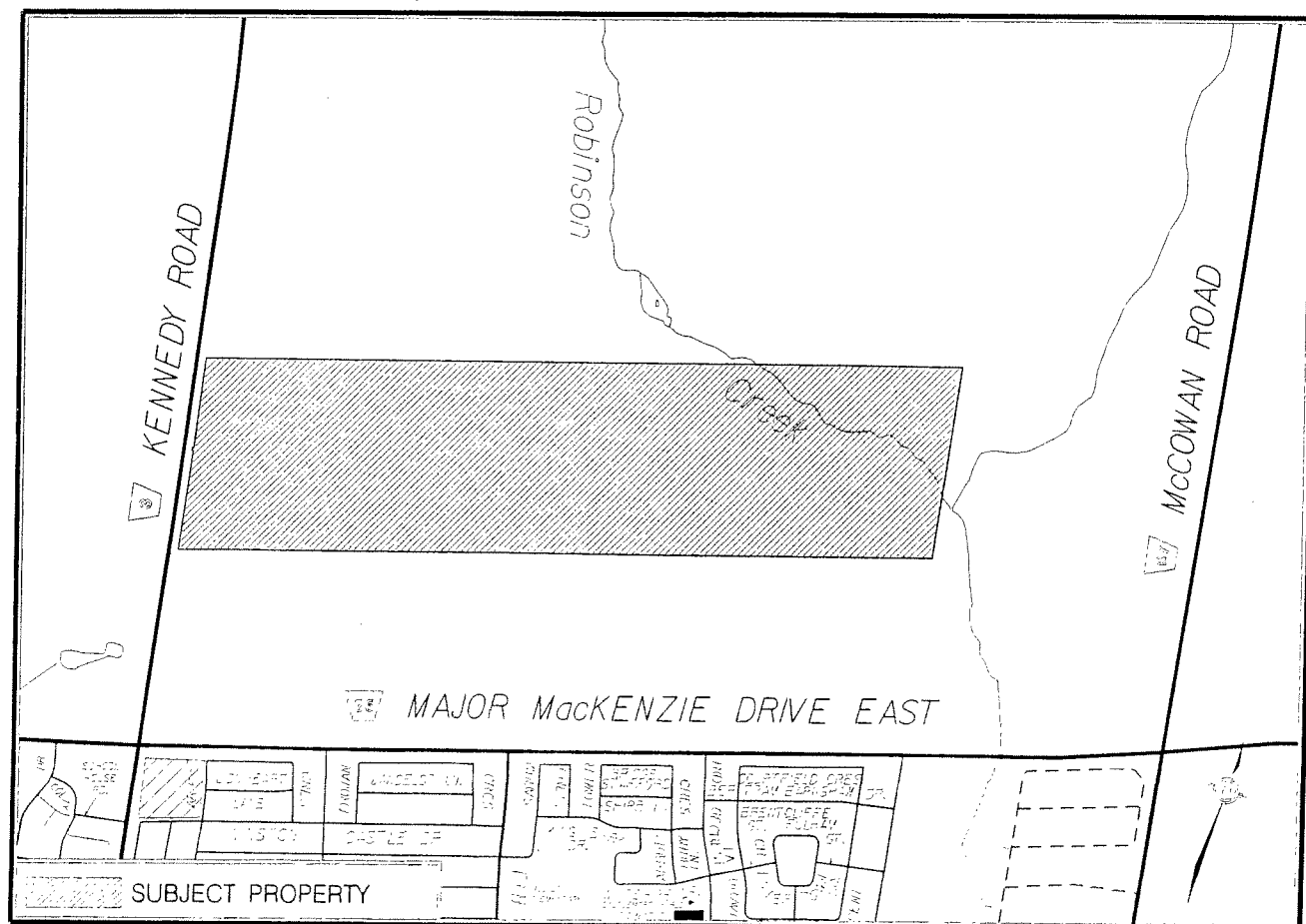


FIGURE: 1

OWNER: Major Kennedy Developments  
5400 Yonge St.  
Suite 501  
Toronto, ON  
M2N 5R5

AGENT: Michael McLean  
(416) 227-9005  
(416) 227-9007

LOCATION MAP:



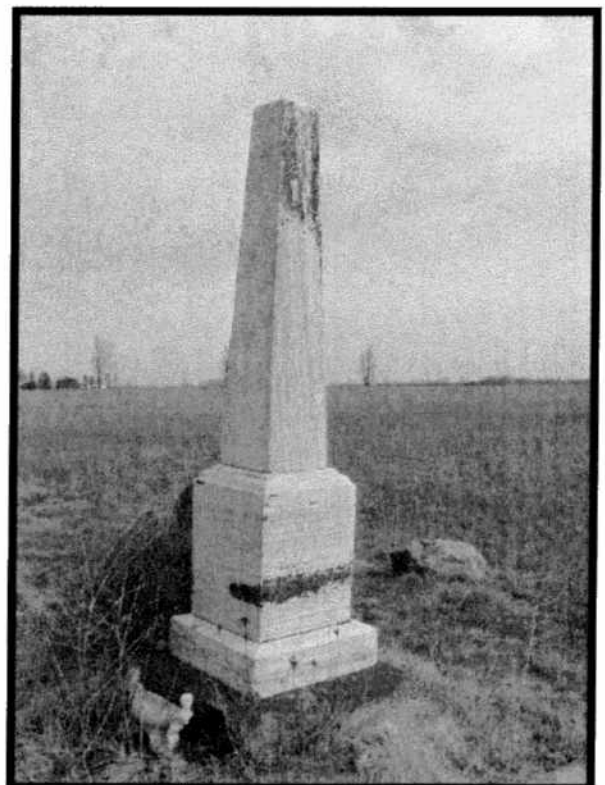
**Figure: 2**

The Homer Wilson  
House



The J.P. Carr Cottage

The Pingel Farm  
Cemetery





**REGISTERED MAIL**

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O.  
1990, CHAPTER O.18;

AND IN THE MATTER OF THE LAND AND PREMISES IN PT LT 22, CON. 6,  
RP 65R19262 PT 1, KNOWN MUNICIPALLY AS 10225-10227 KENNEDY  
ROAD, TOWN OF MARKHAM, IN THE PROVINCE OF ONTARIO.

**NOTICE OF INTENTION TO DESIGNATE**

TO: MICHAEL MCLEAN  
FIELDGATE DEVELOPMENTS  
5400 YONGE STREET, STE. 501  
TORONTO, ON  
M2N 5R5

TAKE NOTICE THAT the Council of The Corporation of the Town  
of Markham intends to designate the property, including land and  
building, known municipally as 10225-10227 Kennedy Road,  
Markham, as a property of architectural and/or historic interest or  
value under Part IV of The Ontario Heritage Act, R.S.O. 1990,  
Chapter O.18.

A Statement of the Reasons for the Proposed Designation of  
Homer Wilson Farmhouse, J. P. Carr Cottage and Pingel Farm  
Cemetery, is attached.

NOTICE OF OBJECTION to the designation may be served on the  
Town Clerk within thirty (30) days, or before 4:30 p.m. on the 17<sup>th</sup>  
day of November 2005

Sheila Birrell, Town Clerk  
The Town of Markham  
101 Town Centre Boulevard  
Markham, ON L3R 9W3

October 18, 2005

November 23, 2007

Mr. Michael McLean, Project Manager  
Fieldgate Developments  
5400 Yonge Street, Suite 501  
Toronto, ON M2N 5R5

Dear Mr. McLean:

**RE:                   Heritage Designation of the Pingle Cemetery, Homer Wilson Farmhouse  
                      And J. P. Carr Cottage  
                      10225-10227 Kennedy Road  
                      Town of Markham**

As a follow-up to the meeting with Planning and Urban Design staff on January 25, 2007, I am pleased to provide you with our policy framework dealing with the treatment of heritage buildings within the context of new development. The following policies, from Section 2.5 - Heritage Conservation - of Markham's Official Plan, are used by Planning and Urban Design staff and Heritage Markham when assessing the impact of development applications on properties containing significant heritage resources:

*"Council shall encourage the retention of buildings of architectural and/or historical merit in their original locations whenever possible. Before such a building is approved for relocation to any other site, all options for on-site retention shall be investigated. The following alternatives, in order of priority, shall be examined prior to approval for relocation:*

- *Retention of the building on-site in its original use. In a residential subdivision, a heritage dwelling could be retained on its own lot for integration into the residential community.*
- *Retention of the building on-site in an adaptive re-use, e.g. in a residential subdivision, a heritage building could be retained for a community centre or a day care centre.*
- *Relocation of the building on the development site. A heritage building, if of significant historical, architectural or contextual importance, could be relocated to another location within the proposed development.*
- *Relocation of the building to a sympathetic site. If interest is demonstrated, the heritage building could be relocated to an available lot at a sympathetic site within the Town. Consideration may be given to the relocation of significant heritage buildings to the Markham Heritage Estates, subject to the policies of Section 3.3.4."*

The Pingle Cemetery, Homer Wilson House and J.P. Carr Cottage, currently in the process of designation under Part IV of the Ontario Heritage Act, are cultural heritage resources in the Town of Markham. The lands are currently outside of the urban boundary, and prior to any

development in the future, it is anticipated that a Secondary Plan will be prepared that will contain policies to address the integration of heritage resources into the development of the community. This is a standard component of all of the Town's Secondary Plan documents.

Options for integration of the heritage buildings into new development will be evaluated according to Markham's Official Plan policies when a development application is submitted for the Town's consideration, or when more comprehensive information is available on the proposed future uses of the property.

Planning and Urban Design staff, and Heritage Markham, will work with the applicant (whether it be Fieldgate Developments or others), to achieve a feasible solution for the practical development of the property taking into account the diverse range of goals and objectives of the Town of Markham and the applicant, including land use planning objectives that may or may not preclude the in situ preservation of these cultural heritage resources. For example, in some situations, it has been necessary to relocate heritage buildings on the development site (E.G. 5958 16<sup>th</sup> Avenue) Heritage designation will not in any way preclude the applicant's ability to work with the Town according to the heritage policies as set out in the Official Plan and the future Secondary Plan for the area.

If you have any further questions or comments, please contact the undersigned at (905) 477-7000, extension 4713.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Shuttleworth', with a stylized flourish at the end.

Valerie Shuttleworth, M.C.I.P., RPP  
Director of Planning and Urban Design  
Development Services Commission

Goodmans<sup>LLP</sup>

Appendix "C"

Barristers & Solicitors

250 Yonge Street, Suite 2400  
Toronto, Ontario Canada M5B 2M6

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

Direct Line: 416.597.6284  
mstewart@goodmans.ca

December 4, 2007

Our File No.: 05-3643

**By Courier**

Conservation Review Board  
Ministry of Culture  
400 University Ave.  
Toronto, ON M7A 2R9

**Attention: Rita Caldarone, Administrative Clerk**

Dear Sirs/Mesdames:

**Re: Withdrawal of Objection to Designate 10225-10227 Kennedy Road, Markham**

We are solicitors for Major Kennedy Developments Limited ("MKDL"), the objector in this matter. On November 17, 2005, Fieldgate Developments filed the objection on behalf of MKDL, the owner of the subject lands.

As you know, MKDL and Town of Markham staff have been engaged in good faith settlement discussions in an attempt to resolve this objection.

MKDL does not believe that a designation of 10225-10227 Kennedy Road under the *Ontario Heritage Act* is appropriate. In an effort to work cooperatively with the Town, however, MKDL hereby withdraws its objection to the designation. In exchange for this withdrawal, Town staff have agreed to recommend to Council some minor modifications to the Reasons for Designation (a copy of which is attached), and have provided MKDL with the attached letter from the Town's Director of Planning and Urban Design.

Please do not hesitate to contact us if you require any additional information.

Yours very truly,

GOODMANS LLP

Per:

A handwritten signature in black ink, appearing to read 'MSL', with a long horizontal line extending to the right.

Michael Stewart

MGS/mp

GOODMANS\\5521739.1

cc. Town Clerk  
Carolyn Stobo, Town of Markham  
MKDL and Fieldgate Developments

**XX-2008**

A by-law to designate a property as being of  
Historic and/or Architectural Value or Interest  
Homer Wilson Farmhouse, J. P. Carr Cottage and Pingel Farm Cemetery

WHEREAS Pursuant to Part IV of the Ontario Heritage Act, the council of a municipality is authorized to enact by-laws to designate a real property, including all the buildings and structures thereon, to be of historic and/or architectural value or interest;

AND WHEREAS the Council of the Corporation of the Town of Markham has caused to be served on the owners of the lands and premises at:

Michael McLean  
Fieldgate Developments  
5400 Yonge Street, Ste. 501  
Toronto, ON  
M2N 5R5

and upon the Ontario Heritage Foundation, notice of intention to designate Homer Wilson Farmhouse, J. P. Carr Cottage and Pingel Farm Cemetery, 10225-10227 Kennedy Road and has caused such notice of intention to be published once in a newspaper having a general circulation in the municipality;

AND WHEREAS the reasons for designations are set out in Schedule "B" attached hereto and forming part of this by-law;

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

1. THAT the following real properties, more particularly described in Schedule "A" attached hereto and forming part of this by-law is hereby designated as being of historic and/or architectural value or interest:

Homer Wilson Farmhouse, J. P. Carr Cottage and Pingel Farm Cemetery  
10225-10227 Kennedy Road  
Town of Markham  
The Regional Municipality of York

2. THAT the Town Solicitor is hereby authorized to cause a copy of this by-law to be registered against the properties described in Schedule "A" attached hereto in the property Land Registry Office.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS  
XXX DAY OF XXX, 200X.

---

SHEILA BIRRELL  
TOWN CLERK

---

FRANK SCARPITTI  
MAYOR

# **SCHEDULE 'A' TO BY-LAW xx-2008**

In the Town of Markham in the Regional Municipality of York, property descriptions as follows:

Pt Lt 22, Con. 6, RP 65R19262 Pt 1

TOWN OF MARKHAM  
REGIONAL MUNICIPALITY OF YORK

# **SCHEDULE 'B' TO BY-LAW xx-2008**

## **REASON FOR DESIGNATION – STATEMENT OF SIGNIFICANCE**

### **Homer Wilson Farmhouse, J.P. Carr Cottage & Pingel Farm Cemetery 10225-10227 Kennedy Road**

The Homer Wilson Farmhouse, J. P. Carr Cottage and Pingel Farm Cemetery are recommended for designation under Part IV of the Ontario Heritage Act as a property having cultural heritage value and interest, as described in the following Statement of Significance:

#### **Historical Value:**

Joachim and Anna Maria Pingel, who came from Holstein on the German-Danish border, were part of the original Berczy settler group of families. They arrived in Philadelphia with William Berczy aboard the Catherina in 1792, and journeyed to Markham Township in 1794. The family homestead was on this property, Lot 22, Concession 6. Although none of the buildings associated with the Pingels remain standing on the property, a small farm cemetery containing the remains of Joachim, Anna Maria, and their daughter Elizabeth is located close to the Kennedy Road frontage. In 1881, the former Pingel farm was purchased by Samuel and Mary Wilson of Thornhill, who rented the land to tenants. Their son Homer Wilson took over the farm in 1890, becoming the owner in 1894. About 1900, he built a new brick farmhouse on the property. In 1926, John Preston (J.P.) Carr, a former employee of Eaton's department store, purchased the Wilson farm. When J.P. Carr retired from farming, he and his wife Florence moved into a frame cottage located in the front yard of the farmhouse. The cottage was built by Percy Stiver of Unionville in 1950. The main farmhouse was then occupied by their son Albert and his wife Ruth (Harper).

#### **Architectural Value:**

##### **Homer Wilson Farmhouse**

The Homer Wilson Farmhouse is a good example of a Classic Ontario Farmhouse, a common vernacular type of dwelling that was built throughout the province from the 1860s into the early 1900s. This distinctive Ontario form is characterized by a T-shaped plan, symmetrical 3 bay front, and steep centre gable. Decorative wood bargeboards and full-width verandahs as seen on this example, are typical features associated with this style, whereas the full two storey height is uncommon. Although the front and north side verandahs were later enclosed, their unusual tapered wood support posts and decorative fretwork trim remain intact. The decorative woodwork is attributed to the Harrington Planing Mill in nearby Unionville. The large front and north side windows, with their coloured glass transom lights, are an interesting indication of the transition of late Victorian house forms into the simpler Edwardian styles of the early 20<sup>th</sup> century.

### **J. P. Carr Cottage**

The J. P. Carr Cottage is a late example of an Arts and Crafts Bungalow Cottage, a house form generally associated with the first quarter of the 20<sup>th</sup> century. Technically, the house is not a true bungalow as there is a half storey within the broad gable roof. The cutaway porch is an architectural feature associated with the style, but rare in Markham. The arrangement of door and window openings and dormer windows follows a pleasing Arts and Crafts sense of asymmetry. The J.P. Carr Cottage, built in 1950, indicates the conservative tastes of both its owner and builder, and is illustrative of the persistence of early architectural styles well past their main period of popularity.

### **Pingel Farm Cemetery**

The Pingel Farm Cemetery is marked by a white marble obelisk-style monument on the Kennedy Road frontage, just north of the existing farm lane. This style of monument, a Victorian type, probably replaced earlier, possibly individual grave markers, some time prior to 1866, the last year the property was owned by the Pingel family.

### **Contextual Value:**

The Homer Wilson Farmhouse, J. P. Carr Cottage and Pingel Farm Cemetery illustrate three periods of occupancy by different families in a farm setting. The Pingel Cemetery is a highly visible local landmark and a reminder of Markham's founding Berczy settlers. The relationship between the brick farmhouse and frame cottage reflects the traditional social hierarchy of father to son and their obligations to each other. Unlike today when elderly parents are sequestered to retirement homes, farm families often took responsibility for the housing needs of older generations on the same farm property.

### **Significant Architectural Attributes:**

#### **Homer Wilson Farmhouse**

- T-shaped plan;
- 2 storey form;
- fieldstone foundation;
- red brick exterior finish;
- cross gable roof with projecting eaves and wood soffits and fascias;
- slate roof with pressed metal acroteria;
- decorative wood bargeboards in the gables;
- wood 1/1 sash style windows, with their associated projecting sills and radiating voussoirs;
- wood picture windows with coloured glass transom lights, and their associated projecting sills and radiating voussoirs;
- glazed and panelled exterior doors;
- west (front) and north verandahs with tapered wood posts on panelled wood pedestals, decorative brackets and turned spandrel details.

#### **J. P. Carr Cottage**

- rectangular plan and open cutaway porch with wood railing;
- 1 ½ storey form;
- gable roof with projecting eaves, wood soffits and fascias, shed dormer and bay window pediment;

- window openings, including canted bay window, and their associated wood sills and trim;
- wide wood clapboard siding;
- wood front door.

**Pingel Cemetery**

- white marble obelisk-style monument, with its stone base, stone pedestal and stone shaft;
- Pingel family graves