



## MEMORANDUM

**TO:** Heritage Markham Committee

**FROM:** Peter Wokral, Senior Heritage Planner

**DATE:** October 14, 2020

**SUBJECT:** Site Plan Control Application  
175 Main Street North, Markham Village Heritage Conservation District  
Revised Parking/Hard Surface Areas  
SPC 20 125951

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**Property/Building Description:** 2 ½ storey single detached dwelling constructed in 1903 with a new two storey addition constructed in 2017

**Use:** Residential

**Heritage Status:** Designated under Part V of the Ontario Heritage Act and classified as a Group ‘A’ building or buildings that define the heritage character of the district.

### **Application/Proposal**

- The owner has submitted an application seeking approval for paving in the front and rear yard of the property which was not authorized by the City;

### **Background**

- In 2017, the City approved an addition to the existing heritage dwelling through a heritage residential site plan application on the understanding that the property was intended to be used as real estate office “Home Occupation” under the City’s Home Occupation By-law;
- In 2019, the Committee of Adjustment supported the owners request to permit a ground sign advertising the “Home Occupation” whereas the City’s Home Occupation By-law does not permit any signage advertising the home occupation within;
- During an inspection conducted by Heritage Planning Staff in order to release the Letter of Credit secured for the Site Plan Agreement SC 16 139339 which permitted the addition to the existing heritage house, it was determined that a significant portion of the rear yard and the front yard had been hard surfaced that was not shown in the Site Plan drawing approved by the City, and that this area was also being used to permit the parking of vehicles similar to what would be found in a commercial parking lot. It was also noted that the owner had installed additional signage in the window of the front door which was not authorized or permitted by the Home Occupation By-law;
- Based on these issues of non-compliance with the Site Plan Agreement of 2016, Planning staff did not recommend release the Letter of Credit held by the City;

- The applicant has submitted the current site plan application in an attempt to legalize the existing hardscaping that was not permitted in the 2016 Site Plan Agreement so that they might have the Letter of Credit released. The applicant has also removed the unauthorized signage from the window of the front door.

### **Staff Comment**

- Heritage Staff is concerned regarding the amount of existing paving and pavers as it clearly accommodates the parking of several vehicles in the rear, similar to a commercial parking lot. The property is only zoned to permit a single detached dwelling and a home occupation that permits one employee and onsite parking spaces for the one employee and members of those residing in the home, as well as the single ground sign as approved by the Committee of Adjustment in 2019;
- Heritage Staff also notes that approving the existing paving would be in effect permitting a commercial parking lot which would undermine the City's planning process, as neighbouring property owners have had to obtain much more expensive and time consuming Zoning By-law amendments and Commercial Site Plan Agreements to permit commercial uses not permitted by the City's Home Occupation By-law;
- The unauthorized rear yard pavers are also installed very close to existing trees that were to be protected as part of the site plan approval process;
- Staff continue to explore whether the existing asphalt paving complies with the City's Driveway By-law;
- Although the unauthorized paving is primarily a planning issue, it may not be a significant issue from a heritage perspective due to its location in the rear yard where it is not readily seen from the public realm. Therefore, Heritage Markham may choose to have no comment from a heritage perspective. However, if Heritage Markham is concerned regarding the protection of mature vegetation in the Heritage District (as a contributing heritage attribute), it may choose to request that staff further examine the impact on the rear yard trees and undertake any necessary alterations.

### **Suggested Recommendation for Heritage Markham**

THAT Heritage Markham has no comment from a heritage perspective regarding the site plan application to permit the existing unauthorized amount of paving and pavers at 175 Main St. N.;

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

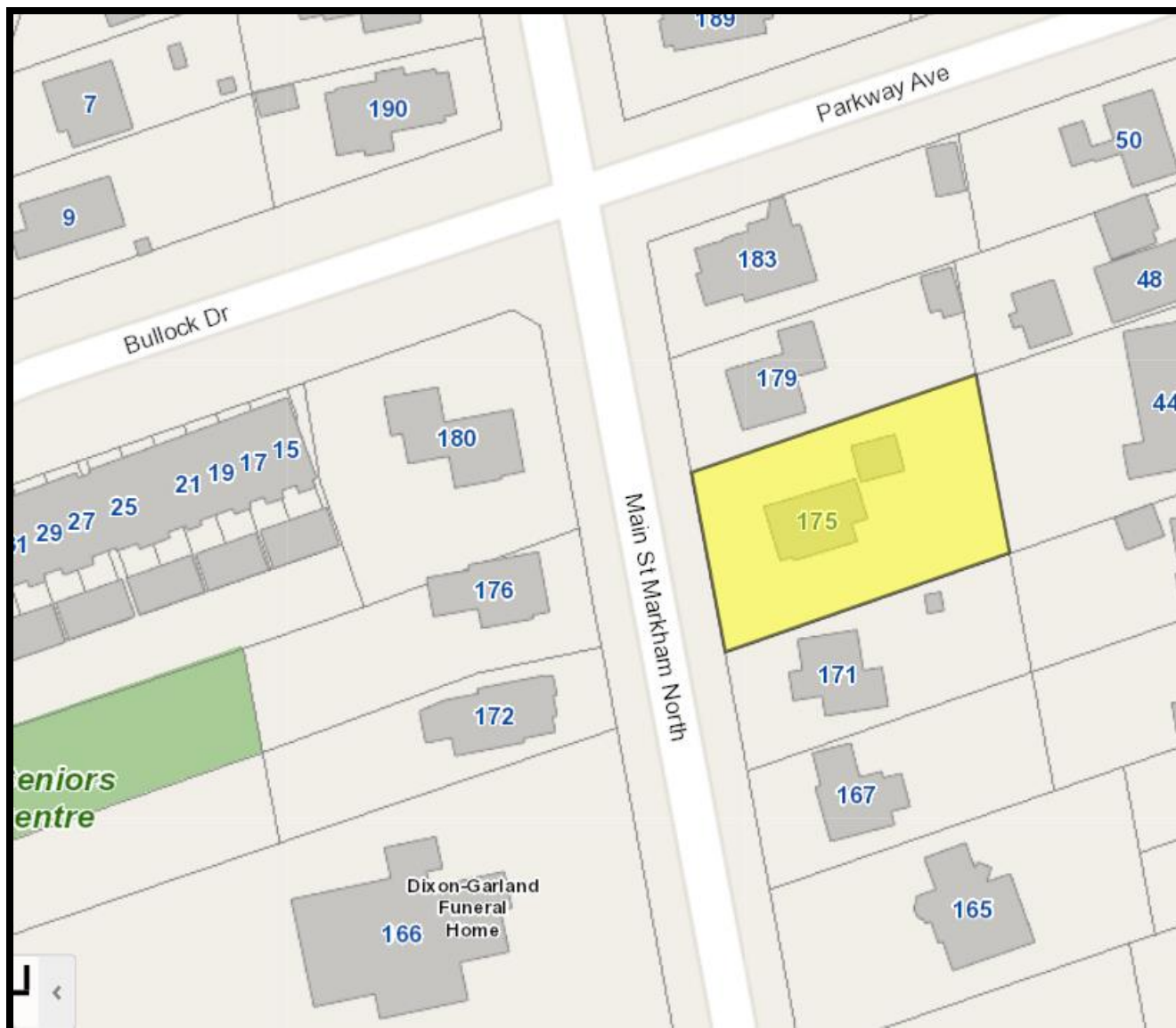
Or

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;

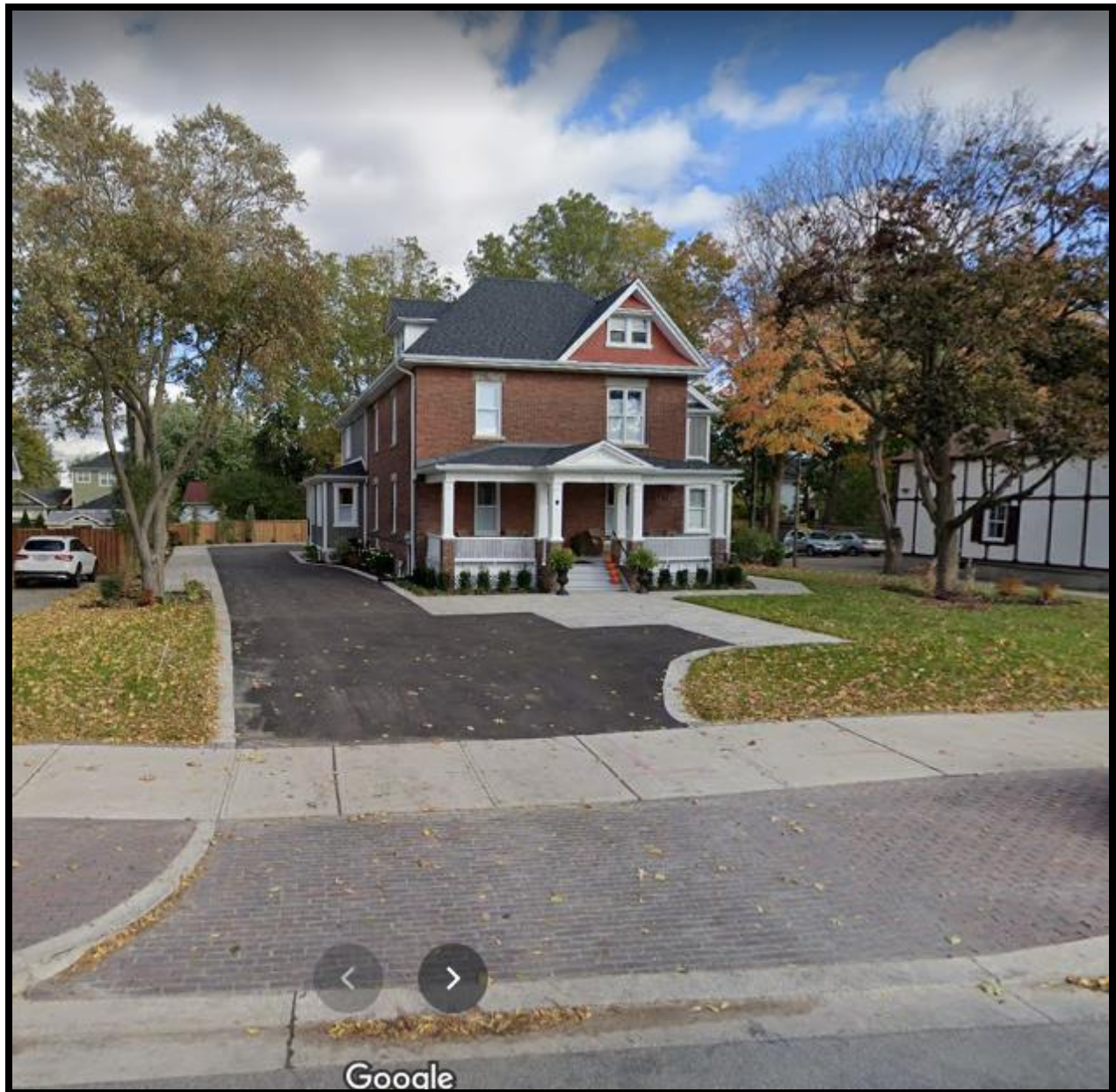
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File: 175 Main Street North, Markham Village

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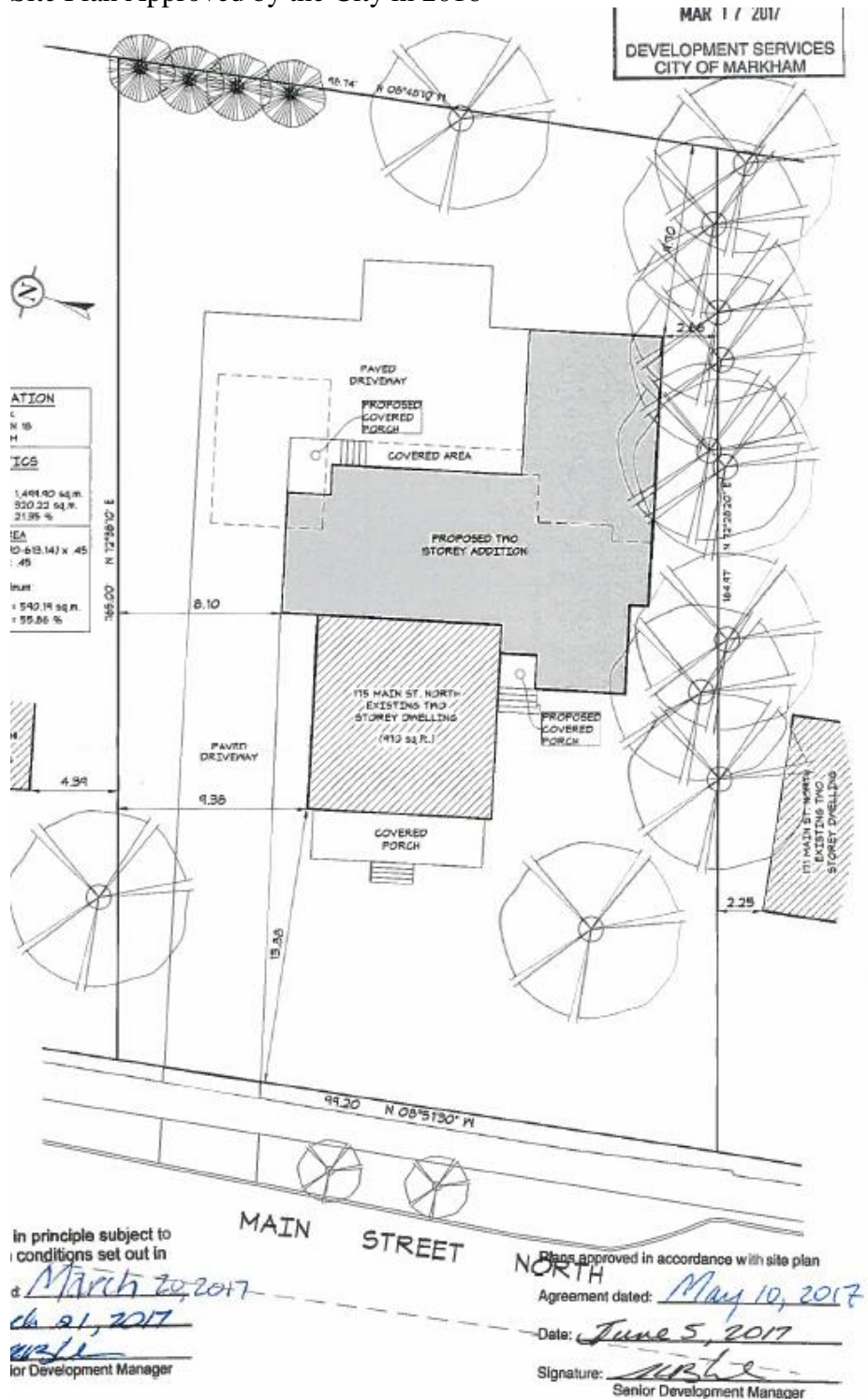


175 Main Street North, Markham Village Heritage Conservation District





Site Plan Approved by the City in 2016



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Photograph showing parking of vehicle on unauthorized paving



Aerial Photo 2019 (City of Markham) Below- Cars parked on pavers

