



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager of Heritage Planning

DATE: September 9, 2020

SUBJECT: Heritage Permit Applications
3 Victoria Lane and 31 Victoria Ave., Unionville Conservation District
HE 20 125034 & HE 20 125580

Use: Residential

Heritage Status: Designated under Part V of the Ontario Heritage Act and 31 Victoria is identified as a Type 'A' building or buildings that define the heritage character of the district.
3 Victoria Lane is a new dwelling

Application/Proposal

- The owner of 3 Victoria Lane is seeking approval for a 5 ft. tall black chain link fence that was installed without a permit along the boundary of their neighbour to the north at 31 Victoria Ave. and along the publicly owned land adjacent to the pedestrian pathway and bridge over Bruce Creek;
- At the same time, the owner of 31 Victoria Ave. is seeking approval for a new wooden picket fence on the same shared boundary with the owner of 3 Victoria Lane;

Staff Comment

- The Unionville Heritage Conservation District Plan contains guidelines on the types of fences which are appropriate for front, as well as for backyards that are adjacent to the street and visible.
- The District Plan identifies chain link fence as being inappropriate for front yards due to their high visibility from the public realm, but the plan is silent on whether chain link fence is appropriate for rear yards that are not visible from the public realm;
- In cases where back yard fences are adjacent to the street and are visible, it is recommended that "special attention should be paid to ensure that the fencing treatment is compatible with the heritage context of the district", and the guideline recommends simple wooden board fences for these situations;

- It is also useful to note that in Markham’s two newest heritage plans - Thornhill Heritage Conservation District Plan (2007) and Buttonville Heritage Conservation District Plan (2011) the guidelines for backyard fencing indicate that wooden fences are preferred, but “if a chain link fence is used, it should be black or dark green in colour”. These Plans assume the use of chain link would be in a back yard situation where visibility from the public realm would be minimal.
- Although the chain link fence already installed by the owner of 3 Victoria Lane is not adjacent to the street (either Victoria Lane or Victoria Avenue), it is visible from the public realm of the pedestrian pathway and bridge that provide access to the adjacent valley lands from the east end of Victoria Avenue.
- What one must consider when reviewing the permit application is whether the chain link fence is detrimental to the heritage character of the Unionville Heritage Conservation District. Considerations include:
 - Chain link is not identified as the preferred type of rear yard fencing in this area, but it is permitted in other heritage conservation districts in the City. It has also been installed along parts of the railway ROW in the District for public safety;
 - Dark colour chain link often disappears especially if vegetation is planted adjacent to it.
 - The current chain link fencing is highly visible from the public ROW (walkway)
- Staff has no objection to the application for the picket fence treatment requested by the owner of 31 Victoria Avenue. This fence could replace the chain link fence or could be installed adjacent to it (if the chain link is supported).

Suggested Recommendation for Heritage Markham

31 Victoria Avenue

THAT the heritage permit application seeking permission to install a new wooden picket fence along the mutual property line of 31 Victoria Ave. and 3 Victoria Lane be approved from a heritage perspective and subject to complying with the City’s Fence By-law.

3 Victoria Lane

Options

a) THAT the heritage permit application seeking permission for an existing black chain link along the north and west property boundary be approved from a heritage perspective and subject to complying with the City’s Fence By-law.

or

b) THAT the heritage permit seeking approval for the chain link fence installed without approval be denied from a heritage perspective and that the existing chain link fence be removed.

Aerial view showing the location of the existing black chain link fence (red) and proposed wooden picket fence (yellow).



Photograph of the existing unauthorized 5 ft. tall black chain link fence at the east boundary line of 31 Victoria Avenue.





Chain link fence – looking into the east yard of 31 Victoria Ave from the public laneway

Chain Link fencing along the pedestrian laneway leading to the bridge



Proposed wooden picket fence



Black Chain Link Fencing used along the railway corridor for safety reasons
Eureka Street adjacent to Stiver Mill



Main Street Unionville at rail crossing



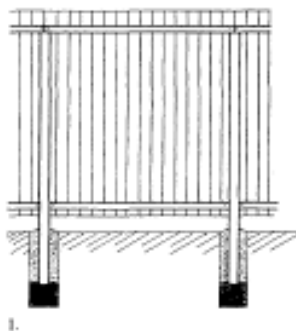
9.7 Landscape Features

9.7.3 backyard fences

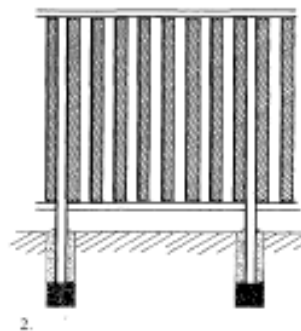
As a result of the historic lot plan of Unionville, it is often the case that rear yard fencing runs along the street, and is visible. In these cases in particular, special attention should be paid to ensuring that the fencing treatment is compatible with the Heritage District context. The general rule that simplicity is preferred should apply with regard to rear yard fencing in the District.

Guidelines

1. Wooden fences are preferred in the District. A straight board fence or a board on board fence are appropriate styles.
2. Where historic fences or hedges exist, they should be retained.



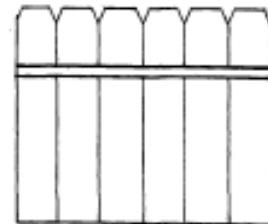
1.



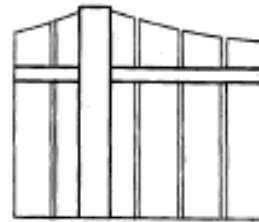
2.



Clean straight fence top



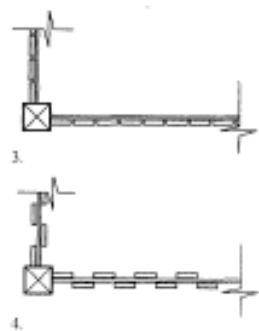
Dog-eared fence top



Beveled fence top (shallow curve only)



Fence top flush with stringer



3.

4.

1. **Far left:** Straight board fence with regular placement of boards, showing ground connection.

2. **Second from left:** Board-on-board fence showing alternating placement of boards and ground connection.

3. **Top:** plan of straight board fence, corresponding to fence section at far left.

4. **Bottom:** plan of board on board fence corresponding to fence section second from left.