



Report to: Development Services Committee

Date: October 25, 2011

SUBJECT:	Eligibility of Elias Hamilton House for Relocation to Markham Heritage Estates 11471 Ninth Line
PREPARED BY:	George Duncan, Senior Heritage Planner, ext. 2296
REVIEWED BY:	Regan Hutcheson, Manager of Heritage Planning, ext. 2080

RECOMMENDATION:

THAT Heritage Markham recommends to Council that the Elias Hamilton House, 11471 Ninth Line, threatened by road widening on Ninth Line, be declared eligible for relocation to Markham Heritage Estates based on its cultural heritage value or interest;

THAT the Region of York be requested to advertise the building for relocation, and coordinate the awarding of the building to a successful bidder;

THAT the Region of York be requested to provide a grant equivalent to the estimated cost of demolition to the successful bidder toward the cost of relocation;

THAT the Region of York be responsible for site restoration work after relocation of the building, as part of the overall work program for the widening of Ninth Line;

THAT when the house is designated, interior features of cultural heritage value be included as attributes in the designation by-law;

THAT staff continue to work with the Region of York to seek alternative locations within the area for the relocation of the Elias Hamilton House, in addition to promoting the building for relocation to Markham Heritage Estates;

AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

To recommend to Council that the "Elias Hamilton House" at 11471 Ninth Line be declared eligible for relocation to the Markham Heritage Estates subdivision.

BACKGROUND:

The Elias Hamilton House is listed on the Markham Register of Property of Cultural Heritage Value or Interest

The Elias Hamilton House, located at 11471 Ninth Line, just south of 19th Avenue, is listed on the *Markham Register of Property of Cultural Heritage Value or Interest*. It is a Classic Ontario Farmhouse dating from c.1870, one and a half storeys, and clad in patterned brick. The front gable features a distinctive round-headed window, the only

example of its kind in Markham. The house is associated with the Hamilton family, early American immigrants to Markham, and more recently with Chepack's Country Market, which closed several years ago when the operator retired. The house is currently occupied by a tenant. A research report, prepared by Heritage Section staff, is attached as Appendix 'A.'

The house is owned by Transport Canada

The subject property is located within the Pickering Lands Site, and therefore under the ownership of Transport Canada. Transport Canada has deeded a strip of land along the east side of Ninth Line to the Region of York to facilitate a road widening and intersection improvements.

The building must be removed to make way for upcoming roadwork by York Region

In February, 2010, the Region of York – Transportation Services contacted Heritage Planning staff to provide notification of upcoming roadwork on Ninth Line that would impact a number of buildings listed in the *Register*. In most cases, the removal of the buildings would not be required to provide for the road widening and intersection improvements; however, the Elias Hamilton House at 11471 Ninth Line was identified for removal.

Heritage Markham initially recommended that other options be explored, including modifications to the road design, or moving the house back from the right-of-way

Heritage Markham, through staff, advised York Region that the Elias Hamilton House is a heritage building listed on the *Register of Property of Cultural Heritage Value or Interest*, and worthy of preservation for its historical, architectural and contextual significance. The Region was first requested to re-examine their design to see if the roadway could be modified so it would not impact the heritage house. Town of Markham Engineering staff attempted to negotiate modifications to the road design.

In April, 2010 the Region reported back that road redesign was not technically possible and that the house would have to be moved or demolished to make way for the proposed construction. In response, Heritage Markham requested that the Region, in view of the building's cultural heritage value, coordinate the relocation of the Elias Hamilton House at 11471 Ninth Line onto a new foundation on the same property, in the same orientation, to mitigate the impact of the proposed road improvements.

The Elias Hamilton House must be relocated in order to preserve it

In response to Heritage Markham's request, the Region of York replied that Transport Canada will not allow the heritage house to be moved from its current location to another part of the same property, further back from the road. This means that if the Town of Markham wishes to preserve the building, the heritage house will have to be moved. York Region – Transportation Services, has advised that the house must be off the site by December 31 2012 (see email correspondence from Richard So of York Region – Transportation Services, Appendix 'B').

Notwithstanding the Region of York's Official Plan policies regarding the treatment of cultural heritage resources, the Elias Hamilton House will be demolished due to the proposed capital public works if the Town of Markham does not take action to facilitate its removal from the site. The Manager of Heritage Planning sent correspondence via email to the Region of York Transportation Services which highlights this apparent conflict with the Region's cultural heritage policies but has not received a response (August 25, 2011 emailed letter, Appendix 'C'). The Region's position remains that this heritage resource must be moved or it will be demolished and that the Town of Markham is responsible for any action required to relocate it to ensure its preservation.

OPTIONS/ DISCUSSION:

Heritage Markham has recommended that the Elias Hamilton House be declared eligible for relocation to Markham Heritage Estates

Given the significance of the Elias Hamilton House, the imminent removal of the tenant and the impending road construction, Heritage Markham and Heritage Section staff is of the opinion that action must be taken to ensure the house will be preserved. This is an instance where other options for the preservation of the building have been explored, leaving Markham Heritage Estates as a solution for the preservation of an important heritage resource. Heritage Markham recommended that Council declare the Elias Hamilton House eligible for relocation to Markham Heritage Estates and that the Region of York be requested to facilitate this process (Heritage Markham Extract Appendix 'D').

Further options can still be examined for alternate locations

Even though Council may declare the heritage building eligible for relocation to Markham Heritage Estates, the Region, or Town staff, can continue to promote the potential for relocation to a building lot elsewhere in the area, perhaps as an infill building within one of the heritage conservation districts or other neighbourhoods. Relocation of threatened heritage buildings into Markham Village, Unionville and new developments has occurred in Markham in the past, such as the Prentice House at the corner of Main Street South and James Scott Road.

The Elias Hamilton House meets the building eligibility criteria for Markham Heritage Estates

The Elias Hamilton House meets all the Town of Markham's criteria for eligibility for relocation to Markham Heritage Estates. The house is located within the current boundaries of the Town, it is not in a heritage conservation district, and is listed on the *Register of Property of Cultural Heritage Value or Interest*. Research and site investigations have shown that the building is significant and seriously threatened on its original site due to a road construction project by the Region of York. Attempts have been made to preserve the building on, or close to its original site without success. The current tenant will be vacating shortly, putting this remarkably well-preserved building at risk of vandalism, stripping of original features, or fire.

FINANCIAL CONSIDERATIONS

The relocation of the heritage house will be the financial responsibility of a future purchaser

Approval of the recommendations of this staff report will not have any financial implications with respect to costs for the Town of Markham. The relocation of the house to Markham Heritage Estates, or another location within the Town of Markham, will be the financial responsibility of a future purchaser. As with the other heritage houses impacted by road construction by the Region of York and relocated to Markham Heritage Estates, the Region will be expected to advertise the building for relocation, and to award the house to the bidder of their choice. The Town of Markham's role from that point will be to implement the lot selection and financial capability process for the new owner, sell the building lot within Heritage Estates to them, and process a restoration plan and site plan control application.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This report aligns with the Corporate Direction of Managed Growth by ensuring that significant cultural heritage resources are preserved within the context of road improvements required to service growth and development.

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable.


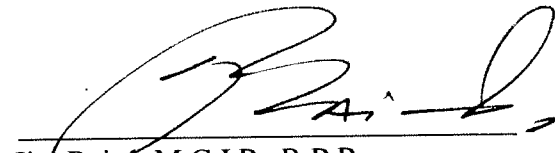
RECOMMENDED BY:
Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning & Urban Design
Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services**ATTACHMENTS:**

Figure 1: Owner/Applicant and Location Map

Figure 2: Building Photographs

Appendix 'A': Research Report

Appendix 'B': Correspondence from Richard So, York Region – Transportation Services

Appendix 'C': Correspondence from Regan Hutcheson, Markham, Manager of Heritage Planning (response to Richard So's correspondence)

Appendix 'D': Heritage Markham Extract September 14, 2011 Meeting

Figure 1:

File Path:

Q:\Development\Heritage\PROPERTY\NINTH\11471\DCSOct252011.doc

Owner/Applicant:

Owner: Pickering Lands Site
c/o Transport Canada
330 Sparks Street
Ottawa ON K1A 0N5
Email: lynne.timmy@tc.gc.ca

Applicant: York Region
Transportation Services – Capital Delivery
Attention Mr. Richard So
17250 Yonge Street
Newmarket ON L3Y 6Z1
Email: Richard.So@york.ca

Location Map:

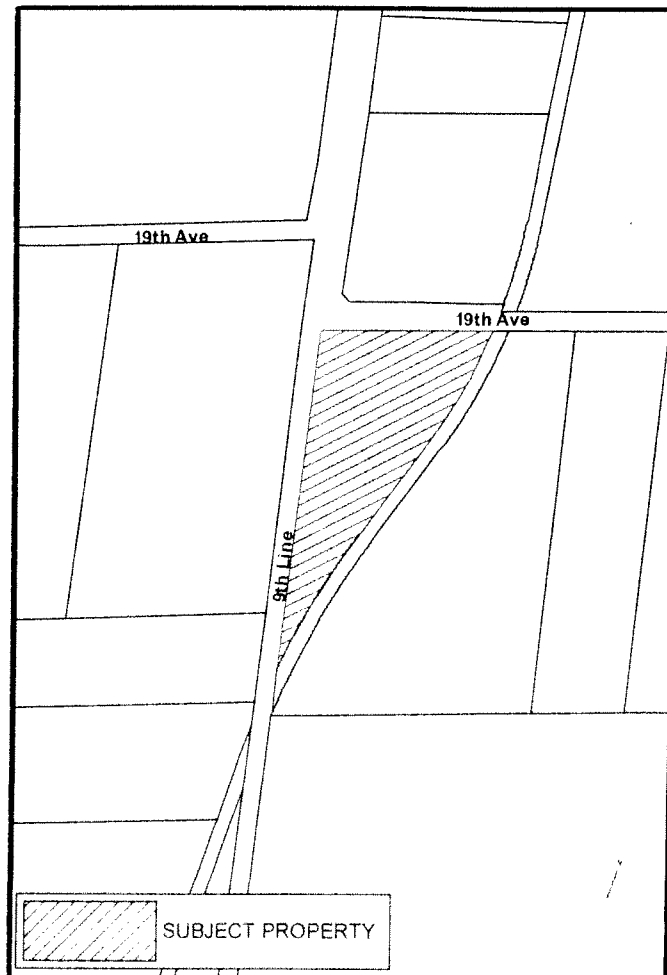




Figure 2: Elias Hamilton House, 11471 Ninth Line, Front View.

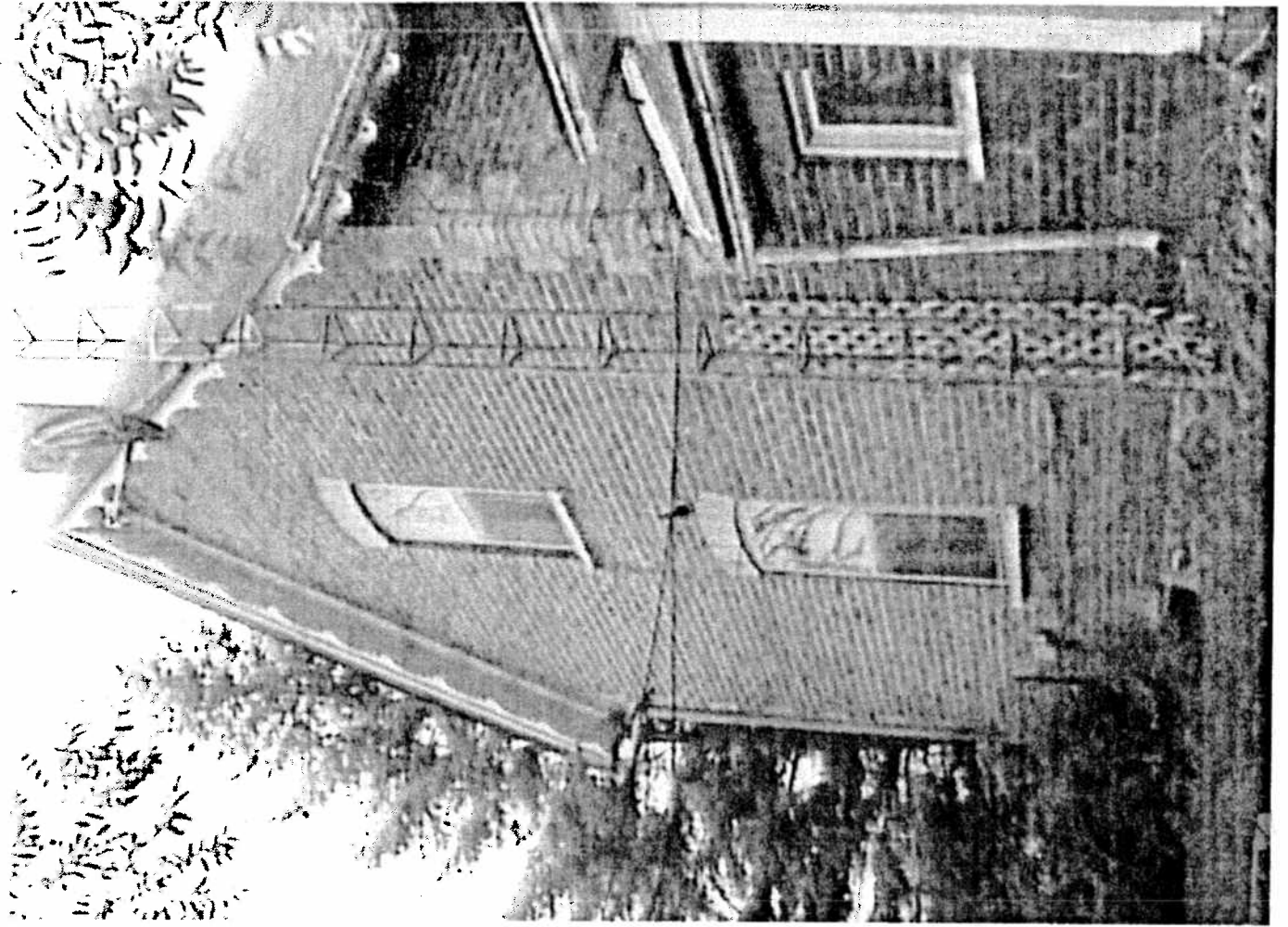


Figure 2, continued: Front Gable Detail and South Side View.



Elias Hamilton House

c.1870

West Half Lot 30, Concession 9

11471 Ninth Line

Prepared by G. Duncan, Senior Heritage Planner
September, 2011

Elias Hamilton House

c.1870

West Half Lot 30, Concession 9

11471 Ninth Line

Historical Background:

The Elias Hamilton House is located on the west half of Township Lot 30, Concession 9. John Hamilton received the Crown patent for the entire 200 acres in 1804. Hamilton may have been an American immigrant. John and James Hamilton are listed as residing on the property in Walton's Directory of 1837. John Hamilton's wife was Elizabeth (Stover)

Through the will of John Hamilton, John and Elizabeth's son James inherited the farm. In 1860, James Hamilton and his second wife Betsy (Miller) sold 1/8 of the west quarter of the lot to Elias Hamilton (son of James Hamilton and his first wife, Bethany (Marr)), and the adjoining 1/8 of the west quarter to another son, Anthony. Anthony Hamilton later sold his share to his brother Elias. In 1870, Elias Hamilton sold a right-of-way to the Toronto and Nipissing Railway (later the Grand Trunk, then the C.N.R.) for a railway line that still exists today. According to the census of 1871, Elias Hamilton and his wife, Lydia (Kester), members of the Baptist Church, resided on a 50 acre farm with their infant son.

Based on historic maps, the original home of the James Hamilton family was located on the south side of 19th Avenue, near the north east corner of the west half of Lot 30, roughly half way between Ninth Line and Reesor Road. This early home no longer stands. According to the 1861 census, Elias Hamilton, age 24, lived in James Hamilton's household. By the time of the 1871 census, Elias was married, with a 3 year old son, and living in a separate household on Lot 30. It is likely that Elias Hamilton moved into his own household about 1867, the estimated year of his marriage. If there was no house on this part of the Hamilton farm before that date, then a construction date of c.1870 seems plausible. Certainly the architectural style of the house, the patterned brick treatment, and the segmentally-arched 2/2 windows support that assumption, being consistent with the 1870s period.

The ownership of the property remained in the Hamilton family at least into the 1890s since Elias Hamilton is listed in the 1892 Directory. In more recent times, the farm has been the site of Chepack's Country Market from 1967 until 2009. According to Mr. Chepack, a large barn on the property burned down in 1967.

Architectural Description:

The Elias Hamilton house is a one and a half storey, brick veneered building with a T-shaped plan. The house faces west onto Ninth Line, with an early 20th century style porch and a full-height rear wing extending toward the east. There is a brick pantry extension in the south-facing

ell, and there are enclosed porches on the north and south sides of the rear wing, which are later additions. There is a shed-roofed extension on the rear wall of the rear wing.

The house rests on a fieldstone foundation which provides a basement under the front section and a partial basement under the rear. The brickwork consists of a red brick body with white brick accents consisting of quoining, plinth, and brick arches above window and door openings. The brickwork of the upper walls of the rear wing indicate that the rear wing was originally only one storey in height, but was raised at a later date.

The roof is a steeply-pitched gable style with projecting eaves and a Gothic Revival gable centred on the front façade. The eaves are decorated with simple, small-scaled bargeboard. There is a single-stack brick chimney at the south end of the roofline, and a patch where a matching chimney formerly was located at the north end. Another single-stack chimney is located at the east end of the rear wing.

The house has a symmetrical, 3-bay front with the door in the centre. The glazed and panelled front door has a segmentally-headed transom light above. There is evidence of the former existence of a full-width, bellcast-roofed front verandah consisting of a wood nailing strip and markings on the surface of the brick. Outlines of turned posts can also be seen on the brick surface, at the southern end of the front wall.

Window openings in the front section typically have segmentally-arched heads, and projecting lugsills. Windows are 2/2 segmentally headed, with a few exceptions. The window of the front gable is round-headed, with the upper sash consisting of a Georgian-style multi-paned design, and the lower sash 2 paned as seen elsewhere on front section of the building.

Windows on the ground floor level of the rear wing are older, flat-headed 6/6 style, which may have been salvaged from an earlier building when the house was built.

Stylistic Considerations:

With its symmetrical façade, steep centre gable, one and a half storey height and T-shaped plan, the Elias Hamilton House is an excellent example of a classic Ontario farmhouse. Very few significant alterations have been made to this modestly-scaled farmhouse, with most of the original exterior building fabric remaining in place and in a superior state of preservation. The replacement of the front and side verandas is the most significant alteration. The front and south side porches, with simplified, square Classical columns, appear to date from the 1910s-1920s period.

The feature window in the front gable is an unusual variation on the style, where a simpler pointed or round-arched window, or a flat-headed window would be more typical of Markham

Township in the 1870s. The round-headed upper sash, with Georgian-style pane divisions, is unique and noteworthy. It may represent the builder's use of a salvaged window sash from an older building.

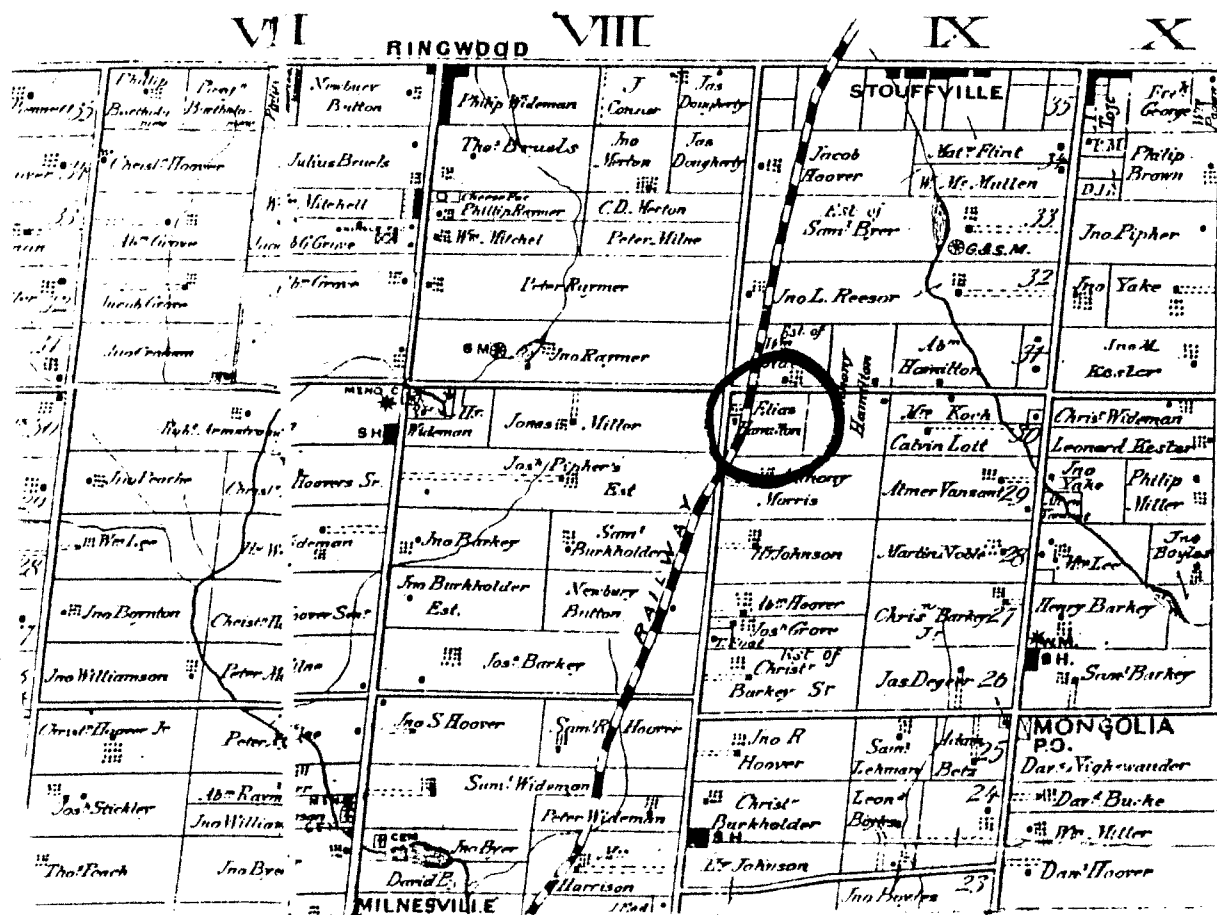
The current tenant is of the opinion that the house was built in two stages, with the rear portion added later, faced with local brick produced from clay deposits on the north side of 19th Avenue. This seems to be true of the second floor of the rear wing. He also feels that the house is older than 1870. An inspection of the interior indicated that the main floor of the front section of the house is supported by log joists that have had sawn joists added adjacent to or between them to provide a stronger support for the main floor. The presence of log joists may indicate that the front section of the house is indeed an earlier building that was modified c.1870. Interior trim, doors and other details support the c.1870 date of construction. An examination of the framing of the exterior walls would be the only reliable way of confirming the presence of an earlier building within the structure.

Context:

The Elias Hamilton House forms part of a small, compact farmstead consisting of a gambrel-roofed farm market, a gambrel-roofed stable, and two gable-roofed implement sheds. The barn and stable are of the style of the early 20th century, and the implement sheds look older, possibly contemporary with the house.

0

[Handwritten signature]



Email Correspondence from York Region

APPENDIX B

----- Original Message -----

From: So, Richard <Richard.So@york.ca>

To: Poon, Kay Man

Cc: Chinn, Andrew <Andrew.Chinn@york.ca>; Kenney, Ross <Ross.Kenney@york.ca>; Connolly, John <john.connolly@tc.gc.ca>; Kothari, Sunil <Sunil.Kothari@snclavalin.com>

Sent: Thu Aug 18 14:13:14 2011

Subject: Ninth Line Widening, Removal of 11471 9th Line building

Kay Man,

As you are aware that the Region's Ninth Line project requires the removal of the building located on 11471 9th Line. When we last met in late summer of 2010, Region staff had reiterated that the subject building will need to be removed as it will be impacted by the Ninth Line widening and the options to avoid impacting the building were not feasible. It was also reiterate that Transport Canada has no desire to have the house moved back and onto their property. I know that the Town had expressed an interest to retain the building and would be investigating that option.

I would like to take this opportunity to advise that December 31, 2012 was the agreed date when the building will have to be removed from Transport Canada's property, either relocated by the Town of Markham or demolished by York Region.

The Region is meeting this timeline and has coordinated with Transport Canada access to the building to undertake the heritage documentation for the demolition in the event that the Town decides not to move the building off Transport Canada lands. The heritage documentation will commence when the existing tenant vacates the premises. The Region has been advised through meetings with Transport Canada that the transfer of federal lands to York Region will be towards the end of September.

Please feel free to contact me should you wish to discuss any of the above issues.

Regards,
Richard

From: So, Richard

Sent: Wednesday, December 08, 2010 11:46 AM

To: Poon, Kay Man

Cc: Chinn, Andrew; Kenney, Ross

Subject: Ninth Line Widening, Removal of 11471 9th Line

Kay Man,

We met with Transport Canada last week to discuss the issue of timing for the removal of the building located on 11471 9th Line. Transport Canada indicated that they would agree to December 31, 2012 as the final date when the building will have to be removed from their property, either relocated by the Town of Markham or demolished by York Region.

It is the Region intention to meet this timeline and are proceeding to gain permission from Transport Canada to access the building to undertake the heritage documentation for the demolition should the Town decide not to move the building off site.

Please advise the Region what the Town plans to do with the 11471 building as we need to update Transport Canada.

Thanks,
Richard

Hutcheson, Regan

APPENDIX C

From: Hutcheson, Regan
Sent: August 25, 2011 4:05 PM
To: 'Richard.So@york.ca'
Cc: Brown, Alan; Szakter, Gabor; Karumanchery, Biju; Mostacci, Rino; Duncan, George
Subject: 9th Line Widening- 11471 Ninth Line

Mr. So
Region of York- Transportation Services

I am following up on the issue of the displacement of a heritage dwelling (cultural heritage resource) in Markham due to a proposed road widening (9th Line). It is extremely unfortunate that the Region could not find a way to allow this building to be retained on site. I understand that part of the dwelling would be in the ROW boulevard area and not impacted by the actual roadway. I am aware of your examination of the 3 options to allow the building to be retained and your conclusion that the alignment should not be altered.

Given the above and the Region of York's Official Plan policies on cultural heritage (section 3.4):

"It is the policy of Council:

2. To ensure that *cultural heritage resources* under the Region's ownership are conserved.

5. To ensure that identified *cultural heritage resources* are evaluated and conserved in capital public works projects."

the Region will be required to find an alternative location for this cultural heritage resource. I understand there is a timeframe in which the resource needs to be relocated (Dec 2011). If the Region would like the Heritage Section of the Town of Markham to assess whether Markham Council will allow the relocation of the resource to Markham Heritage Estates, our heritage subdivision, I can undertake this task. This will require a report to Markham Council to ensure the eligibility of the building and our Council's desire to accept it.

Heritage Staff have worked in the past with the Region to allow 2 other impacted buildings to be relocated off Regional land to Markham Heritage Estates. If this process is followed, it would be up to the Region to advertise the availability of the house for relocation and to select the candidate. The Region would also have to determine if any financial assistance would be available to a prospective applicant (in some cases, the cost of demolition is provided as financial assistance). The Town would take over the process once the Region identifies the "new owner" of the dwelling.

Please let me know your thoughts on next steps at your earliest convenience.

Regan H.

Mr. Regan Hutcheson

Manager, Heritage Planning

Heritage Districts Development Co-ordinator

Development Services Commission

101 Town Centre Boulevard, Markham, Ontario L3R 9W3

905-477-7000, ext. 2080 Fax- 905-475-4739

email: rhutcheson@markham.ca

HERITAGE MARKHAM
EXTRACT

APPENDIX D

DATE: September 23, 2011
TO: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM #10 OF THE NINTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON SEPTEMBER 14, 2011

10. BUILDING RELOCATION
11471 NINTH LINE
ELIAS HAMILTON HOUSE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
-

The Senior Heritage Planner explained that the Region requires the house to be removed from the property to accommodate road widening. Staff are working with the Region to facilitate preservation and possible relocation to Heritage Estates.

The Committee discussed designating the heritage value of the interior architectural features.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham recommends to Council that the Elias Hamilton House, 11471 Ninth Line, threatened by road widening on Ninth Line, be declared eligible for relocation to Markham Heritage Estates based on its cultural heritage value or interest, including interior architectural features;

THAT the Region of York be requested to advertise the building for relocation, and coordinate the awarding of the building to a successful bidder;

THAT the Region of York be requested to provide a grant equivalent to the estimated cost of demolition to the successful bidder toward the cost of relocation;

THAT the Region of York be responsible for site restoration work after relocation of the building, as part of the overall work program for the widening of Ninth Line;

AND THAT when the house is designated, interior features of cultural heritage value be included as attributes in the designation by-law.

CARRIED