



Report to: Development Services Committee

Report Date: November 21, 2016

SUBJECT: Heritage Easement Agreements for Heritage Property Tax Reduction Program
292 Main Street North, Markham Village
20 Markham Street, Markham Village
26 Colborne Street, Thornhill

PREPARED BY: George Duncan, Senior Heritage Planner, 2296

REVIEWED BY: Regan Hutcheson, Manager-Heritage Planning, 2080

RECOMMENDATION:

- 1) THAT the staff report titled “Heritage Easement Agreements for Heritage Property Tax Reduction Program, 292 Main Street North, Markham Village, 20 Markham Street, Markham Village, 26 Colborne Street, Thornhill”, dated November 21, 2016, be received;
- 2) THAT a by-law be passed to authorize the Mayor and Clerk to execute a Heritage Easement Agreement with the property owners of 292 Main Street North, 20 Markham Street, Markham Village and 26 Colborne Street, and any other documents required to give effect thereto, in a form satisfactory to the City Solicitor.
- 3) 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 obtain authorization from Council for the execution of Heritage Easement Agreements necessary for participation in the Heritage Property Tax Reduction Program.

BACKGROUND:

The municipality has created a Heritage Property Tax Reduction Program

The municipality has implemented a Heritage Property Tax Reduction Program effective January 1, 2003, to provide tax relief for eligible heritage properties. Council passed By-law 2003-241, the Heritage Tax Reduction Program By-law, on December 16, 2003. The purpose of the tax relief program is to provide an incentive for owners to preserve and maintain significant heritage properties in the City.

One of the eligibility criteria for the Program is a Heritage Easement Agreement

Provincial legislation that permits heritage tax relief programs requires that eligible properties be subject to a Heritage Easement Agreement. Section 5 (ii) of By-law 2003-241 also requires that, in order to be eligible to apply for a heritage tax reduction, the

owner of the property must provide proof that the property is subject to a heritage easement, under s. 22 or 37 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18. Section 5(iii) of the by-law requires that, for the 2016 taxation year, heritage easement agreements must be executed by the property owner and returned to the City no later than December 15th of the taxation year for which relief is sought.

Heritage Markham has been consulted

Section 37(1) of the *Ontario Heritage Act* gives the Council of a municipality the authority to pass by-laws which would allow the Council to enter into easements or covenants with property owners for the conservation of property of cultural heritage value or interest, after consultation with its municipal heritage committee. Heritage Markham was consulted at its meeting on November 9, 2016 and had no objection to the proposed Heritage Easement Agreements.

OPTIONS/ DISCUSSION:

The Heritage Easement Agreement identifies the property's cultural attributes.

The property at 292 Main Street North is occupied by the Jesse and Mahala Raymer House, c. 1884, a Class "A" building (major importance) in the Markham Village Heritage Conservation District. See Appendix "A" for further information. It has been determined by Heritage Planning staff that this property does have cultural heritage value and heritage attributes that require protection.

The property at 20 Markham Street is occupied by the Pringle-Hughes House, c. 1883, a Class "A" building (major importance) in the Markham Village Heritage Conservation District. See Appendix "A" for further information. It has been determined by Heritage Planning staff that this property does have cultural heritage value and heritage attributes that require protection.

The property at 26 Colborne Street is occupied by the John Ramsden Double Cottage, c. 1851, a Class "A" building (major importance) in the Thornhill Heritage Conservation District. See Appendix "A" for further information. It has been determined by Heritage Planning staff that this property does have cultural heritage value and heritage attributes that require protection.

Generally, the Easement Agreements require the owner to maintain the dwelling, obtain City approval for any demolition or exterior alterations, and to maintain insurance coverage on the property. Easement Agreements, once executed, are registered against the title of the property.

By-law Requirement

Section 37 (1) of the *Ontario Heritage Act*, R.S.O. 1990 c.O.18 authorizes the Council of a municipality to pass by-laws providing for the entering into heritage easements with owners of real property or interests in real property for the conservation of property of cultural heritage value or interest. A by-law is attached to this report (See Appendix "B").

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

By-law 2002-276, the Fees By-law, was amended to eliminate any fees associated with the processing of Heritage Easement Agreements.

HUMAN RESOURCES CONSIDERATIONS

Not applicable


ALIGNMENT WITH STRATEGIC PRIORITIES:

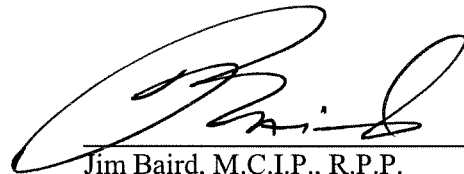
The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

BUSINESS UNITS CONSULTED AND AFFECTED:

Heritage Markham has been consulted. The Legal Services Department works closely with the Heritage Planning Section to prepare and process the necessary Heritage Easement Agreements.

RECOMMENDED BY:


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


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

ATTACHMENTS:

Figure 1	Building Photographs
Appendix A	Reasons for Identification
Appendix B	Draft By-law

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Figure 1: Properties Requesting Heritage Easement Agreements

292 Main Street North



20 Markham Street



26 Colborne Street



Appendix ‘A’ – Reasons for Identification

REASONS FOR IDENTIFICATION

Jesse and Mahala Raymer House c.1884 292 Main Street North

The Owner and the City agree that for the purposes of this Agreement the following statement (hereafter called the “Reasons for Identification” sets out the reasons why the City of Markham has identified the Building as having historical, architectural, and contextual value.

Statement of Reasons for Identification

Description of Property

The Jesse and Mahala Raymer House is located on the west side of Main Street North, south of David Street, within the Mount Joy neighbourhood of the Markham Village Heritage Conservation District. The heritage building is the L-shaped front section of the house, which has been enlarged with an addition to the rear built in 2011.

Design and Physical Value

The Jesse and Mahala Raymer House has design value as a representative example of a L-plan vernacular village dwelling of the late 19th century, showing a simplified Gothic Revival influence. The one and a half storey house, clad in vertical tongue and groove siding, has a steep Gothic Revival gable over the front veranda, and window frames which are vestiges of the original segmentally-headed windows. The canted bay window on the projecting front gable wall is a modern alteration.

Historical and Associative Value

The property has historical and associative value as the former home of Jesse Raymer, a carpenter, and his wife Mahala Conner Raymer. Jesse Raymer’s father was Christian Raymer. The family owned the property until 1901. The Raymers were the founding family of the Mount Joy community, with Pennsylvania-German Mennonite roots, a common characteristic of many Mount Joy residents. The property was owned by a succession of other families with a similar cultural background up until 1950.

Contextual Value

The Jesse and Mahala Raymer House has contextual value as one of a grouping of late 19th century houses on the west side of Main Street North that form the distinctive streetscape of the historic Mount Joy neighbourhood.

Significant Architectural Attributes

Character-defining attributes that embody the cultural heritage value of 292 Main Street North include:

- L-shaped plan outline of the original house;

- One and a half storey height;
- Vertical tongue and groove wood siding;
- Steeply-pitched gable roof with projecting, open eaves;
- Segmentally-headed window and doors frames;
- Shed-roofed front veranda on chamfered wood posts, accented with fretwork brackets;
- Fieldstone foundation.

REASONS FOR IDENTIFICATION

Pringle-Hughes House

c.1883

20 Markham Street

The Owner and the City agree that for the purposes of this Agreement the following statement (hereafter called the “Reasons for Identification” sets out the reasons why the City of Markham has identified the Building as having historical, architectural, and contextual value.

Statement of Reasons for Identification

Description of Property

The Pringle-Hughes House is located on the north side of Markham Street, east of Maple Street, within the Markham Village Heritage Conservation District. The heritage building is the front half of the house, which has been enlarged with an addition to the rear.

Design and Physical Value

The Pringle-Hughes House has design value as a representative example of a gable-fronted vernacular village dwelling of the late 19th century. The one and a half storey house, clad in board and batten siding, is a typical example of the modest housing built for workers and tradespeople and their families in a village setting.

Historical and Associative Value

The property has historical and associative value as the former property of Robert Pringle, a local manufacturer of carriages and other horse-drawn vehicles. The Pringle family resided on Main Street. The Markham Street house was likely built c.1883 as an income property, perhaps as rental housing for workers in the Pringle factory. In 1890, the property was sold to the Hughes family. Nathan Hughes was employed as a stone mason. By 1900, the Hughes family had relocated to Whitchurch Township.

Contextual Value

The Pringle-Hughes House has contextual value as one of the many 19th century and early 20th century buildings that help define the character of the Markham Village Heritage Conservation District.

Significant Architectural Attributes

Character-defining attributes that embody the cultural heritage value of 20 Markham Street include:

- Rectangular shaped, gable-fronted plan outline of the original house;
- One and a half storey height;
- Board and batten siding;
- Steeply-pitched gable roof with projecting, open eaves;
- Flat-headed window and doors frames;
- Off-set front door with rectangular transom light above;
- Fieldstone foundation.

REASONS FOR IDENTIFICATION**John Ramsden Double Cottage
c.1851
26 Colborne Street**

The Owner and the City agree that for the purposes of this Agreement the following statement (hereafter called the “Reasons for Identification” sets out the reasons why the City of Markham has identified the Building as having historical, architectural, and contextual value.

Statement of Reasons for Identification**Description of Property**

The John Ramsden Double Cottage is located on the north side of Colborne Street, within the Thornhill Heritage Conservation District.

Design and Physical Value

The John Ramsden Double Cottage has design value as a well-preserved example of the modestly-scaled housing constructed for labourers and tradesmen in old Ontario mill villages such as Thornhill. Its design is representative of the vernacular Georgian tradition. The low, one and a half storey form, multi-paned windows, and low-pitched gable roof with eave returns are typical features of this style and mid-19th century period of construction. The building’s origin as a two-family dwelling can be read in the arrangement of door and window openings on the Colborne Street façade.

Historical and Associative Value

The property has historical and associative value as a remnant of Thornhill’s mill era. It was constructed c.1851 by John Ramsden, head miller at Pomona Mills. The mill was located on the Don River, near the site of the Shouldice Hospital. The modest building was designed to provide inexpensive housing for mill workers and their families. About 1940, it was converted to a single dwelling. The John Ramsden Double Cottage has

significant associative interest for its connection to the Pomona Mills, an important local industry that was central to the early development of Thornhill.

Contextual Value

The John Ramsden Double Cottage has contextual value as one of a grouping of mid 19th century houses found in the historic core of old Thornhill and is an important contributor to Colborne Street's noteworthy historic character.

Significant Architectural Attributes

Character-defining attributes that embody the cultural heritage value of 26 Colborne Street include:

- Rectangular Plan outline of the original double house.
- Low one and a half storey height.
- Wood clapboard exterior finish.
- Low-pitched gable roof eave returns and associated wood trim
- 5-bay front with centre door.
- 12 over 12 and 6 over 6 wood windows.
- 6 panelled wood front door with wood surround.
- Box bay addition on the east gable end.
- Victorian veranda addition on the west gable end.
- Fieldstone foundation.
- Traditional wood picket fence in the front yard.



BY-LAW 2016-XXX

Being a By-law to authorize the execution
of Heritage Easement Agreements

WHEREAS section 37 (1) of the *Ontario Heritage Act*, R.S.O. 1990 c.O.18 authorizes the Council of a municipality to pass by-laws providing for the entering into heritage easements with owners of real property or interests in real property for the conservation of property of cultural heritage value or interest;

AND WHEREAS it has been determined that the properties identified on Schedule "A" attached to this by-law are properties of cultural heritage value or interest;

AND WHEREAS Council at its meeting on December 16, 2003 passed By-law 2003-341, being the Heritage Tax Reduction By-law, establishing a program to provide tax reductions or refunds in respect of eligible heritage properties;

AND WHEREAS paragraph 5(ii) of By-law 2003-341 requires that to be eligible for a Heritage Tax Reduction, a property owner must provide proof, satisfactory to the Treasurer of the City, that the property is subject to a heritage easement under section 22 or 37 of the Ontario Heritage Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. THAT the Mayor and Clerk be authorized to execute Heritage Easement Agreements between the City of Markham and the property owners as set out on Schedule "A" attached to this by-law, for the lands described in Schedule "A", and any other documents required to give effect thereto in a form satisfactory to the City Solicitor.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
XX DAY OF XX, 2016.

KIMBERLEY KITTERINGHAM,
CITY CLERK

FRANK SCARPITTI, MAYOR

Schedule "A" to By-law 2016-XXX
Being a By-law to authorize the execution
of Heritage Easement Agreements

PROPERTY OWNER	MUNICIPAL ADDRESS	LEGAL DESCRIPTION
Sylvia Loong	292 Main Street North, Markham Village	Lot 3 Plan 1105
Graham Smith Nancy Simpson	20 Markham Street, Markham Village	Lot 8 Plan 180
David Joseph Burke Valerie Jean Burke	26 Colborne Street, Thornhill	Pt. Lot 13 Plan 71

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