



Report to: Development Services Committee

Report Date: March 27, 2012

SUBJECT: Intention to Designate a Property under
Part IV of the Ontario Heritage Act
Name: Jarvis-Fairty House
Address: 6350 Steeles Avenue

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

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning, ext. 2080

RECOMMENDATION:

- 1) That as recommended by Heritage Markham, the Jarvis-Fairty House – 6350 Steeles Avenue, be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 2) 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;
- 3) 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;
- 4) 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;
- 5) 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 "Jarvis-Fairty House" be designated under Part IV of the Ontario Heritage Act.

BACKGROUND:

The building is listed on the Town of Markham Register

The subject building is located at 6350 Steeles Avenue. It is included in the Markham Register of Property of Cultural Heritage Value or Interest. The Register is the Town's inventory of non-designated properties identified as having cultural heritage value or interest, Part IV properties (individual designations) and Part V properties (district designation).

The Jarvis-Fairty House is a good example of a Colonial Revival style dwelling of the modern era

The core of the Jarvis-Fairty House is a late 19th century wood frame farmhouse constructed by Richard Jarvis c.1890. The original form was a one and a half storey centre-gabled Classic Ontario farmhouse. In 1961, Howard Fairty enlarged and remodeled the building in the Colonial Revival style. Initially, the Fairty's Fairwood

Farms was a dairy operation, but in the late 1950s they began specializing in sod to supply suburban lots in Toronto as development boomed in the post World War II period.

This house was previously referred to as the Peter Milne House or the David Robb House prior to more in-depth research being undertaken in 2011, with the result being the name being confirmed as the Jarvis-Fairty House.

The Statement of Significance- Reasons for Designation is attached as Appendix 'A'.

The building has been evaluated using the Town's heritage evaluation system

The building was evaluated by Heritage Markham and staff using the Town's Heritage Building Evaluation System. The Jarvis-Fairty House was evaluated as a Group 2 Heritage building. Group 2 buildings are those buildings of significance and worthy of preservation. Group 2 buildings are also considered worthy of designation under the Act.

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

The Government of Ontario on January 25, 2006 passed a regulation (O.Reg. 9/16) which 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 the prescribed criteria.

The purpose of the regulation is to provide an objective base for the determination and evaluation of resources of cultural heritage value. The prescribed criteria help ensure the effective, comprehensive and consistent determination of value or interest by all Ontario municipalities. The criteria are essentially a test against which properties can be judged; the stronger the characteristics of the property compared to the standard, the greater the property's cultural heritage value. The property may be designated if it meets one or more of the criteria.

The subject property has cultural heritage value or interest as it meets the following criteria:

- 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 house is a good example of the Colonial Revival style);
- 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 (the house represents two periods of agricultural development in the community of Armadale, and the Fairty family were significant land owners and farmers during the mid to late 20th century that operated farms and business in the area);
- The property has contextual value because it:

- Is important in defining , maintaining or supporting the character of an area (the house is a feature that represents the former rural character of the community of Armadale and is one of only a few heritage buildings remaining in the area);
- Is physically, functionally, visually or historically linked to its surroundings (the house has stood on this site since c.1890);

Heritage Markham has recommended designation

As part of Heritage Markham's September 14, 2011 review and comments on a revised proposed plan of subdivision by Forest Bay Homes Ltd. (File No. SU 98 224924) affecting the subject property, designation of the house at 6350 Steeles Avenue was recommended. It should be noted that Heritage Markham previously recommended designation in 2002, so the current recommendation is consistent with the earlier position of the heritage committee. A map showing the location of the heritage house within the context of the proposed plan of subdivision is attached as Figure 3.

The designation process under the Ontario Heritage Act requires a municipal council to consult with its municipal heritage committee when properties are considered for designation. The historical research and heritage attributes related to this heritage resource were reviewed by Heritage Markham within the context of an application for subdivision on September 14, 2011 and the committee has recommended that the resource be designated as a property of cultural heritage value or interest.

OPTIONS/ DISCUSSION:**The preservation of the heritage resource is consistent with Town policies**

The Town of Markham Official Plan contains Cultural Heritage policies related to the protection and preservation of heritage resources and how they are to be treated within the development process of an area. These policies support the preservation of heritage resources on their original site, and the integration into new development proposals. The designation of this resource will ensure that its heritage attributes are addressed and protected.

Provincial planning policies support designation

The Ontario Government's current Provincial Policy Statement which was issued under Section 3 of the Planning Act and came into effect March 2005 includes cultural heritage policies. These policies indicate that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection. The policies further indicate that development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the resource will be conserved.

Designation will help facilitate the integration of the resource into the planning process

Heritage designation will strengthen the Town's ability to provide for the appropriate integration of the heritage resource into the proposed development. It will enhance the

resource's status during changes in ownership and offer protection from potential alterations that may affect the heritage attributes and value.

According to the current plan of subdivision, the heritage house is located on a high density block. The applicant's plans are still under review by the Town, and the specific form of future development on this parcel, and options for incorporation of the heritage structure, remain under discussion. Heritage Markham has commented that the high density land use proposed for the current location of the heritage house may not be compatible with the building's preservation, and that an alternative land use should be considered. Heritage Section staff has met with the applicant on this matter and discussions are expected to continue.

The owner is aware of the recommendation designate through the development application review process

Forest Bay Homes is aware of Heritage Markham's recommendation to designate the Jarvis-Fairty House under Part IV of the Ontario Heritage Act through the comments provided to the applicant from the circulation of the application for Plan of Subdivision.

Designation acknowledges the importance of the heritage resource

Designation signifies to both the owner and the broader community that the property contains a significant resource that is important to the community. Designation doesn't restrict the use of the building or 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.

The designation of this cultural heritage resource is supported by staff.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

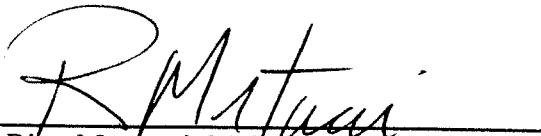
Heritage designation aligns with the strategic priorities of Managed Growth and Environment. Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community. The preservation of heritage buildings is environmentally sustainable because it conserves embodied energy, diverts sound construction materials from entering landfill sites, and reduces the need to produce and transport new construction materials.

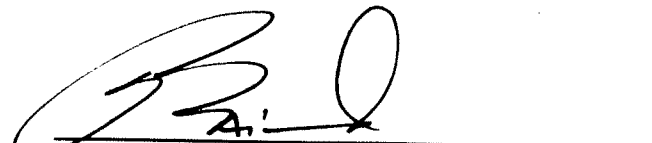
BUSINESS UNITS CONSULTED AND AFFECTED:

Acceptance of this recommendation to designate the property located at 6350 Steeles Avenue 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

RECOMMENDED BY:


Rino Mostacci, 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 - Owner/Agent and Location Map

Figure 2 - Building Photographs

Figure 3 - Proposed Plan of Subdivision

Appendix 'A' - Statement of Significance

Appendix 'B' - Heritage Markham Recommendation

FIGURE 1

FILE PATH: q:\development\heritage\property\steales\6350\dscmarch272012.doc

OWNER: Forest Bay Homes
116D Viceroy Road Unit 1
Concord ON L4K 2M4
Contact: Mr. Clay Leibel

Email: clayl@bellnet.ca

AGENT: Julius De Ruyter
PMG Planning Consultants
227 Bridgeland Avenue
Toronto ON M6A 1Y7

Telephone: 416-787-4935
Fax: 416-787-0004
Email: pmgcadd@pmgplanning.ca

LOCATION MAP:

