



Report to: Development Services Committee

Report Date: May 31, 2011

SUBJECT: Intention to Designate a Property under
Part IV of the Ontario Heritage Act
Joseph Marr House
3 Heritage Corners Lane

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

RECOMMENDATION:

- 1) That as recommended by Heritage Markham, the Joseph Marr House – 3 Heritage Corners Lane 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The purpose of this report is to recommend to Council that the "Joseph Marr House" (historical reference) be designated under Part IV of the Ontario Heritage Act.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 3 Heritage Corners Lane in Markham Heritage Estates. It is included in the Markham Register of Property of Cultural Heritage Value or Interest. The Register provides a listing of properties in Markham that are of potential cultural heritage significance.

The Joseph Marr House is a good example of a Georgian tradition dwelling of the mid-19th century

The Joseph Marr House, c.1848, is a relocated 1 ½ storey red brick structure, with a frame rear wing dating from the early 20th century. It is a good example of a simple, Georgian tradition farmhouse of the mid-19th century. Originally located at 8992 Reesor Road, the house was relocated to Markham Heritage Estates in 2005 due to road realignment of Reesor Road by the Region of York.

The house was built for Joseph Marr, whose family came to Upper Canada from Pennsylvania following the American Revolution. They settled in the eastern part of Markham Township in about 1802. The house is also associated with the Reesors, a prominent Mennonite Pennsylvania German family.

The Statement of Significance is attached as Appendix 'A'.

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 subject building is a good example of a modest, Georgian tradition farmhouse of the mid-19th century).
- The property has historical value or associative value because it:
 - Has a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community; (the building is associated with an important family of American immigrants who played a role in the defence of Upper Canada during the War of 1812 and the 1837 Rebellion, and in the historical development of agriculture in the eastern part of Markham).
- The property has contextual value because it:
 - Is important in defining, maintaining or supporting the character of an area; (the building, relocated to Markham Heritage Estates, helps illustrate the range of architectural styles, building materials and cultural backgrounds of the Town's heritage buildings).

Heritage Markham has recommended designation

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 Statement of Significance related to this heritage resource was reviewed by Heritage Markham on April 13, 2011 and the committee has recommended

that the resource be designated as a property of cultural heritage value or interest (See Extract, Appendix “B”).

The building is located within Markham Heritage Estates

The building is in private ownership within Markham Heritage Estates. All buildings relocated to the Heritage Estates are required to be designated under the Ontario Heritage Act. Designation is a condition of the Site Plan Agreement signed by the owners.

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. These policies support the preservation of heritage resources on their original site, and the integration into new development proposals, as well as the relocation to a sympathetic site, if necessary, as a means of protection. 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 owner is aware of and supports the intention to designate

The owner has agreed to the designation as part of their site plan agreement. They are aware of and in support of the recommendation to designate the Joseph Marr House under Part IV of the Ontario Heritage Act.

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 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. A Heritage Easement Agreement is also required for this property and Town staff has contacted the owner in this regard.

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 3 Heritage Corners Lane 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:

Biju Karumanchery, M.C.I.P., R.P.P.
Senior Development Manager

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

Appendix 'A' – Statement of Significance

Appendix 'B' - Heritage Markham Extract

FIGURE 1

FILE PATH:

Q:\Development\Heritage\PROPERTY\HERITAGE CORNERS LN\3\DSCMay312011.doc

OWNER:

David and Melissa Loney

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MAP: