



MEMORANDUM

To: Mayor and Members of Council

From: Biju Karumanchery, Acting Commissioner of Development Services

Prepared by: Evan Manning, Heritage Planner, Planning & Urban Design

Date: June 22, 2021

Re: Revision to Legal Description of Heritage Designation By-laws, 9064 Woodbine Ave and 5933 Fourteenth Ave

RECOMMENDATION:

- 1) That the memo titled “Revision to Legal Description of Heritage Designation By-laws, 9064 Woodbine Ave and 5933 Fourteenth Ave”, dated June 22, 2021, be received.

BACKGROUND:

Purpose

To advise Council as to the revisions required to the legal description of two previously passed heritage designation by-laws.

Background

Two recent development applications included lands subject to designation under Part IV of the *Ontario Heritage Act* (the ‘Act’). Both applications required the transfer of parcels of land to York Region (the ‘Region’) for transportation-related purposes. The Region has requested that the legal description of the Part IV-designated properties as appears in Schedule A of the respective by-laws be amended to exclude those portions conveyed for transportation purposes.

The properties that require their legal descriptions to be amended are:

- 9064 Woodbine Avenue
 - By-law No. 2003-315
- 5933 Fourteenth Avenue
 - By-law No. 2008-190

Note that 9064 Woodbine Avenue is now municipally-known as 2 Yans Way.

Section 30.1 of the Heritage Act provides for a simplified amendment process to, where required, correct the legal description of a property as contained within a designation by-law. Under this Section, the municipality is obliged to (a) inform the owner of the amendment and their right to

object thereto; and (b) consult with the municipal heritage committee prior to giving notice of the proposed amendment to the owner. Upon receipt of notice of the amendment, the owner has 30 days to file a notice of objection to the amendment with the municipality. Should a notice of objection not be received by the municipality within the 30 day timeline, the council of the municipality may pass the proposed amending by-law.

In accordance with these statutory requirements, Heritage Section staff have notified the owners of the aforementioned heritage properties of the proposed amendments, and have received written confirmation from both parties that they have no objection. Specifically, written confirmation was received via email from Gemterra (Woodbine) Inc., owner of 9064 Woodbine Avenue, and Neamsby Investments, owner of 5933 Fourteenth Avenue, on December 14, 2020 and May 19, 2021, respectively.

Heritage Markham was consulted on the proposed by-law amendments at its meetings on January 10, 2021 and June 9, 2021 and had no objection.

Comment

Staff has no objection to the proposed amendments to the legal descriptions. The two amending by-laws are attached to this agenda for approval by Council.