



Heritage Markham Committee Minutes

Meeting Number: 11
December 9, 2020, 7:15 PM
Canada Room

Members	Councillor Keith Irish	Evelin Ellison
	Councillor Karen Rea	Ken Davis
	Councillor Reid McAlpine	Doug Denby
	Graham Dewar	Shan Goel
	Paul Tiefenbach	Anthony Farr
Regrets	David Nesbitt	
Staff	Laura Gold, Council/Committee Coordinator	
	Peter Wokral, Senior Heritage Planner	
	Grace Lombardi, Election & Committee Coordinator	
	Regan Hutcheson, Manager, Heritage Planning	

1. CALL TO ORDER

Graham Dewar, Chair, convened the meeting at 7:16 PM by asking for any disclosures of interest with respect to items on the agenda.

2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest.

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

A Member requested that the Heritage Markham Agenda be circulated one week prior to the meeting. Regan Hutcheson, Manager of Heritage Planning will discuss this request with the Clerk's Department, and report back at the next meeting.

Recommendation:

That the December 9, 2020 Heritage Markham Committee agenda and correspondence package be approved.

Carried

3.2 MINUTES OF THE NOVEMBER 11, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held November 11, 2020, be received and adopted.

Carried

3.3 JASON McCAULEY

On behalf of the Committee, Graham Dewar, Chair acknowledged Jason McCauley's contributions to the work of Heritage Markham and previously to the Main Street Markham Committee, and extended his condolences to his family.

Recommendation:

That the Heritage Markham Committee extends its condolences to the family of Jason McCauley, and acknowledges his dedicated volunteer commitment in serving the Markham community and his expertise and knowledge in helping to protect and preserve Markham's cultural heritage resources.

Carried

3.4 WRITTEN SUBMISSIONS

Committee received the written submissions regarding items on the December 9, 2020 Heritage Markham Committee Agenda.

Recommendation

1. That the written submission from Rob Clarry regarding item No. 4.1 – Demolition Permit Application, 12 Imperial College Lane (formerly 9900 Markham Road) William Clarry House, Sunny Developments be received; and,
2. That the written submissions from Peter Kwantes, Valerie and David Burke, Mark Noskiewicz (Goodmans LLP), Rob Armstrong (Ward One (South) Thornhill Residents Inc), Alena Gotz (Aileen-Willowbrook Residents Association), and Pam Birrell (SPOHT)

regarding item No. 6.1 – Official Plan and Zoning By-Law Amendment Applications, Proposed High Density Mixed Use Development 7750 Bayview Avenue Limited Partnership C/O Liberty Development Corporation, McCullagh Estate/Shouldice Hospital, 7750 Bayview Avenue, be received, and;

3. That the written submission from James Koutsovitis, Gatzios Planning & Development Consultants Inc., regarding item No. 6.2 – Zoning By-Law Amendment and Plan of Subdivision Applications, be received;
4. That the written submissions from Valerie and Dave Burke, Diane Berwick, Rob Armstrong, Joan Honsberger, and Pam Birrell (SPOHT) regarding item No. 6.4 – Heritage Permit Application, Proposed New Black Chain Link Fence and Gates, Thornhill Cemetery, 1 Church Lane, Thornhill Heritage Conservation District, be received.
5. That the written submissions from Rob Armstrong (Ward One (South) Thornhill Residents Inc), Valerie and Dave Burke, and Pam Birrell (SPOHT) regarding item 6.5 - Committee of Adjustment Consent and Variance Applications, 159 John Street, Thornhill Conservation District, be received.

Carried

4. PART TWO - DEPUTATIONS

4.1 DEMOLITION PERMIT APPLICATION

12 IMPERIAL COLLEGE LANE (FORMERLY 9900 MARKHAM ROAD)

WILLIAM CLARRY HOUSE

SUNNY DEVELOPMENTS (16.11)

FILE NUMBER: N/A

Extracts: R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager of Heritage Planning presented the staff memorandum on the Demolition Permit Application for 12 Imperial College Lane (Formerly 9900 Markham Road), William Clarry House, Sunny Developments. The Applicant has proposed to make a financial contribution to the Heritage Preservation Fund rather than restoring the heritage home due to the poor condition of the house. In addition, the property owner is proposing to use the lot intended for the heritage dwelling as a parkette. Staff has also suggested the installation of a historical interpretive plaque to celebrate the William Clarry House in a publicly visible location.

Rob Clarry submitted a written submission indicating his family's disappointment that the William Clarry House is not being restored, and that a historical interpretive plaque does not recognize the significance of the Clarry family to Markham's history.

In response to inquiries from the Committee, Christopher O'Hanlon, Applicant advised that he purchased the house in December 2019 with the knowledge the house was not in good condition, but was not aware of the extent of the structural damage to the property. The house in its current condition is almost impossible to restore, and creates an unsafe construction environment. Instead of restoring the house, a contribution to the Heritage Preservation Fund is being proposed. The City can use these funds towards the restoration of another heritage property that is in better condition.

The Committee provided the following feedback on the demolition request for 12 Imperial College Lane (formerly 9900 Markham Road):

- Appears the property has been abandoned by previous owners for some period of time;
- Noted that Staff did not agree with everything in the 2016 Engineering Report, including that the house presented imminent danger;
- Noted the historical significance of the Clarry family to development of the business community in Markham;
- Suggested that the compensation for the heritage house should be higher, as it is less than the Letter of Credit and substantially less than the amount it would have taken to restore the building;
- Asked if a replica of the house could be built on the property;
- Suggested that the property owner consider restoring the heritage house on City property near the museum property instead of the William Clarry House;
- Suggested that the property owner negotiate the compensation for the William Clarry House with staff;
- Concerned that heritage properties are being demolished due to neglect.

Recommendation:

That due to lack of maintenance and vandalism over many years which has resulted in demolition by neglect, Heritage Markham Committee reluctantly recommends that Council support the demolition of the William Clarry House subject to the owner providing the following:

- Compensation to be provided to the City's Heritage Preservation Account (087 2800 115) so that the financial contribution can be used on other municipal heritage projects in the community **with the amount to be determined through negotiations with staff;**
- Provision and installation of an historical interpretative plaque to celebrate the William Clarry House, to be placed in a publicly visible location on the original property, and designed according to the specifications of the "Markham Remembered" program.
- The lot intended for the heritage dwelling within the subdivision be designed as a parkette, to the City's specifications, with a public easement over the site if acceptable to the City.

Carried

5. PART THREE – CONSENT

5.1 HERITAGE PERMIT APPLICATIONS

DELEGATED APPROVAL

HERITAGE PERMITS APPROVED BY HERITAGE SECTION STAFF

15 CHURCH STREET, THCD

12 GEORGE STREET, MVHCD

11 PRINCESS STREET, MVHCD (16.11)

FILE NUMBERS:

- HE 20 132035
- HE 20 132595
- HE 20 133940

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

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 APPLICATIONS

DELEGATED APPROVAL

PERMITS APPROVED BY HERITAGE SECTION STAFF

195 MAIN STREET NORTH, MARKHAM VILLAGE

142 MAIN STREET, UNIONVILLE (16.11)

FILE NUMBERS:

- SP 20 128396
- SP 20 130711

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

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 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS

PROPOSED HIGH DENSITY MIXED USE DEVELOPMENT

7750 BAYVIEW AVENUE LIMITED PARTNERSHIP C/O LIBERTY

DEVELOPMENT CORPORATION

MCCULLAGH ESTATE /SHOULDICE HOSPITAL

7750 BAYVIEW AVENUE (16.11)

FILE NUMBER:

20 126269

Extracts:

R.Hutcheson, Manager, Heritage Planning

Rick Cefaratti, Senior Planner

Regan Hutcheson, Manager of Heritage Planning advised that the Applicant has requested that the Official Plan and Zoning By-Law Amendment Applications for the proposed high density mixed use development on 7750 Bayview Avenue (Mccullagh Estate/Shouldice Hospital) be deferred until February 2021.

Committee agreed to defer the item to the February 2021 Heritage Markham Committee meeting.

Written submissions regarding this item were received from Peter Kwantes, Valerie and David Burke, Mark Noskiewicz (Goodmans LLP), Rob Armstrong (Ward One (South) Thornhill Residents Inc), Alena Gotz (Aileen-Willowbrook Residents Association), and Pam Birrell (SPOHT).

Regan Hutcheson advised that the following will be provided to the Applicant: 1) the written submissions received in regards to this application; 2) the meeting Extract from tonight's Heritage Markham Committee meeting; and 3) the Committee's comment regarding keeping the heritage buildings heated to protect them against further deterioration.

Laura Gold, Committee Clerk advised that the deputants could provide their deputation as the item is listed on the agenda, but recommended that they wait until the item is brought back to the Committee in February.

The deputants agreed to present their deputations at the February 2021 Heritage Markham Committee meeting, but provided the following feedback:

1. Barry Nelson, resident recommended that both the Applicant and Committee look at a 1992 report prepared by Dr. Poulton & Associates for the City of Richmond Hill on the archeological significance of the Yonge and Highway 7 area. The report provides an opportunity to look at the area's cultural heritage.
2. Aleena Gotz, Aileen Willowbrook Residents Association advised that she will speak to the item at the February Heritage Markham Committee meeting when the item is discussed, but briefly spoke about how the development is not appropriate for the area.
3. Roman Komarov, supported Alena Gotz comments and will speak to the item at the February Heritage Markham Committee meeting.

Reccomendation

That the Official Plan and Zoning By-Law Amendment Applications for a proposed high density mixed use development located at 7750 Bayview Avenue (McCullagh Estate /Shouldice Hospital) by Limited Partnership C/O Liberty Development Corporation, File No. 20 126269 be deferred until February 2021.

Carried

6.2 ZONING BY-LAW AMENDMENT AND PLAN OF SUBDIVISION APPLICATIONS

HERITAGE HOUSE

ARTHUR WEGG HOUSE

10537 KENNEDY ROAD, (FORMERLY 10539 KENNEDY ROAD) (16.11)

FILE NUMBER:

PLAN 20 129597

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

A. Crompton, Senior Planner

Peter Wokral, Senior Heritage Planner advised that the Applicant and the Planning Consultant have requested that this item be deferred to permit for more discussion on how to address the heritage home on the property.

A written submission from James Koutsovitis, Gatzios Planning & Development Consultants was received regarding this Zoning By-Law Amendment and Plan of Subdivision Application.

Committee agreed to defer the item.

Recommendation:

That the Zoning By-Law Amendment and Plan of Subdivision Applications for the Arthur Wegg House located on 10537 Kennedy Road (formerly 10539 Kennedy Road) File No. Plan 20 129597 be deferred to January 2021.

Carried

6.3 SITE PLAN CONTROL AND COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION

VARIANCES IN SUPPORT OF A PROPOSED NEW DETACHED GARAGE 24 CHURCH STREET

MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)

FILE NUMBERS:

- SC 20 132565
- A/120/20

Extracts:

R.Hutcheson, Manager, Heritage Planning

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

M. Leung, Planning Technician

Melissa Leung, Planning Technician presented the Staff Memorandum regarding the Site Plan Control and Committee of Adjustment Variance Application – variances are in support of a new detached garage at 24 Church Street in the Markham Village Heritage Conservation District.

Shane Gregory, Consultant, representing the property owner provided background information on the project, and advised that the detached garage is proposed to be located on the existing concrete parking pad with a small workshop extension.

Committee provided the following feedback relative to the Site Control and Committee of Adjustment Variance Application for 24 Church Street:

- Questioned if the net floor area includes the third floor of the house, as this may change the size of the garage permitted;
- Requested that the hard landscaping adjacent to the driveway be removed to permit for drainage;

In response to inquiries from the public, Shane Gregory advised that permission was obtained from the City to install the planters on the property. The area near the planters are being used as an outdoor space rather than as a driveway. The owner currently parks their cars on the concrete parking pad. The lot has no grading issues. The inclusion of the third floor of the property in the net floor area will be discussed with City Staff.

Mr. Gregory also indicated that he saw no reason why the proposed projecting workshop could not be shifted to the south to move it farther away from the trees on the northern property line as recommended by staff.

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the requested variances to permit a maximum net floor area of 49.50% and a maximum height of 4.05 m for the proposed new detached garage at 24 Church Street;

That Heritage Markham has no objection to the design of the proposed garage subject to the standard heritage requirements being included in the Site Plan Agreement, provided that the workshop area be shifted to the south further away from the trees on the property line;

And that Heritage Markham recommends that **hard landscaping be removed** to maintain a 2.33 m setback for the paved driveway from the adjacent property line.

Carried

6.4 HERITAGE PERMIT APPLICATION

PROPOSED NEW BLACK CHAIN LINK FENCE AND GATES

THORNHILL CEMETERY

1 CHURCH LANE, THORNHILL HERITAGE CONSERVATION DISTRICT

(16.11)

FILE NUMBER:

HE 20 134735

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

D. McDermid, Operations

Peter Wokral, Senior Heritage Planner advised that this Heritage Permit Application has been submitted by the City's Operation Department to replace the existing galvanized chain link fence that encloses the Thornhill Cemetery along John Street, Summer Lane, and Charles lane with a black chain link fence.

Written submissions from Valerie and Dave Burke, Diane Berwick, Rob Armstrong, Joan Honsberger, and Pam Birrell, SPOHT were received regarding this Heritage Permit Application.

Barry Nelson, deputant noted that the cost of replacing the chain link fence with a wrought iron fence is not justifiable at this time given the social costs society is currently facing. The City could look at replacing the fence with a wrought iron fence in the future.

Committee provided the following feedback on proposed replacement of the chain link fence at the Thornhill Cemetery:

- Consider deferring the replacement of the fence until the City has more funds to replace it with a wrought iron fence;
- Consider replacing only the John Street section of the fence with a wrought iron fence;
- Consider replacing the fence in sections so that it can be replaced overtime with a wrought iron fence;
- Support replacing the fence with a black chain link fence due the high cost of replacing it with a wrought iron fence.

In response to inquires from the Committee, Morgan Jones, Director of Operations advised that the City's Asset Management Plan only replaces assets with like for like, and that the City only has budget to replace the fence with another chain link fence. It would cost the City substantially more to replace the fence with a wrought iron fence (\$28K versus \$206K). The life cycle of a chain-link fence is 35 years, and the lifecycle of a wrought iron fence is 75-80 years. The fence cannot be replaced in sections. The project could be deferred, but the City's financial situation is not likely to change for several years. The cost of replacing the fence with a wrought iron fence is equivalent to approximately a 0.25% tax rate increase for every household in Markham.

Recommendation:

That Heritage Markham has no objection to the replacement of the existing galvanized metal chain link fencing and gates of the Thornhill Cemetery with new black, vinyl coated, 4 foot high chain link fencing and gates.

Carried

6.5 COMMITTEE OF ADJUSTMENT CONSENT AND VARIANCE APPLICATIONS

159 JOHN STREET

THORNHILL HERITAGE CONSERVATION DISTRICT (16.11)

FILE NUMBERS:

B/015/20

A/098/20

A/099/20

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

J. Leung, Committee of Adjustment

Peter Workral, Senior Heritage Planner presented the staff memorandum on the Committee of Adjustment Consent and Variance Applications for 159 John Street, Thornhill Heritage Conservation District. The Consent Application is to sever the existing lot to create a new building fronting John Street. The proposed variances are to support a proposed retained lot, and new building.

Written submissions from Rob Armstrong (Ward One (South) Thornhill Residents Inc), Valerie and Dave Burke, and Pam Birrell (SPOHT) were received regarding the Committee of Adjustment Consent and Variance Applications, 159 John Street.

J. Kotsopoulos, Planning Consultant representing the Applicant advised that the proposed dwelling is of a similar size to other dwellings in the community, and that there will still be considerable separation from the neighbouring properties. The project will require three trees to be removed from the property. He recommended the applications be supported.

Joe Battaglia, Battaglia Architect Inc., Applicant spoke about the complementary design of the proposed house and requested support.

Barry Nelson, made a deputation in support of the staff recommendation.

Recommendation:

That Heritage Markham does not support the consent (B/015/20) and related variance applications (A/098/20) and (A/099/20) for 159 John Street from a heritage perspective for the following reasons:

- Both the proposed new lot and retained lot are deficient in terms of the minimum lot area required by the By-law;

- The proposed new dwelling would block historic views to and from the existing Class A building and John Street, and undermines the heritage significance and value of the existing dwelling;
- The relationship of the proposed new house does not respect the architectural orientation of the existing Class A heritage dwelling and creates an undesirable situation where the front of the existing house from an architectural perspective, looks into the rear yard of the proposed new dwelling;
- The proposed new dwelling and driveway for the retained house would necessitate the removal of existing mature vegetation that contributes to the historic character of the neighbourhood;
- The proposed new smaller lots would further reduce the varied lot sizes of the district which helps create the historic character of old Thornhill that distinguishes the Heritage District from more modern developments with unvarying uniform lot sizes.

Carried

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

7.1 INFORMATION

APPLICATION PROCESSING - CULTURAL HERITAGE RESOURCES

Extracts: R.Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager of Heritage Planning presented the process staff undertake to review applications involving cultural heritage resources, and how they decide which items are approved using staff delegated authority permissions from Council and which ones are brought forward to the Heritage Markham Committee as a consent or regular agenda item.

Recommendation:

That Heritage Markham receive the presentation on application processing of cultural heritage resource properties as information.

Carried

8. PART SIX - NEW BUSINESS

Committee briefly discussed the need to increase the enforcement of heritage properties to ensure they do not deteriorate to the point where they need to be demolished. A dedicated by-law officer may be required to improve the enforcement of the Heritage Easement Agreements and/or heritage property standards. Similarly, actions need to be taken to encourage property owners to maintain their heritage properties. Members noted that the City should be more proactive rather

than reactive in protecting cultural heritage resources. The Committee agreed to work on a motion in this regard and bring it back to the next meeting.

Staff advised that by-law officers have the discretion to decide, which elements of the property standards by-law they believe are appropriate to enforce given site conditions and other considerations.

Committee thanked staff for their hard work in preparing the documentation that supports the Heritage Markham Committee meetings, and wished everyone a Happy Holidays.

9. ADJOURNMENT

The Heritage Markham Committee adjourned at 10:00 PM.