



Electronic Heritage Markham Committee Agenda

November 11, 2020, 7:15 PM

Electronic Meeting

The Tenth Heritage Markham Committee Meeting of
The Corporation of The City of Markham in the year 2020.

Alternate formats are available upon request.

Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. PART ONE - ADMINISTRATION

- 3.1. APPROVAL OF AGENDA (16.11)

- A. Addendum Agenda
- B. New Business from Committee Members

Recommendation:

That the November 11, 2020 Heritage Markham Committee agenda be approved.

- 3.2. MINUTES OF THE OCTOBER 14, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

8

See attached material.

Recommendation:

That the minutes of the Heritage Markham Committee meeting held October 14, 2020 be received and adopted.

4. PART TWO - DEPUTATIONS
5. PART THREE - CONSENT

5.1. HERITAGE PERMIT APPLICATIONS

19

DELEGATED APPROVAL

HERITAGE PERMITS APPROVED BY HERITAGE SECTION STAFF

16 PETER STREET, MV

14 CHURCH STREET, MV

36 CHURCH STREET, MV (16.11)

FILE NUMBERS:

- HE 20 129850
- HE 20 129853
- HE 20 130740
- HE 20 130742

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

See attached memorandum.

Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

5.2. BUILDING OR SIGN PERMIT APPLICATION

20

DELEGATED APPROVAL

PERMITS APPROVED BY HERITAGE SECTION STAFF

10720 VICTORIA SQUARE BOULEVARD

177 MAIN STREET UNIONVILLE

FILE NUMBERS:

- NH 19 131975
- AL 20 110839

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

See attached memorandum.

Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

5.3. TREE PERMITS

21

DELEGATED APPROVAL

TREE REMOVAL PERMITS

131 MAIN STREET UNIONVILLE

FILE NUMBER:

TREE 20 130422

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

See attached memorandum and material.

Recommendation:

That Heritage Markham receive the information on the tree removal permit approved by Heritage Section staff under the delegated approval process.

5.4. INFORMATION

22

**UNIONVILLE SUB-COMMITTEE OF HERITAGE MARKHAM
STREETSCAPE FURNITURE – MAIN STREET UNIONVILLE
UNIONVILLE HERITAGE CONSERVATION DISTRICT**

Extracts: R.Hutcheson, Manager, Heritage Planning

See attached memorandum and material.

Recommendation:

That Heritage Markham Committee receive the Meeting Notes/Recommendation from the Unionville Patio/Streetscape Furniture Sub-Committee as information.

5.5. COMMITTEE OF ADJUSTMENT

31

**COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION
SECOND RESIDENTIAL UNIT
298 MAIN STREET UNIONVILLE**

FILE NUMBER:

A/021/20

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

J. Leung, Secretary, Committee of Adjustment, Planning & Urban Design

See attached memorandum and material.

Recommendation:

That Heritage Markham has no comment from a heritage perspective on the requested variances at 298 Main Street Unionville to permit:

- an accessory dwelling unit in the existing house, whereas the only a single detached dwelling is permitted; and,
- a minimum parking space of 2.6m x 5.63m in a private garage, whereas a minimum of 2.6m x 5.8m is required; and,

That final review of the variance application A/021/20 be delegated to Heritage Section staff.

5.6. HERITAGE PERMIT APPLICATIONS

37

INTRODUCTION OF TEMPORARY MUSKOKA CHAIRS IN PUBLIC SPACES

UNIONVILLE HERITAGE CONSERVATION DISTRICT 146, 185 AND 216 MAIN STREET

Extracts: R.Hutcheson, Manager, Heritage Planning

See attached memorandum.

Recommendation:

That Heritage Markham has no objection to the Heritage Permit application in support of the installation of Muskoka style chairs (12 in total) at the three identified public realm locations within the Unionville Heritage Conservation District on a temporary basis (Nov 2020 – March 2021).

5.7. PLAN OF CONDOMINIUM

39

HART HAUS CONDOMINIUMS - STIVER LANE INC.

208 MAIN STREET, UNIONVILLE

FILE NUMBER:

20 128605

Extracts:

R.Hutcheson, Manager, Heritage Planning and S. Bordone, Senior Planner

See attached memorandum and material.

Recommendation:

That Heritage Markham Committee has no comment from a heritage perspective on the condominium application (Hart Haus Condominiums) at 208 Main Street, Unionville; and,

That the new address (208 Main Street Unionville) be added to the Markham Register of Property of Cultural Heritage Value or Interest.

5.8. INFORMATION

42

**LOCAL PLANNING APPEAL TRIBUNAL (LPAT) DECISION
105 AND 107 MAIN STREET
UNIONVILLE HERITAGE CONSERVATION DISTRICT**

Extracts:

R.Hutcheson, Manager, Heritage Planning

See attached memorandum and material.

Recommendation:

That Heritage Markham Committee receive as information.

6. PART FOUR - REGULAR

6.1. DEMOLITION PERMIT APPLICATION

50

**REMOVAL OF FIRE DAMAGED STRUCTURE
32 COLBORNE STREET
THORNHILL HERITAGE CONSERVATION DISTRICT
FILE NUMBER:**

DP 20 129726

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

See attached memorandum and material.

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the demolition of the existing fire damaged dwelling to the first level floor system at 32 Colborne Street; and,

That the design of any future dwelling to be constructed upon the existing foundation comply with the policies and guidelines for new dwellings contained in the Thornhill Heritage Conservation District Plan.

6.2. SITE PLAN CONTROL APPLICATION

55

**PROPOSED REMODELLING AND ADDITION TO AN EXISTING NON-
HERITAGE DETACHED DWELLING
40 ROUGE STREET
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT
FILE NUMBER:**

SPC 20 127950

SPC 20 127950

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner
J. Mott, Technician, Planning & Urban Design

See attached memorandum and material.

Recommendation:

That Heritage Markham has no objection to the demolition of the existing dwelling (above the foundation); and,

That Heritage Markham has no objection from a heritage perspective to the proposed alterations and additions dated September 16, 2020 to the existing dwelling at 40 Rouge Street, subject to revisions to the windows and doors of the proposed east elevation to make them more reflective of typical historic windows and doors found in historic Markham Village; and,

That final review of the Site Plan application and any other development application required to permit the proposed alterations and additions be delegated to Heritage Section staff; and further,

That the applicant enter into a Site Plan Agreement with the City containing the standard conditions regarding windows, materials, colours, etc.

6.3. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS

63

SPRINGHILL HOMES INC.

RETENTION OF FRANCIS PIKE HOUSE IN A HIGH RISE DEVELOPMENT

7170 HIGHWAY 7

FILE NUMBER:

PLAN 20 119576

Extracts:

R.Hutcheson, Manager, Heritage Planning
Stephen Corr, Senior Planner, East

See attached memorandum and material.

Recommendation:

That Heritage Markham Committee has no comment from a heritage perspective on the Official Plan and zoning by-law amendments (File Plan 20 119576); and,

That the following constructive comments are provided from a heritage perspective for consideration in response to the conceptual site plan regarding the placement and use of the Francis Pike House:

- Positive Features – all components of the heritage building are proposed to be retained (veranda, main building and rear addition; the

building remains on its original development lands; its new location is adjacent to the park space (enhanced visibility) and the lower 3 storey portions of the development; and a use is proposed (day care centre). The heritage building would be a central feature.

- Negative Features – the orientation of the building is reversed (now north facing) and there does not appear to be a drop off or road access to the day care centre use. Views from Hwy 7 would be of the rear addition.
- Other – if through re-design, the heritage building is required to move to another location, a corner lot on either side street could be explored with appropriate land for child drop off/parking.

And that Heritage Markham Committee be forwarded the future Site Plan Control Application which should contain an exterior restoration plan and landscape plan for the Francis Pike House.

7. PART FIVE - STUDIES/PROJECTS AFFECTING HERITAGE RESOURCES - UPDATES

The following projects impact in some manner the heritage planning function of the City of Markham. The purpose of this summary is to keep the Heritage Markham Committee apprised of the projects' status. Staff will only provide a written update when information is available, but members may request an update on any matter.

- a) Doors Open Markham 2020
- b) Heritage Week, February 2020
- c) Unionville Heritage Conservation District Plan Amendments/ Update
- d) Unionville Heritage Centre Secondary Plan
- e) Unionville Core Area Streetscape Master Plan (2020)
- f) Update to Markham Village Heritage Conservation District Plan (2019)
- g) New Secondary Plan for Markham Village (2019)
- h) Comprehensive Zoning By-law Project (2019) – Review of Development Standards – Heritage Districts

8. PART SIX - NEW BUSINESS

9. ADJOURNMENT



Heritage Markham Committee Minutes

Meeting Number: 9
October 14, 2020, 7:15 PM
Electronic Meeting

Members	Councillor Keith Irish Councillor Reid McAlpine Councillor Karen Rea Graham Dewar Ken Davis Doug Denby	Evelin Ellison Anthony Farr Shan Goel Jason McCauley Lake Trevelyan
Regrets	David Nesbitt	Paul Tiefenbach
Staff	Regan Hutcheson, Manager, Heritage Planning Peter Wokral, Senior Heritage Planner	Scott Chapman, Corporate Privacy & Records Coordinator Grace Lombardi, Acting Election & Committee Coordinator

1. CALL TO ORDER

Under the authority of the *COVID-19 Economic Recovery Act, 2020* (Bill 197) and the City of Markham's *Council Procedural By-law 2017-5*, and in consideration of the advice of public health authorities, this meeting was conducted electronically with members of the Heritage Markham Committee, staff, and guests participating remotely.

Graham Dewar, Chair, convened the meeting at 7:15 PM by asking for any disclosures of interest with respect to items on the agenda.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Karen Rea disclosed a conflict of interest with respect to Item #5.1 (Heritage Permit Application: 1 Thomson Court) by nature of her sitting on the Board for Thomson Court Apartments. Councillor Rea did not participate in the discussion or vote on the question of this matter.

Jason McCauley disclosed a conflict of interest with respect to Item #6.3 (Site Plan Control Application: 175 Main Street North) by nature of a personal and previous

commercial relationship with the applicant. Mr. McCauley did not participate in the discussion or vote on the question of this matter.

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

There was no addendum agenda.

B. New Business from Committee Members

- Tree Protection Barriers: 45 John Street, Thornhill Heritage Conservation District

Recommendation:

That the October 14, 2020 Heritage Markham Committee agenda be approved, as amended.

Carried

3.2 MINUTES OF THE SEPTEMBER 9, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on September 9, 2020, be received and adopted.

Carried

4. PART TWO - DEPUTATIONS

4.1 HERITAGE PERMIT APPLICATION

**8 DAVID GOHN CIRCLE, MARKHAM HERITAGE ESTATES
THE PINGLE HOUSE
REQUEST FOR METAL ROOF ON ADDITION TO DWELLING (16.11)
FILE NUMBER: HE 20 124651**

Extracts:

R. Hutcheson, Manager, Heritage Planning
P. Wokral, Senior Heritage Planner

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the staff memorandum. Mr. Wokral advised of new information regarding the visibility of the proposed metal roof from the public realm following the Committee's previous consideration of this application on September 9, 2020.

Nick Minovski, applicant, addressed the Committee and provided further background on the application. Mr. Minovski noted significant damage to the existing roof caused by the shedding of several coniferous trees in close proximity to the heritage dwelling and rear yard addition. Mr. Minovski also noted that the condition of the surrounding vegetation has resulted in his inability secure a warranty for cedar shingle roofing on a substantial portion of the building. It was requested that the Committee reconsider its previous recommendation to deny the installation of a galvanized metal roof for the rear yard addition given the lack of exposure to the public realm as well as the maintenance and financial constraints posed by the property context.

The Committee expressed concerns regarding the difficulties encountered by the applicant as a result of the surrounding vegetation on the property. Concerns were also expressed regarding the potential precedent that approval of this application might set for the introduction of metal roofs on additions throughout Markham Heritage Estates.

The Committee resolved that a one-time exception for the installation of a galvanized metal roof be granted to the applicant in consideration of the low visibility from the public realm, maintenance challenges, and hardships experienced in securing an appropriate warranty for cedar shingle roofing.

The Committee also discussed the potential need to reconsider and clarify the policy on metal roofs in Markham Heritage Estates as a whole. Key considerations including the costs and viability of cedar roofs, warranty issues, and public visibility of metal roofing were discussed. It was requested that Heritage Section staff report back on suggested policy options regarding the use of metal roofing to provide for an appropriate and consistent approach on any similar applications submitted in the future.

Recommendation:

That Heritage Markham has no objection to a one-time exception to the installation of a galvanized metal roof on the addition to the dwelling at 8 David Gohn Circle provided the finish and profile matches that of historical metal roofs in Markham as close as possible; and,

That Heritage Section staff be delegated final review of the heritage permit application to install metal roofing at 8 David Gohn Circle; and further,

That Heritage Section staff be requested to report back on policy options regarding the use of metal roofing for properties within Markham Heritage Estates.

Carried

5. PART THREE - CONSENT

5.1 HERITAGE PERMIT APPLICATIONS

DELEGATED APPROVALS

HERITAGE PERMITS APPROVED BY HERITAGE SECTION STAFF

95 RUSSEL JARVIS DRIVE

1 THOMSON COURT, MV (16.11)

FILE NUMBERS:

- HE 20 126882
- HE 20 A26939

Extracts: R. Hutcheson, Manager, Heritage Planning

Councillor Karen Rea disclosed a conflict of interest with respect to this item by nature of her sitting on the Board for Thomson Court Apartments. Councillor Rea did not participate in the discussion or vote on the question of this matter.

Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

Carried

5.2 BUILDING OR SIGN PERMIT APPLICATION

DELEGATED APPROVAL

PERMITS APPROVED BY HERITAGE SECTION STAFF

352 MAIN ST. N. MV

6163 19TH AVE.

177 MAIN ST. U.

7943 9TH LINE

60 MEADOWBROOK LANE U.

139 MAIN ST. U.

5467 19TH AVE.

33 DICKSON HILL RD.

19 PETER ST. MV

147 MAIN ST. U.

7710 KENNEDY RD.

5933 14TH AVE.

248 MAIN ST. U.

FILE NUMBERS:

- NH 17 167717
- HP 20 111543
- AL 20 110839
- HP 19 119218
- HP 20 114764
- HP 20 113669
- AL 20 118074
- HP 20 119406
- HP 20 121191
- SP 20 125840
- PP 20 126775
- NH 20 109956
- HP 20 128457

Extracts:

R. Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Staff clarified the delegated approval process for the issuing of building and sign permits relative to properties previously reviewed by Heritage Markham at the site plan control stage.

Recommendation:

That Heritage Markham receive the information on building permits approved by Heritage Section staff under the delegated approval process.

Carried

6. PART FOUR - REGULAR

6.1 HERITAGE PERMIT APPLICATION

**1 CHURCH LANE, THORNHILL HERITAGE CONSERVATION
DISTRICT**

THORNHILL CEMETERY FENCING (16.11)

FILE NUMBER: HP 20 126092

Extracts:

R. Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

D. Plant, Senior Manager, Horticultural and Forestry Division

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the staff memorandum.

There was discussion regarding potential mechanisms to ensure public works impacting heritage matters proceed according to the required review and consultation processes. Heritage Section staff noted that they will continue to advise staff from other departments of the requirements to secure heritage approval prior to undertaking works engaging heritage resources.

There was also discussion regarding the appropriate role of Heritage Markham in advising and assisting staff and Council in matters related to heritage conservation districts and individual buildings of historical and/or architectural significance.

Recommendation:

That Heritage Markham receive the Architectural Review Sub-Committee notes from September 24, 2020 and the update from the follow up meeting dated October 9, 2020, as information.

Carried

6.2 SITE PLAN CONTROL APPLICATION

PROPOSED DETACHED ACCESSORY BUILDING/GARAGE WITH 2ND FLOOR RESIDENTIAL UNIT 31 WALES AVENUE

MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)

FILE NUMBER: SPC 20 124628

Extracts:

R. Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the staff memorandum.

Shane Gregory, consultant to the applicant, was in attendance and answered questions from Committee members on the proposal.

There was discussion regarding compensation for the removal of the mature sugar maple tree adjacent to the proposed outdoor living area. It was advised that

several replacement trees will be planted on the subject property, and that the exact number and location will be determined in consultation with the City's Urban Design Section.

There was also discussion regarding Heritage Markham's potential consideration of a galvanized metal roof on the proposed accessory building. Members inquired as to the original roofing material for the existing accessory building, and the feasibility of replicating a more historically authentic treatment as part of the new proposal. Members also inquired as to the relationship between the accessory building and the existing trees on the subject property, and whether this might present difficulties for more traditional cedar shingle or asphalt roofing materials. The Committee resolved to postpone further consideration on the installation of metal roofing on the accessory building pending a separate application by the owner and appropriate review by Heritage Section staff.

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the proposed accessory building at 31 Wales dated August 20, 2020 and recommends that final review of the site plan application be delegated to Heritage Section staff; and,

That the applicant enter into a Site Plan Agreement with the City containing the standard conditions regarding materials, colours windows etc.

Carried

6.3 SITE PLAN CONTROL APPLICATION

175 MAIN STREET NORTH, MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT REVISED PARKING/HARD SURFACE AREAS (16.11)

FILE NUMBER: SPC 20 125951

Extracts:

R. Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Jason McCauley disclosed a conflict of interest with respect to this item by nature of a personal and previous commercial relationship with the applicant. Mr. McCauley did not participate in the discussion or vote on the question of this matter.

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the staff memorandum.

Russ Gregory, consultant to the applicant, addressed the Committee and provided an overview of the applicant's justification for the existing hardscaping on the subject property, including those related to a preferred style of amenity space, the provision of alternate landscaping, lack of visibility from the public realm, and safety concerns given the single site access from Main Street Markham. Stephen Tar, applicant, was in attendance and outlined steps taken to mitigate potential stormwater drainage issues, including the installation of permeable pavers, French drains, and additional vegetation around the perimeter of the property.

There was discussion regarding the compatibility of the existing hardscaping with the character of the Markham Village Heritage Conservation District and the desire to be consistent with the treatment of similar properties in the City. Concerns were expressed regarding potential impacts resulting from the amount of additional paving, including those related to stormwater runoff and cars parking on the rear yard pavers in close proximity to mature trees. Concerns were also expressed regarding the applicant's deviation from the approved site plan and the installation of additional hard surfacing prior to review by Heritage Section staff and Heritage Markham.

Recommendation:

That Heritage Markham requests that the issue of rear yard pavers and their interface with existing trees be addressed to ensure protection and preservation to the satisfaction of the City's Urban Design staff; and,

That final review of the site plan control application be delegated to Heritage Section staff.

Carried

6.4 BUILDING PERMIT APPLICATION

180 MAIN STREET NORTH

MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)

FILE NUMBER: HP 20 128235

Extracts:

R. Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the staff memorandum.

The Committee noted the importance of the subject property as a gateway into the Markham Village Heritage Conservation District, and discussed potential

opportunities to enhance the heritage character of the proposal. There was discussion regarding the feasibility of restoring the existing historic wooden siding on the two storey frame tail of the building. There was also discussion about mitigating the appearance of the concrete block addition through appropriate landscaping. There was further discussion on the feasibility of integrating the design of the ornamental brackets proposed for the wraparound veranda to resemble that of the historic gable bracket on the south wall of the property.

The Committee also inquired as to the status of the previous rezoning application submitted for the property and potential future uses which might impact public visibility of the proposed alterations. Staff advised that the previous rezoning application has been abandoned and that the property is currently proposed to be maintained for residential use only.

Recommendation:

That Heritage Markham has no objection to the proposed cladding of the 1960's concrete block addition to 180 Main St. N. with Maibec tongue and groove siding; and,

That Heritage Markham has no objection to the proposed wrap around veranda; and further,

That given the lack of exposure and condition of the existing historic siding that Heritage Markham has no objection to its replacement with new vertical tongue and groove Maibec siding.

Carried

7. PART FIVE - STUDIES/PROJECTS AFFECTING HERITAGE RESOURCES - UPDATES

7.1 ONTARIO HERITAGE ACT

REQUEST FOR COMMENT ON PROPOSED REGULATION (16.11)

Extracts: R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager, Heritage Planning, addressed the Committee and summarized the details outlined in the staff memorandum, providing members with an overview of the amendments made to the *Ontario Heritage Act* under Bill 108 and the draft Regulation released by the Province of Ontario for comment.

There was discussion regarding the new 90-day timeframe during which a municipality will be required to issue a Notice of Intention to Designate, and the resulting challenges in ensuring an appropriate review, consultation, and reporting

process for properties of potential cultural heritage value or interest. There was also discussion regarding the potential requirements associated with the proposed regulatory principle that municipalities must consider the views of all interested persons and communities in decisions affecting the cultural heritage value or interest of a property.

Recommendation:

That Heritage Markham Committee advises Markham Council that it recommends that the matters identified by staff in the review of the proposed Regulation to the Ontario Heritage Act be forwarded to the Ministry of Heritage, Sport, Tourism and Culture Industries as feedback; and,

That the Ministry be advised that to proceed with implementation of these changes (proclamation of new legislation and the regulation) on January 1, 2021 which will require changes to municipal protocols and procedures during a pandemic, imposes an unfair burden on municipal stakeholders whose focus should be on responding to this unprecedented health challenge.

Carried

7.2 REQUEST FOR FEEDBACK

STREETSCAPE FURNITURE – MAIN STREET UNIONVILLE UNIONVILLE HERITAGE CONSERVATION DISTRICT (16.11)

Extract: R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager, Heritage Planning, addressed the Committee and summarized the details outlined in the staff memorandum.

The Committee reviewed the various set options provided by Operations staff. Key considerations such as compatibility with the character of the Unionville Heritage Conservation District, accessibility to all users, durability, and security against potential theft were identified. It was suggested that staff also explore potential commercial grade options through Lancaster Table & Seating.

The Committee consented to delegate the decision on this matter to a sub-committee comprised of the representatives of the Unionville Heritage Conservation District and Mr. Jason McCauley for an ultimate recommendation on behalf of Heritage Markham.

Recommendation:

That authority to review and provide recommendations on behalf of Heritage Markham on preferred options for bistro-style street furniture for public areas on

Main Street Unionville be delegated to a sub-committee of the following members:

- Councillor Reid McAlpine;
- Doug Denby;
- David Nesbitt;
- Lake Trevelyan; and,
- Jason McCauley

Carried

8. PART SIX - NEW BUSINESS

8.1 REQUEST FOR FOLLOW-UP

TREE PROTECTION BARRIERS - 45 JOHN STREET, THORNHILL HERITAGE CONSERVATION DISTRICT (16.11)

Evelin Ellison addressed the Committee in regard to the recent demolition and infill construction at 45 John Street within the Thornhill Heritage Conservation District. Ms. Ellison advised of the absence of required tree protection barriers for several mature trees on the property, and expressed concerns regarding potential injury sustained to the trees as a result of the ongoing construction work.

The Committee inquired as to the department of the City responsible for ensuring that trees are protected during demolition, and requested that Heritage Section staff contact the appropriate department(s) to investigate this issue and ensure proper tree protection moving forward during the remaining construction phases.

Recommendation:

That Heritage Section staff be requested to contact the appropriate City department(s) to investigate and address the issue of improper tree protection at 45 John Street, Thornhill Heritage Conservation District.

Carried

9. ADJOURNMENT

The Heritage Markham Committee meeting adjourned at 10:50 PM.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: November 11, 2020

SUBJECT: Heritage Permit Applications
 Delegated Approval by Heritage Section Staff
 16 Peter Street, MV
 14 Church Street, MV
 36 Church Street, MV
 Files: HE 20 129850, HE 20 129853, HE 20 130740, HE 20 130742

The following Heritage Permits were approved by Heritage Section staff under the delegated approval process:

Address	Permit Number	Work to be Undertaken
16 Peter Street Markham Village	HE 20 129850	Painting of exterior of enclosed front porch
14 Church Street Markham Village	HE 20 129853	Painting of exterior walls
16 Peter Street Markham Village	HE 20 130740	Installation of appropriate heritage style windows in enclosed front porch
36 Church Street Markham Village	HE 20 130742	Repair to roofing of front veranda

Suggested Recommendation for Heritage Markham

THAT Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: November 11, 2020

SUBJECT: Building or Sign Permit Applications
Delegated Approval by Heritage Section Staff

The following Building Permits were approved by Heritage Section staff under the delegated approval process:

Address	Permit Number	Work to be Undertaken
10720 Victoria Square Boulevard	NH 19 131975	Approval of portable classroom approved through site plan application
177 Main Street Unionville	AL 20 110839	Revision to interior fire separations, exit signage and emergency lights

Suggested Recommendation for Heritage Markham

THAT Heritage Markham receive the information on building permits approved by Heritage Section staff under the delegated approval process

File: 10720 Victoria Square Boulevard, 177 Main Street Unionville



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: November 11, 2020

SUBJECT: DELEGATED APPROVALS
Tree Removal Permits

The following Tree Permits were approved by Heritage Section staff under the delegated approval process:

131 Main Street Unionville, Central United Church	Permit No. TREE 20 130422	Removal of one Manitoba Maple tree	4 Native Replacement Trees Recommended as per recommendation of the City's Tree Preservation Technician
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Suggested Recommendation for Heritage Markham

THAT Heritage Markham receive the information on the tree removal permit approved by Heritage Section staff under the delegated approval process.

File: 131 Main Street Unionville



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: November 11, 2020

SUBJECT: Notes and Recommendation – Unionville Sub-Committee of Heritage Markham
Streetscape Furniture – Main Street Unionville
Unionville Heritage Conservation District

Project: Investigation of Appropriate Bistro Style Furniture for Public Area(s) on Main Street Unionville

Background:

- Request from Operations Staff for Heritage Section staff feedback. Staff indicated that it would also welcome any feedback from Heritage Markham prior to submission of a future Heritage Permit application.
- The purpose is to clarify what would be acceptable heritage appropriate furniture for the Main St Unionville area in terms of a bistro type set. It has been requested to have bistro type tables and chairs available on the newly improved stair area, among others, in the Unionville Heritage Conservation District.
- At the October 14, 2020 Heritage Markham meeting, the Committee indicated that authority to review and provide recommendations on behalf of Heritage Markham on preferred options for bistro-style street furniture for public areas on Main Street Unionville be delegated to a sub-committee of the following members: Councillor Reid McAlpine, Doug Denby, David Nesbitt, Lake Trevelyan and Jason McCauley.

Status/ Staff Comment

- The notes and recommendation on behalf of Heritage Markham Committee from the Unionville Patio/Streetscape Furniture Sub-Committee have been provided to Operations staff.

Suggested Recommendation for Heritage Markham

That Heritage Markham Committee receive the Meeting Notes/Recommendation from the Unionville Patio/Streetscape Furniture Sub-Committee as information.

Q:\Development\Heritage\SUBJECT\Unionville Streetscape\HM Nov 11 2020 Furniture SC
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Unionville Patio/Streetscape Furniture Sub-Committee

MEETING NOTES

Thursday, October 22, 2020, 6-7pm

Location: Zoom Meeting

Members Present:

Councillor Reid McAlpine (Chair)
Doug Denby
David Nesbitt
Lake Trevelyan
Jason McCauley

Staff:

Regan Hutcheson, Manager-Heritage
Planning

ITEM 1: **Project:** **Unionville Heritage District Patio/Streetscape Furniture**
 Owner: **City of Markham**
 Address: **Parkette Area - Main Street (East Side) –Top of Stairs and**
 potentially other public areas
 District: **Unionville Heritage Conservation District**

At the October 14, 2020 Heritage Markham meeting, the Committee indicated that authority to review and provide recommendations on behalf of Heritage Markham on preferred options for bistro-style street furniture for public areas on Main Street Unionville be delegated to a sub-committee of the following members: Councillor Reid McAlpine, Doug Denby, David Nesbitt, Lake Trevelyan and Jason McCauley.

The Chair of the sub-committee, Councillor McAlpine, called the meeting to order at 6:00 pm and provided a brief overview of the matters to be discussed.

Mr. Denby had previously circulated through email a proposed motion to only consider the use of benches in these areas. It was agreed to consider this motion at the beginning of the meeting. Mr. Denby moved the motion and it was seconded by Mr. Nesbitt. Those in favour of this motion noted that benches have been in use for a number of years in Unionville, they are generally complementary to the area, and they allow people to congregate, rest and consume food. Comments expressed in opposition to the introduction of tables/chairs included a concern with the associated table garbage and cleaning, vandalism/theft (how to secure the infrastructure), and not being reflective of the village's heritage character. Staff noted that benches are the common type of street furniture used in our heritage conservation districts and the black bench found in Unionville was the bench style approved for use.

Those in opposition to the motion indicated that the concept of table and chairs was supportable for the following reasons:

- There seems to be local community support for the concept according to the local councillor;
- The introduction of tables and chairs is becoming more common in public spaces elsewhere and creates a more humane/ friendlier streetscape. Allows better social interaction between people;
- People can use tables for eating, chatting and playing games (chess), and like benches, these tables and chairs would provide a space that is free to use where no purchase is necessary;

- Based on the approved vision plan for Main Street, the area is changing from a traditional village to an area where more place-making will occur. Tables and chairs attract tourists and locals; and
- This could function as a pilot project to see if the concept works.

Motion:

Moved by D. Denby

Seconded by D. Nesbitt

Whereas the Unionville Heritage Conservation Plan provides guidelines and examples of streetscape furniture that are benches, the Unionville Patio/Streetscape Furniture Sub-Committee of the Markham Heritage Committee recommends and endorses the practice of using the approved heritage style metal benches within the Unionville Main Street business core, and in particular, in the mini parkette at the top of the city's stair case to the lower parking area, as has been the practice for the past few decades.

Motioned Failed

Councillor McAlpine continued the meeting by reviewing the four furniture options on which the Operations staff was seeking guidance. Members noted that whatever was selected, the product needs to be of a commercial grade, durable and complementary. The surface of the tables should drain water, and there appeared to be a preference for round versus square tables. The members also noted that a three-legged table was easier to level than one with four legs.

Each option was reviewed (see attached for illustrations). There was no support for Option 1 or Option 4 from a heritage perspective. Although Option 2 was considered attractive, there was concern about the durability of the chairs. Option 3 was considered more durable and compatible, however, the table appeared to be too large. It was suggested that a smaller table similar to Option 2 and durable chairs reflective of Option 3 may be appropriate.

A member asked if there were other locations where these type of tables and chairs may be introduced. It was indicated that another site could be in the courtyard in front of the art gallery.

The Sub-Committee approved the following recommendation on behalf of the Heritage Markham Committee:

Heritage Markham Recommendation:

THAT in reviewing the various options for patio/streetscape furniture (tables and chairs) forwarded by the Operations Department for comment, Heritage Markham has the following feedback:

- No support for Options 1 and 4 from a heritage perspective;
- Round tables similar to or in keeping with the spirit of Option 2 are preferred; and
- Chairs similar to or keeping with the spirit of Option 3 are preferred.

AND THAT this matter return to the Heritage Markham Committee when a Heritage Permit Application is submitted.

Carried

The Sub-Committee was adjourned at 7:00 pm.

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Furniture for Unionville Heritage Conservation District

Purpose: to clarify what would be acceptable heritage approved furniture for the Main St Unionville area in terms of a bistro type set. It has been requested to have bistro type tables and chairs available on the newly improved stair area, among others, in the Unionville Heritage Conservation District.

Option 1



CAMINO SERIES - ARM CHAIR - BLACK WEAVE INSERT

CM320N

This Camino Series arm chair is stackable and utilizes a polyethylene seat and back panel (black color only). Choose any of our AAMA 2604-05 compliant powder-coatings for the framework color.



Option 2



The Parc Centre chair is a clever riff on the Parisian outdoor standard, offering comfort with a pleasing bounce. Parc Centre chairs, tables, lounge and ottoman comfortably support social activities in formal and informal settings alike. Steel construction coupled with economy of form make them nimble enough to move around and heavy enough to hold their ground. Sled bases are stable on grass, gravel or hard surfaces. Seats have a pleasing bounce. Chairs, lounges and ottomans stack.

- The frame of Parc Centre is formed of heavy steel wire.
- Powdercoated seating is offered armless, or with arms, is lightweight and stacks horizontally.
- The seat and back panels are constructed of welded steel straps.
- Stacking bumper/glides are made of tough nylon to resist damage from dragging on rough surfaces.





Parc Centre
designed by
John Rizzi.

About John Rizzi

Parc Centre chairs, tables, lounge and ottoman comfortably support social activities in formal and informal settings alike. Steel construction coupled with economy of form make them nimble enough to move around and heavy enough to hold their ground. Park Centre table's round and square shapes expand the options for versatile social settings. Its sleek top reads like a fine line but provides the strength and durability of solid steel. Leveling glides on the steel plate base make it stable on varied surfaces.

Option 3



- Table Top Size: 35.5" Dia. (90.2cm Dia.)
- Bench Size: 23" (58.4cm)
- ADA Compliant
- Galvanized Steel Construction
- Framing is H.S. Steel Tube / Flatbar
- Number of Seats: 4

CAT-050 is a metal picnic table set with a perforated surface to avoid precipitation accumulation. Great use for restaurant patio or temporary outdoor patio. Heavyweight and low maintenance, easy assembly and no mounting required.

Galvanized steel frame is shielded with powder coat finish to prevent rust and weather elements. Bench and table corners are beveled for safety. Mounting tabs allow anchoring to the ground for stability and security. Table

CAT-050 is constructed with steel.

Steel components are electrocoated with anti-corrosion treatment, and finished with powder coating electrostatically.

Option 4



A composite set that is available in black for a reasonable price. The composite material is fairly heavy and sturdy so that the City would not have to worry about theft as much as the smaller metal ones at double the cost.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: November 11, 2020

SUBJECT: Committee of Adjustment Variance Application
298 Main Street Unionville
Second Residential Unit
File: A/021/20

Property/Building Description: 2 storey single detached dwelling constructed in 1991

Use: Residential

Heritage Status: Designated under Part V of the Ontario Heritage Act and identified as a Type 'B' building or non- heritage buildings that contribute to the heritage character of the district.

Application/Proposal

- The owner is proposing to convert the existing 158.7m² (1,708.2 ft²) basement into a second residential unit that would be accessed through an existing door located at the rear of the attached garage providing access to a new set of enclosed stairs to the basement. These alterations would remove some space from the existing 2 bay garage;
- The proposal requires variances to permit:
 - an accessory dwelling unit in the existing house, whereas the only a single detached dwelling is permitted; and,
 - a minimum parking space of 2.6m x 5.63m in a private garage, whereas a minimum of 2.6m x 5.8m is required .

Staff Comment

- Staff has no objection to the proposed additional dwelling unit and reduced minimum parking spaces in the garage from a heritage perspective as they require no changes to the existing exterior of a non-heritage house, the reduction in size of the interior parking spaces is minor (about 7 inches), and there appears to be ample space to park cars in the existing large driveway;
- Staff recommends that Heritage Markham have no comment on the requested variances at 298 Main Street Unionville and that final review be delegated to Heritage Section staff.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no comment from a heritage perspective on the requested variances at 298 Main Street Unionville to permit:

- an accessory dwelling unit in the existing house, whereas the only a single detached dwelling is permitted; and,
- a minimum parking space of 2.6m x 5.63m in a private garage, whereas a minimum of 2.6m x 5.8m is required.

AND THAT final review of the variance application A/021/20 be delegated to Heritage Section staff

File: 298 Main Street Unionville

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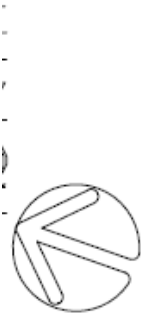
298 Main Street Unionville
Unionville Heritage Conservation District



298 Main Street Unionville
Unionville Heritage Conservation District



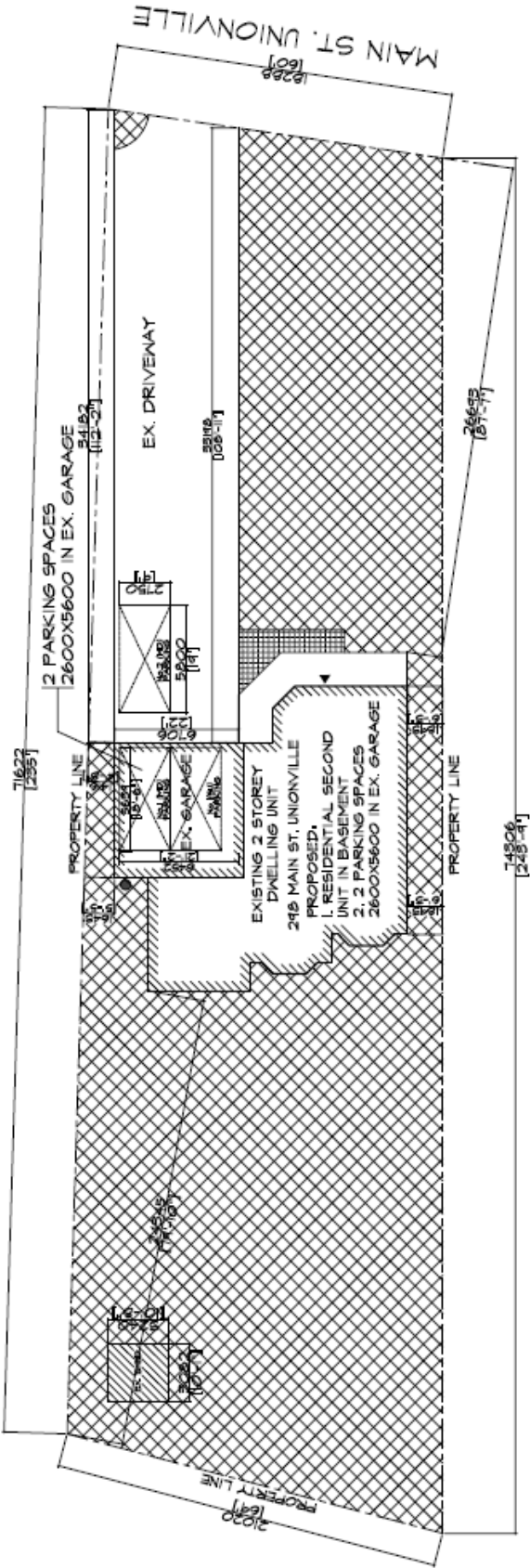
298 Main Street Unionville- Site Plan



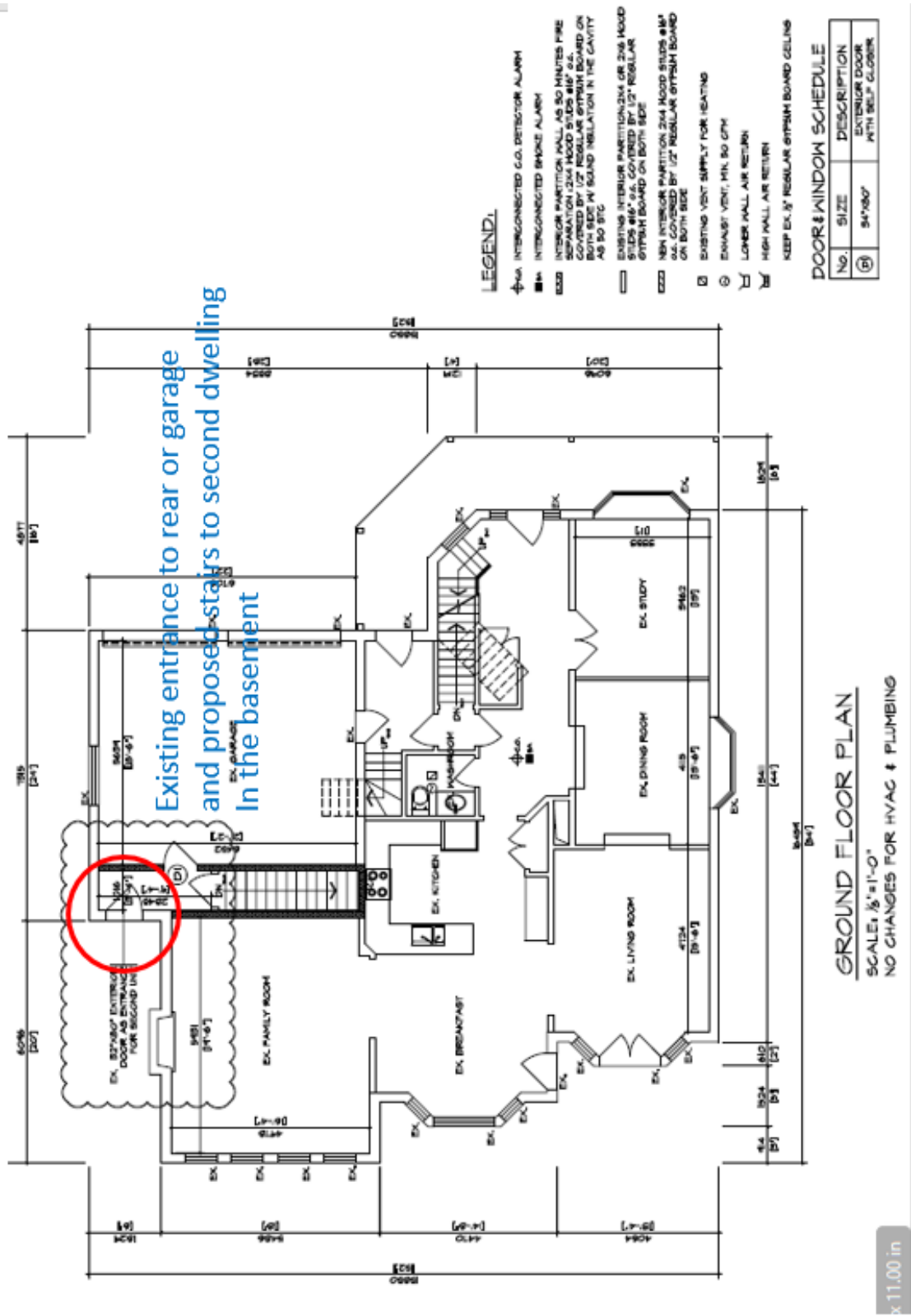
- LEGEND
- PARKING SPACE 1250X5500
- SOFT LANDSCAPE
- DOWN PIPE
- ENTRANCE OF MAIN DWELLING UNIT
- ENTRANCE OF SECOND DWELLING UNIT
- WALK WAY (WIDTH: 200mm)

LOT AREA	1405.6 M ²	LOT FRONTAGE	18.28M	LOT DEPTH	72.964M	SETBACKS	EXISTING	PROPOSED
DESCRIPTION	EXISTING	ADDITION	TOTAL	%	ALLOWED	%	FRONT YARD	26645mm
LOT COVERAGE	257.2M ²	N/A					REAR YARD	24345mm
GROUND FLOOR AREA	167.2M ²	N/A					INTERIOR	1416mm
SECOND FLOOR AREA	176.9M ²	N/A	502.8M ²				INTERIOR	1845mm
BASEMENT AREA	158.7M ²	N/A					SIDE (SOUTH)	1845mm
SECOND UNIT AREA	158.7M ²	158.7M ²		31.6				

GROUND FLOOR (INCLUDING GARAGE) AREA: 206.7M²



298 Main Street Unionville- Ground Floor Plan





MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: November 11, 2020

SUBJECT: Heritage Permit Application
146, 185 and 216 Main Street
Introduction of Temporary Muskoka Chairs in Public Spaces
Unionville Heritage Conservation District

Property/Building Description:

- 146 Main Street - Millennium Bandstand
- 185 Main Street – Top of Stairs Parkette
- 216 Main Street- Art Gallery Courtyard

Use:

Public Realm

Heritage Status:

Unionville Heritage Conservation District (Part V)

Application/Proposal

- Installation of Muskoka style chairs (12 in total) at the three identified locations within the Unionville Heritage Conservation District on a temporary basis (Nov 2020- March 2021)

Background

- Unionville BIA and Operations staff have requested the installation of the identified brightly coloured chairs already owned by the City to provide winter seating. (the chairs are in storage and not being used this winter).
- UBIA acknowledges that the colours and style of the chairs may not necessarily comply with Heritage District policy/guidelines, but given these trying times for the street, the BIA is requesting support as a temporary way to brighten people's days during the winter.
- The chairs would be installed in November and removed in March. They would be drilled into the ground to protect from theft, and be placed to address socially distancing criteria.

Staff Comment

- Although the chairs would not appear to comply with the streetscape policies for street furniture in the Unionville Heritage Conservation District from a colour and style

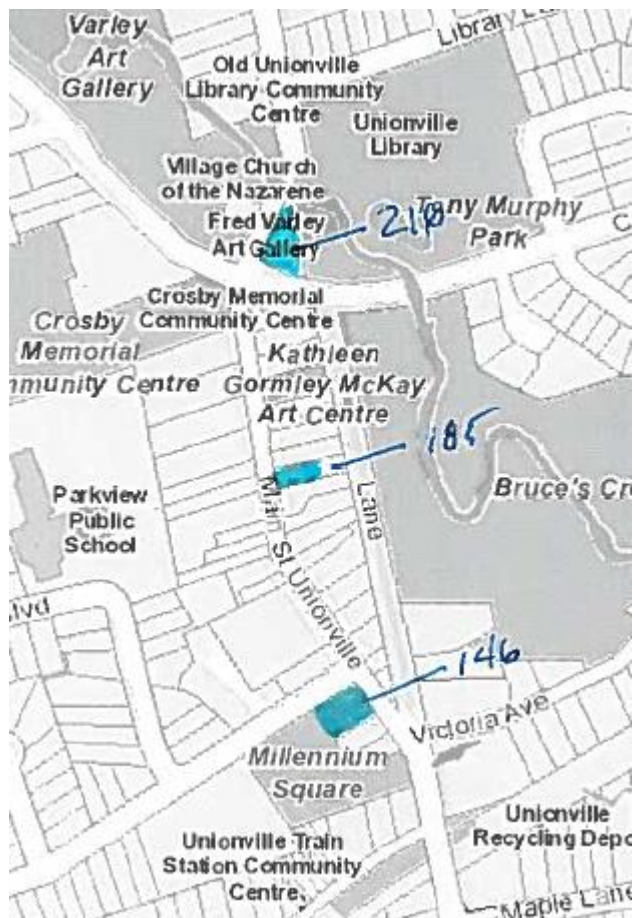
perspective, given the current pandemic situation, and the fact that the installation is a temporary, winter measure, Heritage staff consider them to be similar to a temporary art installation, and recommends the project be supported.

- If Heritage Markham agrees they are fine for a temporary period of time, staff will proceed with approving the heritage permit application.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection to the Heritage Permit application in support of the installation of Muskoka style chairs (12 in total) at the three identified public realm locations within the Unionville Heritage Conservation District on a temporary basis (Nov 2020 – March 2021).

File:Q:\Development\Heritage\SUBJECT\Unionville Streetscape\HM Nov 11 2020 Muskoka Chairs.doc





MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: November 11, 2020

SUBJECT: Plan of Condominium
208 Main Street, Unionville
Hart Haus Condominiums- Stiver Lane Inc.
File 20 128605

Property/Building Description: New Residential Building, c. 2020/2021
Use: Residential Condominium
Heritage Status: Unionville Heritage Conservation District

Application/Proposal

A Draft Plan of Condominium Application has been received from Stiver Lane Inc. (George LeDonne) c/o Ledgemark Homes Inc. (Katelyn Hoover) for 208 Main Street, Unionville. The application will facilitate the creation of 14 residential condominium units.

Background

- The Site Plan Control Application was reviewed by Heritage Markham Committee.
- The building is located to the west of the Stiver House (206 Main St, Unionville)
- The building is currently under construction.

Staff Comment

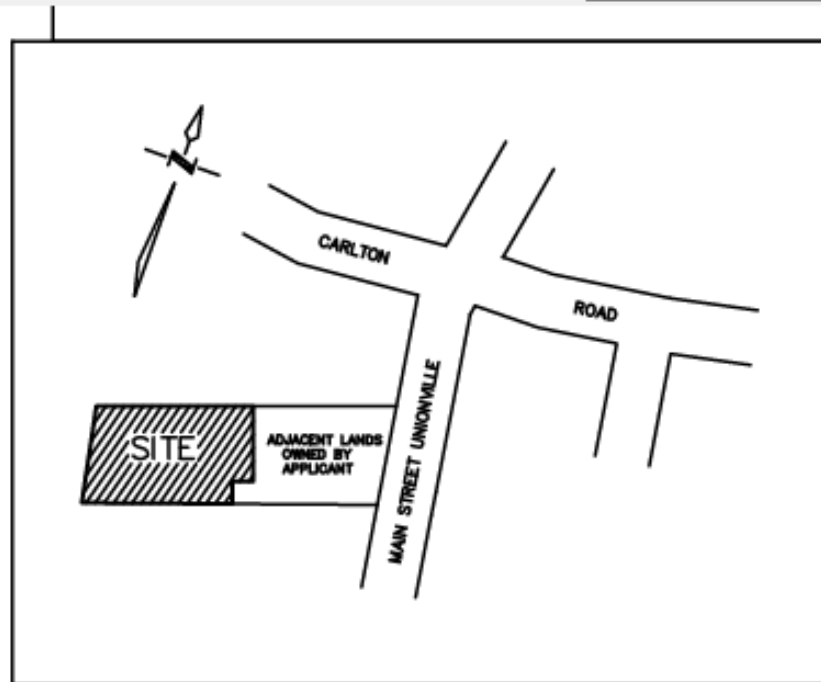
- Heritage Markham does not normally comment on condominium applications.
- This development has necessitated the creation of a new address in the Unionville Heritage Conservation District.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham Committee has no comment from a heritage perspective on the condominium application (Hart Haus Condominiums) at 208 Main Street, Unionville;

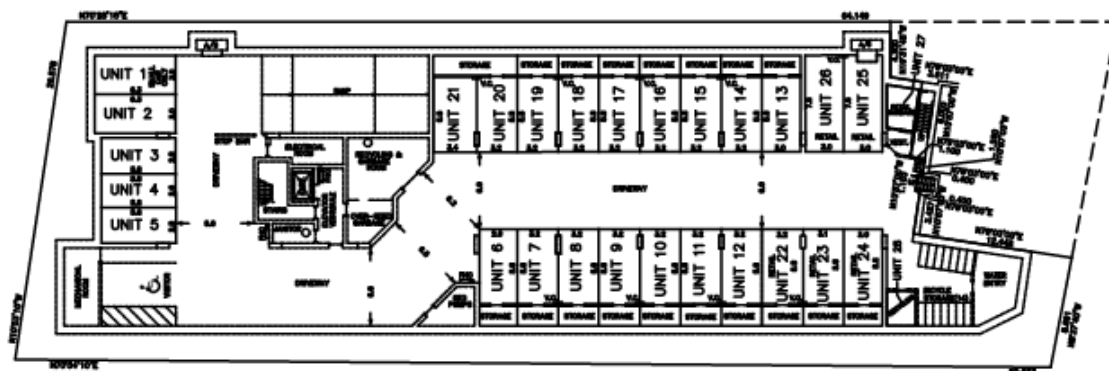
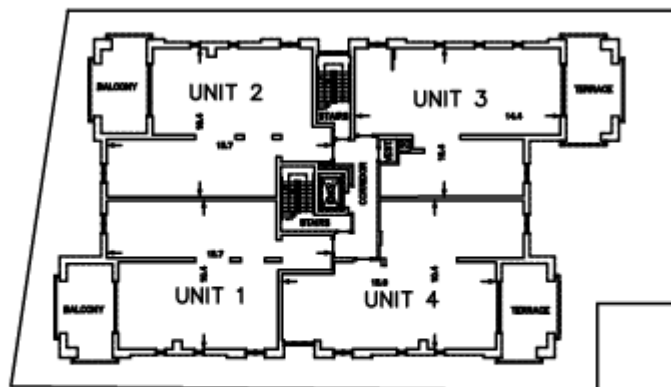
And that the new address (208 Main Street Unionville) be added to the Markham Register of Property of Cultural Heritage Value or Interest.

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KEY PLAN
(NOT TO SCALE)

DRAFT PLAN OF
STANDARD CONDOMINIUM ON
PART OF LOTS 12 AND 13
CONCESSION 5
(GEOGRAPHIC TOWNSHIP OF MARKHAM)
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF YORK
SCALE 1:200





MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: November 11, 2020

SUBJECT: Information
Local Planning Appeal Tribunal (LPAT) Decision
105 and 107 Main Street
Unionville Heritage Conservation District

Property/Building Description: Two cultural heritage resources

Use: Residential (107) and Commercial (105)

Heritage Status: Significant properties in the Unionville Heritage Conservation District

Background

- Owners had applied to the Committee of Adjustment for variances in support of a rear yard parking lot at 107 Main St for use by commercial patrons at 105 Main Street.
- The variance applications were not supported by Heritage Markham or the Committee of Adjustment, but were appealed to LPAT by the owners.
- The LPAT hearing occurred on September 25, 2020 by electronic means with the Manager of Heritage Planning as the City's witness in opposition to the variances.
- The appeal was dismissed and the variances not authorized.

Staff Comment

- The LPAT decision is attached to this report.
- The matter of the rear yard parking lot behind 107 Main Street will now have to be addressed by the City.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham Committee receive as information

Location



File: Q:\Development\Heritage\PROPERTY\MAINSTU\105\LPAT Appeal Parking lot\HM Nov 11 2020 Decision of LPAT.doc

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: November 03, 2020

CASE NO(S): PL200136

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 45(12) of the Planning Act, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Fire-Works Property Group Inc.
Subject:	Minor Variance
Property Address/Description:	107 Main Street
Variance from By-law:	122-72
Municipality:	City of Markham
Municipal File No.:	A/16/19
LPAT Case No.:	PL200136
LPAT File No.:	PL200136
LPAT Case Name:	Fire-Works Property Group Inc v. Markham (City)

Heard: September 25, 2020 by video hearing

APPEARANCES:

Parties

The City of Markham

Fire-Works Property Group Inc

Counsel

Francesco Santaguida
Victoria Chai

Selina Zeng

DECISION AND ORDER OF THE TRIBUNAL DELIVERED BY M. ARPINO

INTRODUCTION

[1] Fire-Works Property Group Inc. (“Applicant”) owns land in The City of Markham (“City”) located at 107 Main Street (“Property”). It is occupied by a detached residential dwelling, and a detached garage. The rear yard of the Property is partially paved and is being used as a parking area (“Parking Lot”).

[2] The Applicant also owns the land at 105 Main Street, which is immediately adjacent to the Property. The Parking Lot has been used to accommodate patrons and employees at 105 Main Street.

[3] The Property is designated Residential Low Rise in the City’s Official Plan (“OP”). It is located within the boundary area of the Unionville Heritage Conservation District (“Heritage District”). The Property is visible from a section of Highway 7 which is within the Heritage District.

[4] The Heritage District is subject to Site Specific Policies in the OP. The residential dwelling on the Property is designated a Group A Heritage Building (“Heritage Building”).

[5] The Property is within The Toronto Region Conservation Authority’s Regulated Area. It is bordered by a valley corridor associated with the Rouge River Watershed.

[6] The Property is zoned R3-Residential pursuant to the City’s By-law No. 122-72, which does not permit the Property to be used as a parking area. The Parking Lot does not conform to the parking lot restrictions in the City’s By-law No. 28-97. The City has taken steps to enforce the By-laws. The Applicant received an Order to Comply which stipulated the removal of the Parking Lot.

[7] The Applicant filed an application seeking two variances (“Application”).

- a. The first variance sought an amendment to s. 11.1 of By-law No. 122-72 to add a parking area as a permitted use of the Property.
- b. The second variance is for relief from the City’s Zoning By-law No. 28-97 to permit a rear driveway, parking pad and parking area to be located 0.61 metres (“m”) from the adjoining lot line; 2.68 m from the north lot line; and 5.5 m from the side lot line.

[8] On February 5, 2020, the City’s Committee of Adjustment (“Committee”) considered the Application and refused to grant the requested variances. The Applicant appealed the decision (“Appeal”).

LEGISLATIVE TESTS

[9] In making a decision under the Planning Act (the “Act”) with respect to a minor variance, the Tribunal must have regard to matters of Provincial Interest found in s. 2 of the Act, and to the decision of the approval authority. The decision must be consistent with the applicable Provincial Policy Statements and must conform to any applicable Provincial plans.

[10] In considering an appeal of an Application for Minor Variance, the Tribunal must be satisfied that the requested relief meets the four tests of a minor variance as set out in s. 45 (1) of the Act:

- (i) Does the request maintain the general intent and purpose of the OP?
- (ii) Does the request maintain the general intent and purpose of the Zoning By-law?
- (iii) Is the request desirable for the appropriate development or use of the land, building or structure?
- (iv) Is the variance minor?

EXPERT WITNESS, EXHIBITS AND VISUAL EVIDENCE, PARTICIPANTS

[11] Regan Hutcheson, a Registered Professional Planner employed by the City was called by the City to testify. The Tribunal qualified Mr. Hutcheson to provide his opinion regarding land use planning in the matter before the Tribunal. Ms. Zeng, counsel for the Applicant, did not challenge the qualification.

[12] The Tribunal received document books from the City and from the Applicant which are Exhibit 1 and Exhibit 2 respectively.

[13] The Tribunal reviewed the minutes of the Heritage Markham Committee meeting convened on January 8, 2020. The committee considered the Application and did not recommend approval. The Heritage Markham Committee expressed concern regarding the precedent that would be set by supporting a variance to allow a paved rear lot of a residentially-zoned property.

[14] The Planning and Urban Design Department for the City had concerns about the spread of commercial uses into the residential neighbourhood north of 105 Main Street, and that a future request to permit commercial uses within the Heritage Building at the Property might be requested based on existence of the Parking Lot. The Toronto Region Conservation Authority had no objection to the approval of the Application.

[15] Exhibit 1 contains photographs of the Property and the Parking Lot. Mr. Hutchison testified that he took the photographs from various locations including from Main Street, Highway 7 and from the rear of the Property and from 105 Main Street.

[16] The photographs clearly illustrate to the Tribunal that the Parking Lot is visible from Highway 7. As such the Tribunal determined that the context of the Heritage Building, and the Property, plainly includes the Parking Lot.

[17] The Tribunal granted Participant Status to Christiane Bergauer-Free and Henry Chiu.

[18] Mr. Chiu was then called as a witness by the Applicant. Mr. Chiu informed the Tribunal that the Parking Lot has existed for approximately 20 years and it was installed prior to the Applicant's acquisition of the Property. He was not aware of any complaints or concerns about the Parking Lot. Mr. Chui testified that the Parking Lot is not visible from Main Street and does not negatively impact the adjacent properties. He stated that

the variances satisfied the legislative tests pursuant to the Act. The Tribunal did not qualify Mr. Chiu to provide expert opinion evidence.

[19] Mr. Chiu testified that the Parking Lot is not visible from Main Street whereas Mr. Hutcheson testified that the Parking Lot is partially visible from Main Street.

DOES THE REQUEST MAINTAIN THE GENERAL INTENT AND PURPOSE OF THE OFFICIAL PLAN?

[20] Mr. Hutcheson referred the Tribunal to s. 3 of the OP policies entitled Heritage Conservation District Principles.

Section 3.1 Overall Goal

To ensure the retention and conservation of the District's heritage resources and to guide change so that it contributes to and does not detract from the District's architectural, historical and contextual character.

[21] Mr. Hutcheson also reviewed s. 4.5 of the OP policies entitled Cultural Heritage Resources:

The protection and conservation of our cultural heritage is essential to the character of our community and contributes to other social, cultural, economic and environmental objectives of the City. As a result, cultural heritage conservation policies are integrated within many other areas of the Official Plan. Cultural heritage resources are a fragile and non-renewable resource in our community. Once lost or diminished, they are gone forever. Protection and conservation of cultural heritage resources not only enriches our lives, it is an important shared responsibility and legacy that can be left for future generations.

[22] It was Mr. Hutcheson's professional opinion that the Parking Lot at the rear of the Heritage Building within the Heritage District is contextually inappropriate and does not maintain the integrity of the cultural resource.

[23] It was Mr. Hutcheson's testimony that the goal of the OP policies regarding the Heritage District are intended to apply to structures, buildings and landscapes in the Heritage District. To support this opinion, he referred the Tribunal to various policies in the OP, including s. 3, s. 4-5-3-7, and s. 8.2.

[24] The Tribunal has determined that the Parking Lot and the Heritage Building are visible to the Public from Highway 7. Even if the Parking Lot is only partially visible from Main Street, which appears to the Tribunal, to be the case, it is nevertheless clearly visible from Highway 7 and accordingly the Tribunal accepts Mr. Hutcheson's opinion that the location of the Parking Lot is contextually inappropriate and does not maintain the intent and purpose of the OP.

DOES THE REQUEST MAINTAIN THE GENERAL INTENT AND PURPOSE OF THE ZONING BY-LAW?

[25] The R3- Residential zoning category permits no use other than single family detached dwellings. Mr. Hutcheson testified that the R3 zoning permits small scale residential dwellings that commonly have accessory garages, sheds, and rear yard amenity areas. Mr. Hutcheson testified that the permitted use in s. 11.1 of the City Zoning By-law is narrow and definitive and as such, the requested relief does not maintain the general intent and purpose of the Zoning By-law.

[26] Mr. Hutcheson also reviewed s. 6.2.4.4 of the City's By-law No. 28-97. He stated that the purpose of establishing parking lot setback restrictions is to ensure that there is enough separation and buffer between land uses. Mr. Hutcheson testified that If the existing Parking Lot is legalized, there would not be physical space for the amenities typically associated with the permitted use of the Property. It was his testimony that the requested variances to s. 6.2.4.4 of the City's By-law No. 28-97 for this reason, as well, do not maintain the general intent and purpose of the Zoning By-laws.

[27] The Tribunal has determined that the singular use permitted in the R3- zone, namely residential is qualitatively different and discordant with a parking area.

Consequently, the variances do not conform to the general intent and purpose of the Zoning By-laws.

IS THE VARIANCE DESIRABLE AND APPROPRIATE DEVELOPMENT OR USE OF THE LAND, BUILDING OR STRUCTURE?

[28] Mr. Hutcheson testified that the location of the Parking Lot gives rise to potential conflict between motorists and the inhabitants of the Heritage Building. It was his opinion that the Parking Lot detracts from the residential use of the Heritage Building and the land surrounding it.

[29] Mr. Hutcheson opined that the location and size of the Parking Lot alters the fabric of the lot layout in the Heritage District.

[30] Mr. Hutcheson stated that legalizing the Parking Lot in order to accommodate the parking deficiency at 105 Main Street does not represent good land use planning.

[31] Mr. Hutcheson testified that in his opinion the variances are not desirable or appropriate development or use of the Property.

ARE THE VARIANCES MINOR?

[32] Mr. Hutcheson testified that the cumulative impact of the Parking Lot on

- a. the use and enjoyment of the Heritage Building,
- b. the lot layout of the land in the Heritage District, and
- c. the vista of the Heritage District,

is significant.

[33] It was his opinion that the variances are accordingly not minor.

[34] The Tribunal accepts Mr. Hutcheson's substantiated planning opinion on this fourth test and finds that legalizing the Parking Lot in the rear yard of the Heritage Building is contextually inappropriate, it diminishes the functionality of the dwelling and detracts from the landscape of the Heritage District and that consequently, the variances are not minor.

[35] The Tribunal acknowledges that the Parking Lot was constructed by prior owners of the Property. This does not change the fact that the Applicants are requesting validation of previously unauthorized deviations from the zoning by-laws. This after-the-fact process is, on its face, objectionable and is not condoned by the Tribunal since to do so would undermine the orderly planning processes that presume that Applicants will always apply for variances and obtain construction permits before deviating from zoning by-laws. The way the Application comes before the Tribunal, (i.e. the validation of an already-constructed parking lot without the required variance approvals) and the existence of the Parking Lot, does not mean that the Application is to be considered any differently from a new application. The Tribunal has determined that the variances do not maintain the general intent and purpose of the OP or the Zoning By-laws and are not desirable for the appropriate development or use of the Property and are not minor.

[36] In arriving at its Decision, the Tribunal has had regard to all the evidence, to matters of Provincial interest, the decision of the Committee and the information and material the Committee considered in making its decision as provided to the Tribunal.

ORDER

[37] The Tribunal orders that the Appeal is dismissed, and the variances are not authorized.

M. Arpino"
M. ARPINO
MEMBER



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: November 11, 2020

SUBJECT: Demolition Permit Application
Removal of Fire Damaged Structure
32 Colborne Street, Thornhill Heritage Conservation District
File: DP 20 129726

Property/Building Description: 1 storey single detached dwelling constructed in 1956 with 1980's renovation. The Doris Fitzgerald House

Use: Residential

Heritage Status: Designated under Part V of the Ontario Heritage Act and identified as a Class 'C' building or a non-heritage building within the district.

Application/Proposal

- The owner proposes to demolish the existing fire damaged structure to the level of the first level floor system to allow for the construction of a new dwelling on the existing foundation that will be subject to the policies and guidelines for new dwellings contained in the Thornhill Heritage Conservation District Plan.

Background

- The existing dwelling was heavily damaged by a fire in July of 2020;
- The owner intends to submit a separate future application for the design of the new dwelling to be constructed on the existing foundation. This application is only to remove the damaged parts of the structure.

Staff Comment

- Staff has no objection to the demolition of the existing fire damaged dwelling to the first level floor system from a heritage perspective and does not recommend that demolition be conditional upon Site Plan Approval for a new dwelling as the existing house presents a risk to health and safety and the District Plan can be relied upon to ensure that the replacement dwelling is appropriate and compatible with Colborne Street.

Suggested Recommendation for Heritage Markham

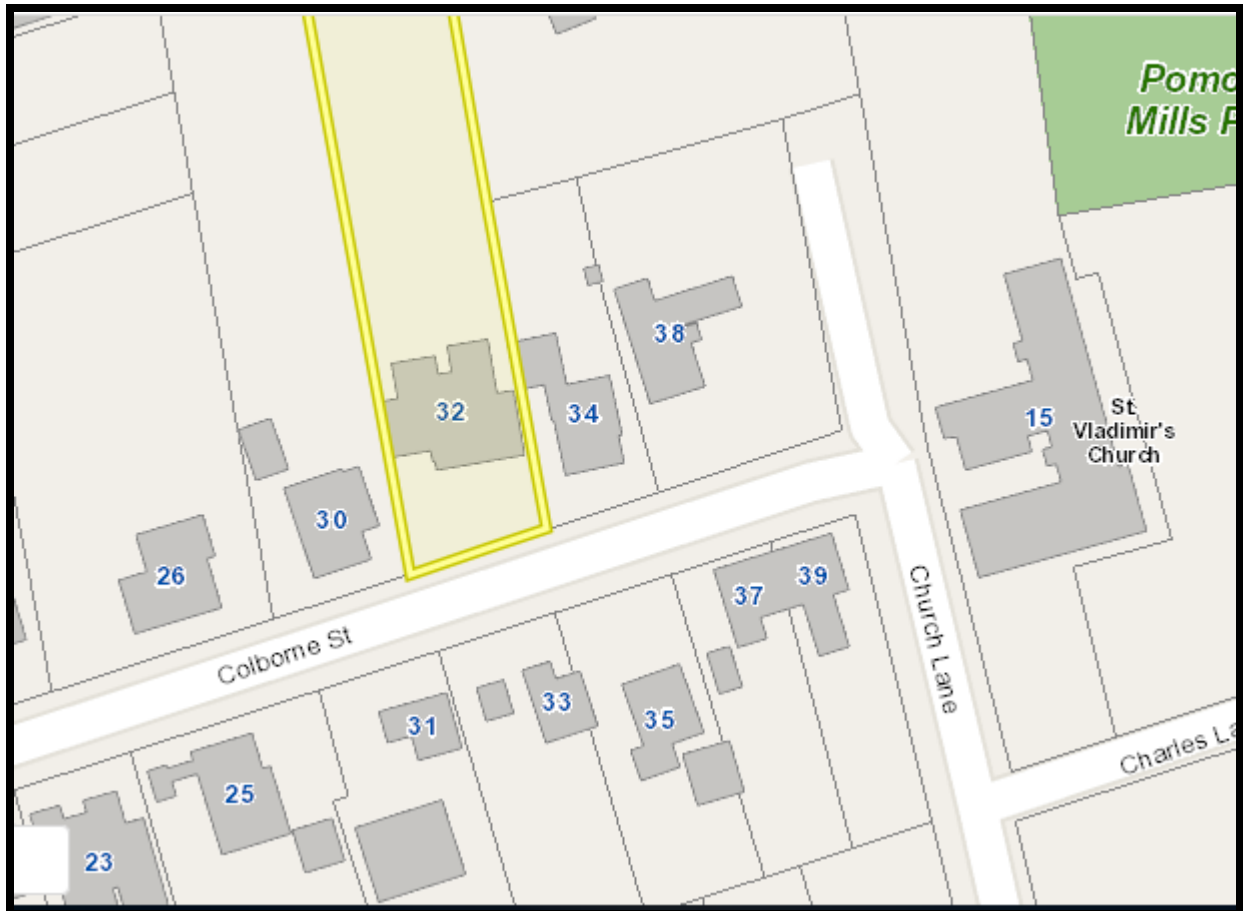
THAT Heritage Markham has no objection from a perspective to the demolition of the existing fire damaged dwelling to the first level floor system at 32 Colborne Street;

AND THAT the design of any future dwelling to be constructed upon the existing foundation comply with the policies and guidelines for new dwellings contained in the Thornhill Heritage Conservation District Plan.

File: 32 Colborne Street

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32 Colborne Street
Thornhill Heritage Conservation District

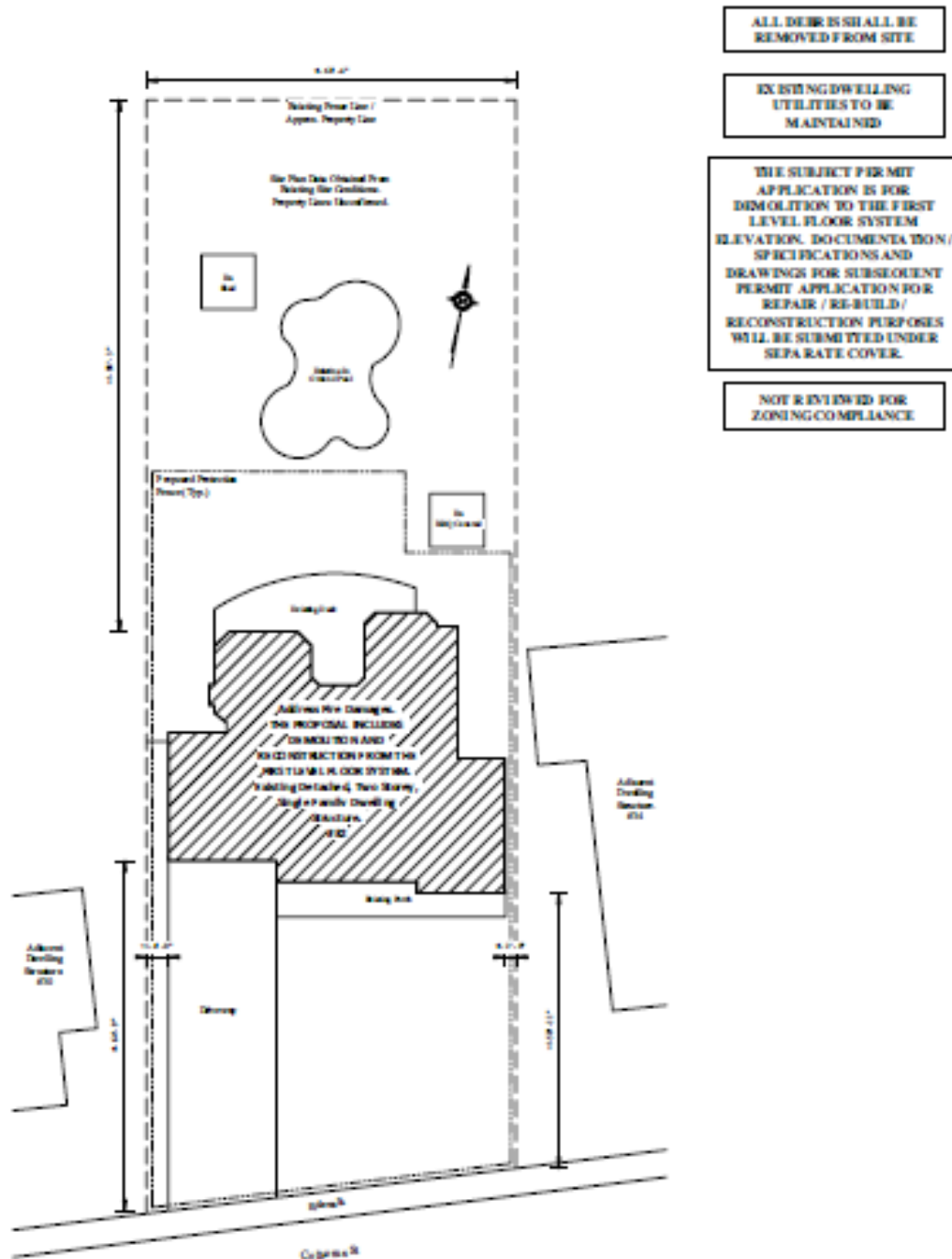


32 Colborne Street
Thornhill Heritage Conservation District



32 Colborne Street
Thornhill Heritage Conservation District

Site Plan





MEMORANDUM

TO: Heritage Markham Committee

FROM: Justin Mott, Development Technician

DATE: November 11, 2020

SUBJECT: Site Plan Control Application
Proposed Remodelling and Addition to an existing Non- Heritage Detached Dwelling
40 Rouge Street
Markham Village Heritage Conservation District
File: SPC 20 127950

Property/Building Description: One storey single-detached dwelling constructed in c. 1954.
Use: Residential
Heritage Status: Designated under Part V of the Ontario Heritage Act (Markham Village Heritage Conservation District) and identified as a Type 'C' building or buildings that do not contribute to the heritage character of the district.

Application/Proposal

- The applicant proposes to demolish the existing non-heritage bungalow and build a new two-storey house on the old foundation, with a minor extension on the Rouge Street front, and a carport addition on the west sidewall;
- The current basement walkout entrance at the rear of the building will remain;
- The overall proposed Gross Floor Area is 199.80 square metres (2,150.63 square feet);
- The site plan, floor plans and elevations are attached.

Staff Comment

- Staff has reviewed the proposed design, and are satisfied that the proposed alterations comply with the guidelines and policies contained in the Markham Village Heritage Conservation District Plan as they pertain to the new building and additions;
- It is unknown if any variances will be required to permit the proposed alterations and additions, as the applicant has not obtained a Zoning Preliminary Review (ZPR) to confirm compliance with the applicable Zoning By-law;
- No significant mature vegetation will be affected during construction;

- It is recommended that the window and door treatment on the east façade be revised to be more reflective of traditional window and door details found in historic Markham Village;
- There are no concerns with the existing site conditions from a heritage perspective.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection to the demolition of the existing dwelling (above the foundation);

THAT Heritage Markham has no objection from a heritage perspective to the proposed alterations and additions dated September 16, 2020 to the existing dwelling at 40 Rouge Street, subject to revisions to the windows and doors of the proposed east elevation to make them more reflective of typical historic windows and doors found in historic Markham Village;

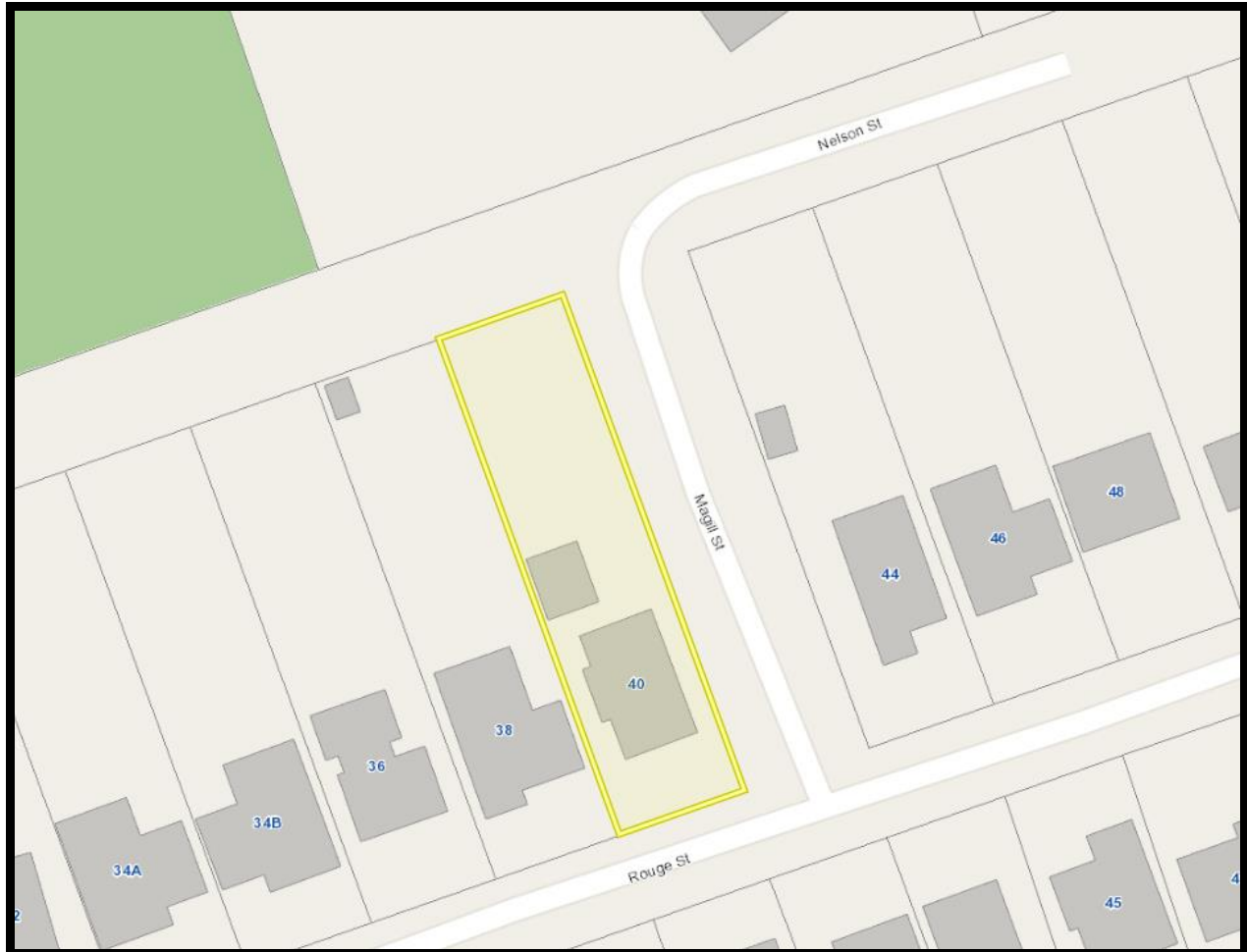
THAT final review of the Site Plan application and any other development application required to permit the proposed alterations and additions be delegated to Heritage Section staff; and further,

AND THAT the applicant enter into a Site Plan Agreement with the City containing the standard conditions regarding windows, materials, colours, etc.

File: 40 Rouge Street, Markham Village Heritage Conservation District

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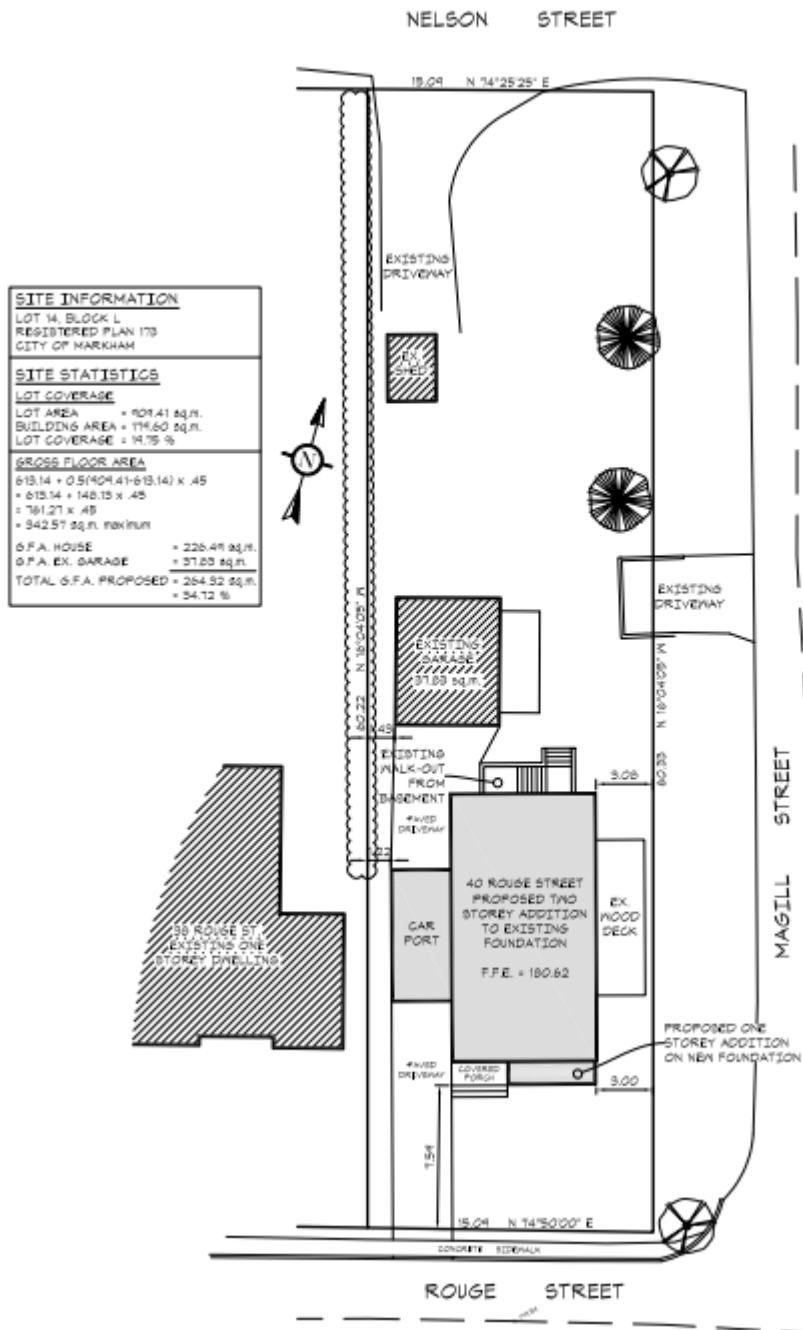
Location: 40 Rouge Street, Markham Village Heritage Conservation District



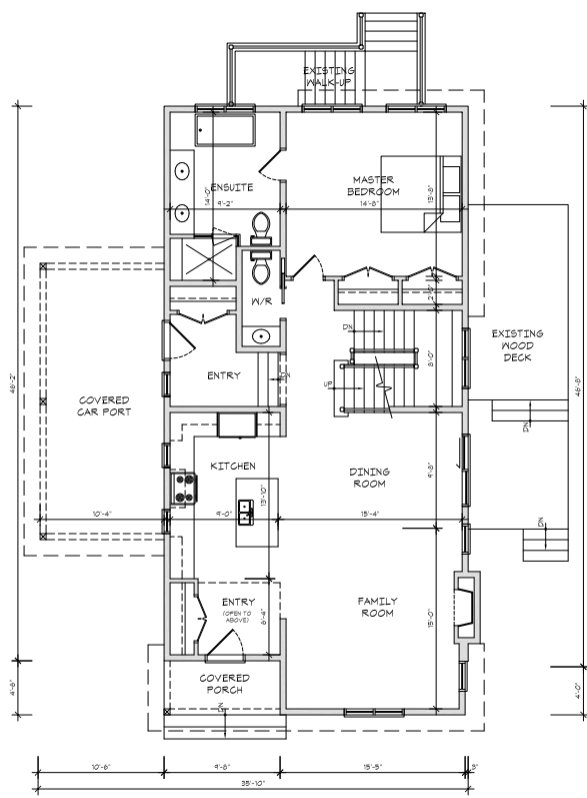
**40 Rouge Street, Markham Village Heritage Conservation District
Current dwelling to be demolished**



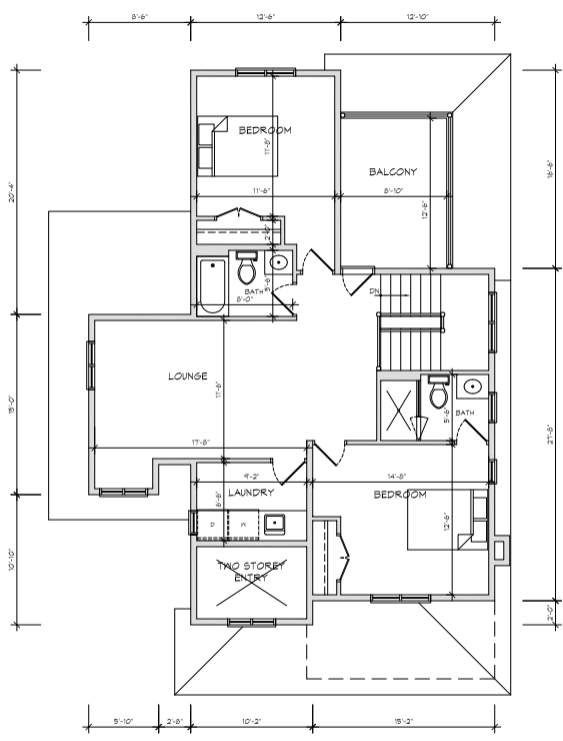
Site Plan



Floor Plan



GROUND FLOOR PLAN
PROPOSED LAYOUT
FLOOR AREA = 1,238 sq.ft. (115.10 sq.m.)
BUILDING AREA = 1,526 sq.ft. (141.77 sq.m.)



SECOND FLOOR PLAN
PROPOSED LAYOUT
FLOOR AREA = 984 sq.ft.
OPEN SPACE = 72 sq.ft.
TOTAL FLOOR AREA = 912 sq.ft. (84.72 sq.m.)

Elevations - Front & Right Side Elevations



Elevations - Rear & Left Side Elevations





MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: November 11, 2020

SUBJECT: Official Plan and Zoning By-law Amendment Applications
 Springhill Homes Inc.
 7170 Highway 7
 Retention of Francis Pike House in a High Rise Development
 File: Plan 20 119576

Property/Building Description: Francis Pike House, 1 ½ storey brick house, c.1875.
Use: Residential
Heritage Status: Individually Designated under Part IV of the Ontario Heritage Act; Heritage Easement Agreement

Application/Proposal

- The property is located on the north side of Highway 7, south side of Arthur Bonner Avenue, east side of Cornell Centre Boulevard and west side of William Forster Road. See map.
- Surrounding land uses include townhouses and stacked townhouses to the north and northwest and a woodlot to the northeast. Vacant lands located to the east and west are anticipated for future high rise development in accordance with the Cornell Secondary Plan. Vacant lands to the south, across Highway 7, are proposed to be developed as a commercial shopping centre as per an active site plan application.
- Official Plan and Zoning By-law amendments are proposed to permit development of the subject site with two residential apartment buildings, comprising four high rise towers linked by two 'U' shaped podiums (2 towers per building). The proposed apartment buildings are entirely residential and will contain a total of 977 apartment units.
- The concept plan proposes a transition with the low rise residential to the north by limiting building heights to three-storey podiums along the Arthur Bonner Avenue frontage. The height of the podiums increase to six storeys, towards the Highway 7 frontage, with the four 18 to 24 storey towers (two towers per building), situated above and also oriented towards Highway 7.
- The proposed development includes three levels of underground parking, a centrally located 813 m² terra firma public park fronting on Arthur Bonner Avenue, and preservation of the Francis Pike House. The concept plan indicates the Francis Pike House is to be used as a day care.
- A site plan control application has not been submitted only a concept plan.

Background

- This development block was originally part of a draft approved subdivision for an alternative development that would have relocated the Francis Pike House from Highway 7 to a Park block at the north end of the original larger development plan. Heritage conditions and clauses that related to preservation of this heritage home and relocation elsewhere on the plan were prepared.
- The opportunity to relocate the heritage home further north is no longer available, as the north portions of the plan were severed and developed by another developer (Kymberville Capital Inc.) with townhouses and stacked townhouses.
- The Francis Pike House remains in its current location and is proposed to be re-sited as per these applications for a high rise development

Staff Comment

- **Development Context** in which the Francis Pike is to be located:
 - **Official Plan** - contemplates apartment buildings, and multiple unit buildings (stacked townhouses). Apartment buildings are required to be mixed use, in which residential uses on the ground floor cannot exceed 45% of the total gross ground floor area. The contemplated built form is minimum building heights of 4 storeys to 8 storeys, maximum building heights of 12 storeys.
 - **The proposed Official Plan amendment requests increased building heights up to 24 storeys, and permission to have an entirely residential building without requiring any ground floor commercial uses.**
 - **Zoning** – currently permits apartment dwellings and a number of non-residential uses within the first and second floors of a multi-storey building. The current zoning permits buildings with a height range of eight to twelve storeys.
 - **The proposed zoning by-law amendment requests permission for increased building heights up to 24 storeys, site specific reduced parking standards and building setbacks, and to not require non-residential uses on the ground level of an apartment building.**
 - Whether 12 storeys or 24 storeys, the Francis Pike House at 1 ½ storeys will be located within a development comprised of much higher buildings with lower heights (3 storeys) proposed for the northern portion of the site (along Arthur Bonner Ave).
- **Heritage Building Comments** on the proposed location/use:
 - **Positive Features** – all components of the heritage building are proposed to be retained (veranda, main building and rear addition; the building remains on its original development lands; its new location is adjacent to the park space (enhanced visibility) and the lower 3 storey portions of the development; and a use is proposed (day care centre). The heritage building would be a central feature.
 - **Negative Features** – the orientation of the building is reversed (now north facing) and there does not appear to be a drop off or road access to the day care centre use. Views from Hwy 7 would be of the rear addition.
 - **Other** – if through re-design, the heritage building is required to move to another location, a corner lot on either side street could be explored with appropriate land for child drop off/parking
- It is suggested that Heritage Markham have no comment on the requested amendments to the Official Plan and zoning by-law from a heritage perspective, and that the positive and

negative features related to proposed location and use of the Francis Pike House be provided to the applicant for consideration. Heritage Markham Committee will have the opportunity to provide additional comment on the cultural heritage resource when reviewing a future site plan control application, which should include a restoration plan for the exterior of the building.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham Committee has no comment from a heritage perspective on the Official Plan and zoning by-law amendments (File Plan 20 119576);

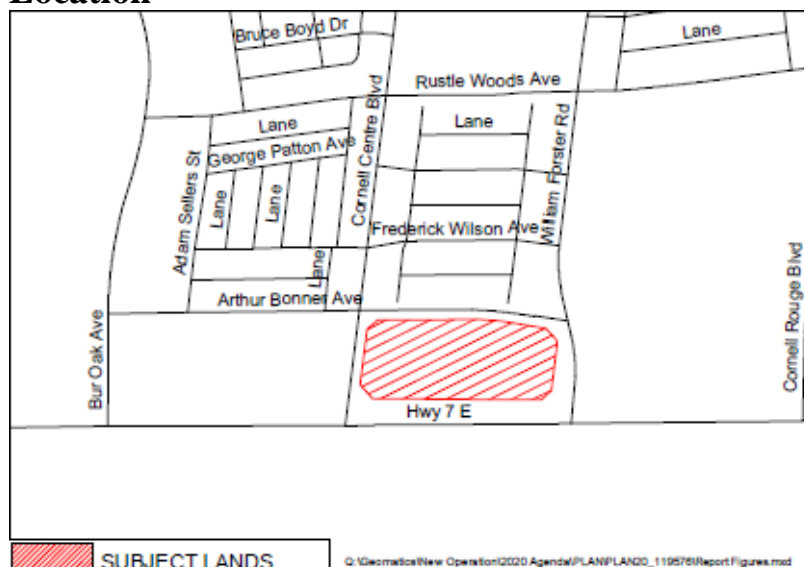
That the following constructive comments are provided from a heritage perspective for consideration in response to the conceptual site plan regarding the placement and use of the Francis Pike House:

- Positive Features – all components of the heritage building are proposed to be retained (veranda, main building and rear addition; the building remains on its original development lands; its new location is adjacent to the park space (enhanced visibility) and the lower 3 storey portions of the development; and a use is proposed (day care centre). The heritage building would be a central feature.
- Negative Features – the orientation of the building is reversed (now north facing) and there does not appear to be a drop off or road access to the day care centre use. Views from Hwy 7 would be of the rear addition.
- Other – if through re-design, the heritage building is required to move to another location, a corner lot on either side street could be explored with appropriate land for child drop off/parking.

And that Heritage Markham Committee be forwarded the future Site Plan Control Application which should contain an exterior restoration plan and landscape plan for the Francis Pike House.

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Location



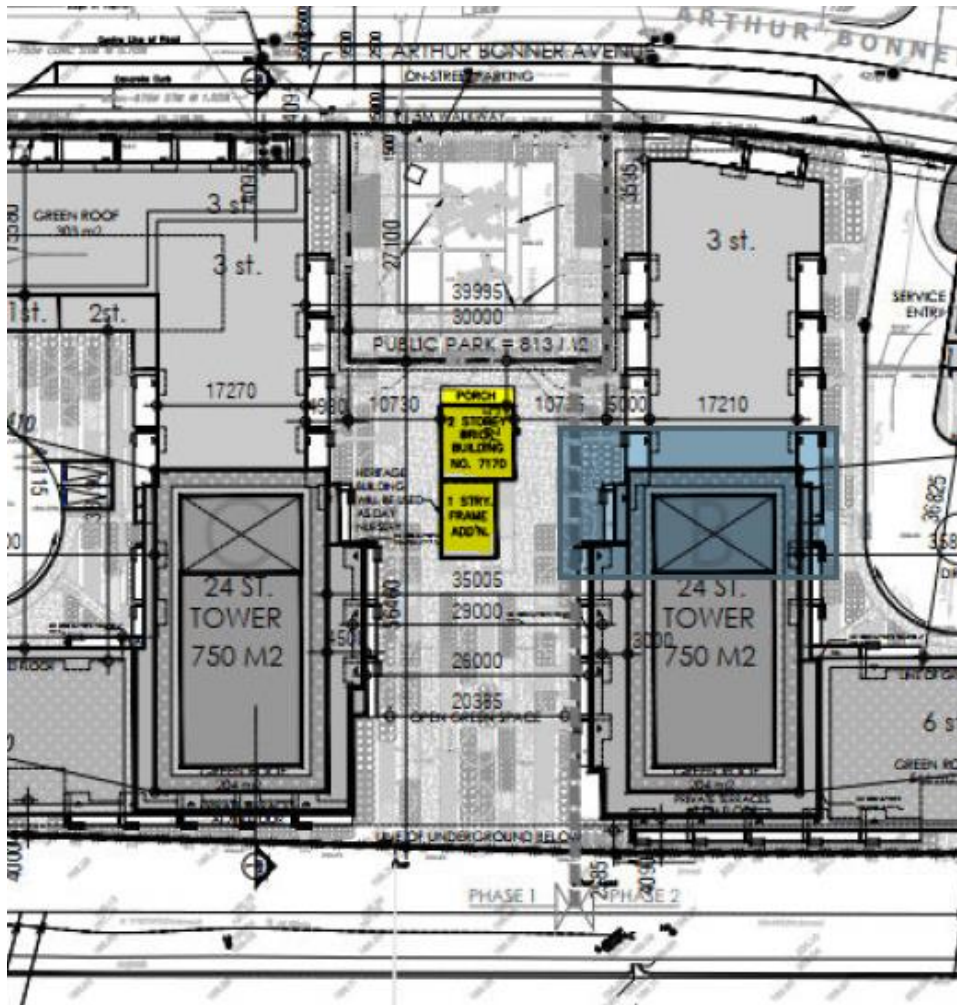
Aerial Photograph



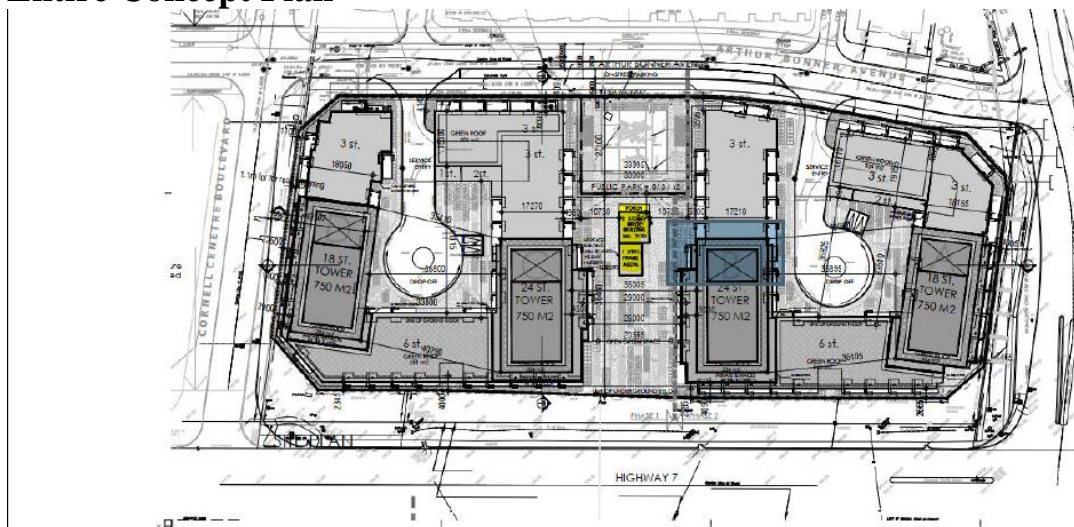
Francis Pike House – front elevation



Central Portion of Concept Plan (no site plan application at this time)



Entire Concept Plan



CONCEPTUAL SITE PLAN

APPLICANT: Springhill Homes Inc. (Ignazio Giardina) c/o Walker, Nott,
Dragicevic Associates Limited (Shannon Siguoin)
7128 Highway 7 East

FILE No. PLAN 20 119576



Conceptual Elevation
Looking Northeast from Highway 7

