



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Rick Cefaratti, Senior Planner, West District and
Hailey Miller, Planner, West District

Date: July 13, 2020

**Re: Temporary Use Zoning By-law 1938540 Ontario Ltd., 9286 Kennedy Road File No.
PLAN 19 256209 (Ward 6)**

RECOMMENDATION:

- 1) That the memorandum entitled “Temporary Use Zoning By-law 1938540 Ontario Ltd., 9286 Kennedy Road File No. PLAN 19 256209 (Ward 6)”, dated July 13, 2020 be received;
- 2) That the attached Zoning By-law to permit the continued use of an existing portable classroom for a period of three years on the 1938540 Ontario Ltd. lands at 9286 Kennedy Road, be approved; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

The Unionville Montessori School (“UMS”) lands include three adjoining properties and are located on the west side of Kennedy Road, north of 16th Avenue. The George Hunter House and portable are located on the property fronting onto Kennedy Road. The house is designated under Part IV of the *Ontario Heritage Act*. The school buildings (4486 and 4484 16th Avenue) are located on the north and west portion of the subject lands. A day nursery (9302 Kennedy Road) also fronts onto Kennedy Road.

The previous Temporary Use Zoning By-law Amendment (By-law# 2015-105) was approved (File No. ZA 14 125142) to permit the existing school portable on the above noted lands. The Temporary Use Zoning By-law expired on June 23, 2018. The applicant submitted an application on March 28, 2019 requesting to extend permission to allow the existing portable to remain on a temporary basis for an additional three years.

At the Public Meeting held on October 7, 2019 and subsequent Council meeting held October 16, 2019, Members of Council expressed concerns with respect to the long term plans and condition of the existing heritage dwelling on the property. A motion was passed to refer the matter back to Staff to allow the Heritage Markham Committee the opportunity to provide recommendations on the work that is needed to the rear portion of the house prior to enacting a new temporary use by-law for the continued use of the existing portable by “UMS”. In late fall of 2019 Heritage Markham recommended, that the deteriorated rear portion of the dwelling be removed and that any exposed walls resulting from the demolition be made good to be water tight and secure.

In March of 2020, “UMS” submitted a letter committing to the demolition of the rear portion of the heritage dwelling as requested by Heritage Markham prior to the end of the year (see Attachment 3: Confirmation Letter from “UMS”). As of July 1, 2020 the demolition permit has not been applied for through the Building Department.

CONCLUSION:

Staff support the extension of the temporary use permission on the Subject Lands for a period of three years commencing from the expiry date of the previous temporary use by-law (June 23, 2018).

ATTACHMENTS:

Attachment 1: Temporary Use By-Law

Attachment 2: Schedule ‘A’

Attachment 3: Confirmation Letter from “UMS”