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Planning and Urban Design

June 28, 2024

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

**RE: INTENTION TO DESIGNATE A PROPERTY UNDER PART IV OF THE
ONTARIO HERITAGE ACT, NIGHSWANDER-TOPPER HOUSE, 7855 HIGHWAY 7 EAST**

To [REDACTED]

This will confirm that at a meeting held on June 26, 2024, Markham City Council adopted By-law 2024-126 to designate the Nighswander-Topper House pursuant to the *Ontario Heritage Act*.

As per the requirements of the *Ontario Heritage Act*, the following information is to be served on the owner of the property, on any person who previously objected to the intention to designate the property and on the Ontario Heritage Trust:

- i. A copy of the by-law; and
- ii. Notice that any person who objects to the by-law may appeal to the Ontario Land Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication of notice of the by-law, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

Note that digital publication of the statutory notice will occur on July 8, 2024.

Please find attached the Designation By-law. Should you have any questions concerning the by-law or its implications, please contact Evan Manning, Senior Heritage Planner, at emanning@markham.ca

Kimberley Kitteringham
City Clerk

C. Ontario Heritage Trust

Attachment: Designation By-law

Received

JUL 03 2024

Ontario Heritage Trust



By-law 2024-126

A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF
CULTURAL HERITAGE VALUE OR INTEREST
“NIGHSWANDER-TOPPER HOUSE”
7855 HIGHWAY 7 EAST

WHEREAS Pursuant to Part IV, Section 29, of the Ontario Heritage Act (the “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 Cultural Heritage Value or Interest;

WHEREAS the property described in Schedule “A” to this By-law (the “Property”) contains the cultural heritage resource known as the Nighswander-Topper House;

AND WHEREAS the Council of the Corporation of the City of Markham, by resolution passed on February 28, 2024, has caused to be served on the owners of the lands and premises at:



and upon the Ontario Heritage Trust, notice of intention to designate the Nighswander-Topper House, 7855 Highway 7 East, and has caused such notice of intention to be published digitally in a manner consistent with the requirements of the Act;

AND WHEREAS Council has described the Property, set out the Statement of Cultural Heritage Value or Interest for the Property, and described the heritage attributes of the Property in Schedule “B” to this By-law, which forms part of this By-law;

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

1. THAT the following real property, more particularly described in Schedule “A” attached hereto and forming part of this by-law is hereby designated as being of cultural heritage value or interest:

“Nighswander-Topper House”
7855 Highway 7 East
City of Markham
The Regional Municipality of York
2. THAT the City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule “A” attached hereto in the property Land Registry Office.

Read a first, second, and third time and passed June 26, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

SCHEDULE 'A' TO BY-LAW 2024-126

In the City of Markham in the Regional Municipality of York, the property municipally known as 7855 Highway 7 East, Markham, Ontario, and legally described as follows:

PART LOT 10, CONCESSION 10, MARKHAM; PART 4, PLAN 64R4520;
MARKHAM

PIN: 030650104

SCHEDULE 'B' TO BY-LAW 2024-126

STATEMENT OF SIGNIFICANCE

Nighswander-Topper House

7855 Highway 7 East
c.1890

The Nighswander-Topper House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

Description of Property

The Nighswander-Topper House is a one-and-a-half storey frame dwelling located on the south side of Highway 7 East, west of the C.P.R. rail line, in the historic hamlet of Locust Hill. The house faces north.

Design Value and Physical Value

The Nighswander-Topper House has design and physical value as an altered representative example of a vernacular gable-fronted cottage of the late nineteenth century. This type of gable-fronted house was popular for middle-class and working-class housing from about the third quarter of the nineteenth century into the early twentieth century. It was well-suited to narrow urban lots but was sometimes used for modestly scaled farmhouses. The stylistic origins of this house form can be traced back to the American Greek Revival architectural style with its gable-fronted houses that echoed the pedimented façades of Greek temples of Classical antiquity. As the gable-fronted house form continued in use past the period of Greek Revival popularity, it evolved into variations that incorporated elements of later architectural styles such as Queen Anne Revival, or were simply designed without any distinguishable stylistic features, as was the case with the Nighswander-Topper House.

Historical Value and Associative Value

The Nighswander-Topper House has historical value as it is associated with the early development of the hamlet of Locust Hill following the arrival of the Ontario and Quebec Railway in 1884, and the theme of industry, innovation and economic development as a component of the Nighswander brothers' combined temperance hotel and general store with adjoining rental housing. This venture, dating from 1884-1890, sparked the growth of the hamlet of Locust Hill. In 1884, William Armstrong Jr. sold an acre of his Locust Hill Farm on Lot 10, Concession 10 to Michael Nighswander and his brothers Henry, David and Tillman. A combined temperance hotel and general store was built adjacent to the railway line. From 1885 to 1974, the local post office was located in the building. In approximately 1890, two modest frame rental dwellings were constructed to the west of the store. The westerly house, after being rented out for several years, was sold in 1913 to Christopher Topper, the local Section Boss for the Canadian Pacific Railway. The property remained in the ownership of the Topper family until 1962.

Contextual Value

The Nighswander-Topper House has contextual value for being one of a number of late nineteenth and early twentieth century buildings that contribute to and define the character and extent of the historic hamlet of Locust Hill.

Heritage Attributes

Character-defining attributes that embody the cultural heritage value of the Nighswander-Topper House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

Heritage attributes that convey the property's design and physical value as an altered representative example of a vernacular gable-fronted cottage of the late nineteenth century:

- Rectangular, gable-fronted plan of the main block of the dwelling;
- One-and-a-half storey height;
- Concrete foundation;
- Medium-pitched gable roof with projecting, open eaves;
- Two-bay primary (north) elevation with single-leaf front door and large, flat-headed ground floor window;
- Tall, narrow, flat-headed window openings with plain trim and projecting lugsills.

Heritage attributes that convey the property's historical value for its association with the early development of the hamlet of Locust Hill after the arrival of the Ontario and Quebec Railway in 1884, and the theme of industry, innovation and economic development as a component of the Nighswander brothers' development of a combined temperance hotel and general store with adjoining rental housing:

- The dwelling is a tangible reminder of the Nighswander brothers' development of a combined temperance hotel and general store and adjoining rental dwellings c.1884-1890 adjacent to the Ontario and Quebec Railway line, which sparked the growth of the hamlet of Locust Hill.

Heritage attributes that convey the property's contextual value as a building that is important in defining, maintaining and supporting the character and extent of the historic hamlet of Locust Hill:

- The location of the building facing north, within the historic hamlet of Locust Hill.

Attributes of the property that are not considered to be of cultural heritage value, or are otherwise not included in the Statement of Significance:

- Modern replacement doors and windows within original openings;
- North side door;
- Composition shingle siding;
- Decorative shutters;
- Rear addition.