committee of Adjustment

**EXTRACT CONTAINING ITEM #14 OF THE NINTH HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON SEPTEMBER 14, 2016.**

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**14. Committee of Adjustment Consent Application,  
7186 Eleventh Concession Road,  
Application to Sever to Create New Lots**

**File Nos.** B/15/16

B/16/16 (16.11)

**Extract:** R. Hutcheson, Manager of Heritage Planning  
S. Corr, Planner East District  
R. Punit, Committee of Adjustment

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Regan Hutcheson, Manager of Heritage Planning addressed the Committee and summarized the details outlined in the memo.

The applicant addressed the Committee and confirmed that they accept the staff recommendation.

**Heritage Markham Recommends:**

That Heritage Markham Committee recommends that as a condition of approval of the proposed severance applications, the property at 7186 11<sup>th</sup> Concession Road be designated pursuant to Part IV of the **Ontario Heritage Act** and that the owner enter into a Heritage Conservation Easement with the City of Markham.

Carried

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## APPENDIX "C" – CONDITIONS OF SEVERANCE

Application B/15/16

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1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels;
2. Submission to the Secretary-Treasurer of the required transfer, in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act;
3. Submission to the Secretary-Treasurer of seven white prints of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted;
4. Subsection 50(3) or 50(5) of the Planning Act shall apply to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent;
5. Submission of a Solicitor's Certificate certifying that upon registration of the required transfers to effect the severance applied for under Files B/15/16, title to Part 4 on the Draft Reference Plan submitted with Files B/15/16 and B/16/16 will merge with title to the lands to the south municipally known as 7080 11<sup>th</sup> Concession Road, and described as Part 6 on the Draft Reference Plan submitted with Files B/15/16 and B/16/16, all to the satisfaction of the Director of Planning and Urban Design or designate;
6. That the owner agree to the designation of the property at 7186 11<sup>th</sup> Concession Road under Part IV of the Ontario Heritage Act, as a property of cultural heritage value or interest; and
7. That the owner enter into a Heritage Conservation Easement with the City of Markham to protect the cultural heritage attributes of the heritage house at 7186 11<sup>th</sup> Concession Road

The Committee, in making its decision on this matter, took into consideration the written comments received on the application (Staff report, internal and external comments). There were no letters submitted from the public. There were no persons in attendance at the meeting who spoke on the matter. The Committee had no concerns with the application.

### Resolution Carried

**NOTE TO OWNERS/AGENTS:** As noted in Section 53 of the Planning Act, R.S.O. 1990, as revised, all conditions of approval must be met no later than one year from the giving of the Notice of Approval. A certificate pursuant to Section 53 of the Planning Act cannot be given until **ALL** conditions have been fulfilled.