



Heritage Markham Committee Minutes

Meeting Number: 8
August 11, 2021, 7:00 PM
Electronic Meeting

Members	Councillor Keith Irish, Chair Ken Davis, Vice Chair Doug Denby Councillor Reid McAlpine David Nesbitt	Councillor Karen Rea Elizabeth Wimmer Nathan Proctor Victor Huang
Regrets	Shan Goel Lake Trevelyan	Paul Tiefenbach David Wilson
Staff	Regan Hutcheson, Manager, Heritage Planning Peter Wokral, Senior Heritage Planner Victoria Hamilton, Committee Secretary (PT)	Laura Gold, Council/Committee Coordinator Mary-Jane Courchesne Evan Manning, Heritage Planner

1. CALL TO ORDER

Councillor Keith Irish, Chair, convened the meeting at 7:01 PM and informed the attendees that the meeting is being recorded. The Chair asked for any disclosures of interest with respect to items on the agenda.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

There was no addendum agenda.

B. New Business from Committee Members

The Chair requested that item 6.4 be discussed after item 6.1 to accommodate the deputants in attendance.

Doug Denby requested an addition to the agenda, item 3.3 – Tribute to Bill Davis, 18th Premier of Ontario.

Recommendation:

That the August 11, 2021 Heritage Markham Committee agenda be approved, as amended.

Carried

3.2 MINUTES OF THE JULY 14, 2021 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on July 14, 2021 be received and adopted, as presented.

Carried

3.3 TRIBUTE TO BILL DAVIS, 18TH PREMIER OF ONTARIO (16.11)

Doug Denby provided a tribute to former Premier Bill Davis who recently passed away, and highlighted, among other accomplishments, his role in creating the Heritage Act, and modernizing the education system. D. Denby spoke to the character of Bill Davis and recognized his contributions to Ontario.

4. PART TWO - DEPUTATIONS

The deputations are noted in the corresponding sections.

5. PART THREE - CONSENT

5.1 BUILDING OR SIGN PERMIT APPLICATIONS

DELEGATED APPROVAL BY HERITAGE SECTION STAFF

7323 HWY. 7 E. (LOCUST HILL)

175 MAIN ST. U. (UHCD)

28 JOHN ST. (THCD)

16 MAIN ST. N. (MVHCD)

5 HERITAGE CORNERS LANE (MHE)
9400 KENNEDY ROAD
147 A MAIN ST. U. (UHCD)
28 WALES AVE. (MVHCD) (16.11)

FILE NUMBERS:

DP 21 106831
 SP 21 125001
 HP 21 128118
 SP 21 124833
 HP 21 130529
 PP 21 127312
 AL 21 127754
 PE 21 118590

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

5.2 HERITAGE PERMIT APPLICATIONS

DELEGATED APPROVAL BY HERITAGE SECTION STAFF
80 JOHN STREET (THCD)
38 COLBORNE (THCD) (16.11)

FILE NUMBERS:

HE 21 132047
 HE 21 132454

Extracts:

R. Hutcheson, Manager, Heritage Planning
 P. Wokral, Senior Heritage Planner
 E. Manning, Heritage Planner

Regan Hutcheson, Manager, Heritage Planning requested that the agenda be corrected to reflect that 80 John Street (THCD) had applied for a heritage permit application rather than 8 John Street (THCD).

Recommendation:

THAT Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

Carried

6. PART FOUR - REGULAR

6.1 REQUEST FOR INFORMATION

**146 JOHN STREET, THORNHILL
MODEL TRAIN DIORAMA (16.11)**

FILE NUMBER: 21 125806 HE

Extracts:

R. Hutcheson, Manager, Heritage Planning
J. Rahim, By-Law Enforcement
T. Wilkinson, By-law Enforcement
C. Storto, City Solicitor

Regan Hutcheson, Manager, Heritage Planning addressed the Committee and provided a summary of the staff memorandum. He indicated that the City's position is that a heritage permit is not required for this feature as currently constructed, as it is considered temporary in nature and not a permanent feature. The feature is required to comply with any applicable municipal by-laws or other requirements as determined by the City or other authorities.

The following deputations were made regarding the train diorama located at 146 John Street:

Ivy Hong, co-owner of the property, advised that the train diorama is a garden display and is now within their property line and asked that the neighbours stop contacting the by-law officers, fire department, and police department regarding the diorama. She stated that the concerns expressed by neighbours regarding the diorama causing a threat to their family's safety, additional traffic, and inability to exit their driveway were exaggerated.

Weesh Pacheco, co-owner of the property, expressed concerns over false accusations by other deputants at the July 14, 2021 Heritage Markham meeting, noting that the train whistle heard by the neighbours is not from the diorama, that the fire department had no objections to the wiring of the train, and the temporary chain allowed the boulevard to remain green and prevented viewers from

touching the diorama. He inquired whether a permit was required to display a horticultural society award sign.

Homeira Shahsavand stated that enforcement by the by-law officers was a separate matter from the heritage aspect and did not wish to address by-law related concerns at the meeting. She noted that in her opinion, this feature was an attraction.

Barry Nelson noted that staff have empathy for each application received and they considered the impact on the neighbourhood. He noted that the train provides a gateway into the heritage district, demonstrates heritage features in its design, and proposed that a temporary heritage permit be provided and reviewed annually.

The Committee provided the following feedback:

- Commented that the site was reviewed, and the diorama is not a heritage matter.

Recommendation:

THAT the deputations by Ivy Hong, Weesh Pacheco, Barry Nelson and Homeira Shahsavand regarding agenda item 6.1 – 146 John Street, Model Train Diorama, be received;

AND THAT Heritage Markham receive as information the update from staff on the model train diorama issue as it relates to the heritage permit process.

Carried

6.2 PROPOSED ZONING BY-LAW AMENDMENT

**DRAFT PLAN OF SUBDIVISION APPLICATIONS
ALEXANDER MCPHERSON HOUSE (31 VICTORY AVENUE)
186 OLD KENNEDY ROAD
31 AND 51 VICTORY AVENUE (MILLIKEN COMMUNITY) (16.11)**

FILE NUMBERS:

ZA 18 149630

SU 18 149630

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

S. Bordone, Senior Planner

Note: this agenda item was dealt with after item 6.3 on the agenda.

Peter Wokral, Senior Heritage Planner, addressed the Committee and provided a summary of the staff memorandum. Mr. Wokral advised that the condition of the McPherson House continues to worsen, despite Council previously acknowledging that the building was of heritage significance and should be protected and expected to see it incorporated in the proposed new development.

Councillor Reid McAlpine noted that efforts should be made to preserve the McPherson House through this development application as the school property will not likely be developed for some time and would likely not have a use for the dwelling. He indicated that a solution may include reconfiguring the school site or moving the dwelling slightly.

Recommendation:

THAT Heritage Markham does not support the proposed Zoning By-law amendment and Draft Plan of Subdivision applications (ZA 18 149630 & SU 18 149630) from a heritage perspective as the development proposal does not incorporate the Alexander McPherson House;

THAT the development proposal for 186 Old Kennedy Road be revised to sensitively incorporated and restore the Alexander McPherson House as a detached dwelling;

THAT as a condition of approval for the Draft Plan of Subdivision which includes the Alexander McPherson House, the City should secure the standard heritage requirements including:

- Secure a Heritage Easement Agreement for the cultural heritage resource;
- Obtain a Conservation/Restoration Plan for the cultural heritage resources on the property including both maintenance and restoration requirements as part of a Site Plan Agreement, with implementation secured through a financial security;
- Secure commitments from the owners to undertake necessary maintenance on the existing cultural heritage resource, and the proper boarding if it is to continue to be left vacant.
- Secure a Markham Remembered plaque to highlight and celebrate the identified cultural heritage resource;

AND THAT the Alexander McPherson house be brought into compliance with both the City's Property Standards and Keep Markham Beautiful By-laws **immediately**.

Carried

6.3 COMMITTEE OF ADJUSTMENT VARIANCE

PROPOSED TWO-STOREY SINGLE FAMILY DWELLING WITH ATTACHED GARAGE 32 JOSEPH STREET (MVHCD) (16.11)

FILE NUMBER:

A/108/21

Extracts:

R. Hutcheson, Manager, Heritage Planning

E. Manning, Heritage Planner

Note: this agenda item was dealt with after item 6.4 on the agenda.

Evan Manning, Heritage Planner, addressed the Committee and provided a summary of the staff memorandum. Mr. Manning confirmed that Council had supported the demolition of the existing dwelling.

Shane Gregory, representing the applicant, clarified that there are three (3) variances being sought for the new dwelling – for the front yard setback, the maximum building depth, and the net floor area ratio. He noted that while the distance of the primary entrance to the property line was being maintained, the front yard setback variance was due to the addition of a front porch. He also noted that the primary elevation of the immediate property to the west was facing Franklin Street. Mr. Gregory advised that the projection at the rear was one story, and that the lot was undersized resulting in a greater percentage of net floor area. He also noted that a 4th variance related to non-conforming lot area is being determined and would be confirmed before going to the Committee of Adjustment.

The Committee provided the following feedback:

- Questioned whether the garage could be stepped back further from the front wall to provide more of a separation between the house and the garage components;
- Commented that the Development Services Committee requested that the applicant adhere to the existing infill by-law;
- Commented that though the lot was one of the smaller ones in the area, the proposed house will be one of the larger dwellings;

- Supported the design of the house.

Shane Gregory commented that the garage was stepped back 18” from the front wall, and that any further step back would encroach on the great room and mud room and would not affect the variance. He noted that Joseph Street was one-way traffic so when driving, the focal point will be the house component. He also noted that only one tree was proposed to be removed and discussion with the neighbour had already taken place.

Recommendation:

THAT Heritage Markham has no objection from a heritage perspective to the requested variances to permit a new detached dwelling with an attached garage.

AND THAT final review of the forthcoming site plan control application, and any other development application required to approve the proposed development, be delegated to Heritage Section staff should the design be generally consistent with the conceptual drawings appended to this memo.

Carried

6.4 PLAN OF SUBDIVISION

APPLICATION FOR DRAFT PLAN SUBDIVISION

7750 BAYVIEW AVENUE

MCCULLAGH ESTATE / SHOULDICE HOSPITAL (16.11)

FILE NUMBERS:

PLAN 21 121246

Extracts:

R. Hutcheson, Manager, Heritage Planning

E. Manning, Heritage Planner

Note: this agenda item was dealt with after item 6.1 on the agenda.

Note: Councillor Keith Irish, Chair, departed at 7:49 p.m. and returned at 7:56 p.m. due an internet connection issue. Ken Davis, Vice Chair, stepped in as Chair during Councillor Irish's absence.

Regan Hutcheson, Manager, Heritage Planning addressed the Committee and provided a summary of the staff memorandum. He advised that under the Planning Act, the City can impose conditions that are reasonable, having regard to the nature of the development proposed for the subdivision. If the nature of the development affects heritage resources, then it may be reasonable to impose

heritage conditions of approval related to the subject lands and adjacent lands owned by the applicant. Mr Hutcheson noted that in this case, the plan of subdivision is in support of the larger development parcel and that there are heritage assets within the plan of subdivision boundaries. . Mr. Hutcheson commented that a letter from the applicant's lawyer was received on August 11, 2021 stating that the applicant will address the heritage matters as part of a site plan application for future development. Mr. Hutcheson recommended pursuing the heritage requirement as part of the plan of the subdivision.

Valerie Burke presented her written submission and expressed that she would like to see the historic gateway features along Bayview Avenue reinstated in the future. She emphasized that the City pursue immediate designation of the property to conserve its cultural heritage value and secure a heritage easement agreement.

Evelin Ellison stated that the stone entrance features are an important part of the Bayview Avenue streetscape. She noted that the submitted plan indicates a widening on the west side of Bayview Avenue but that the York Region report recommendation was not to widen the west side of Bayview Avenue. Ms. Ellison noted there could be potential archaeological findings in the development area. She expressed support for the Staff recommendation.

Barry Nelson, as a representative of the Society for the Preservation of Historic Thornhill (SPOHT) expressed support for the Staff recommendation. He also recommended that the greenhouse structure be remediated as it was an integral part of the horticultural plants grown in the past. He stated that the heritage assets should be considered for inclusion in a potential future expansion of the boundaries of the Thornhill Heritage Conservation District, and noted that the stone gates could be reinstated, with some effort. Mr. Nelson advised that in 1936 part of the area was a plowed field and the waterways around the property could have been used by Indigenous groups in the past for fishing and as a resting place, making it a potential location for artifacts.

The Committee provided the following feedback:

- Questioned whether the applicant provided any technical drawings showing the configuration of the proposed new right of way, including lanes and intersections;
- Expressed interest in reviewing the entry features on the plan to determine tie-in;
- Commented that the Archeological report was reasonably thorough and that it was unlikely that heritage assets were present if the report indicated none;

- Supported the staff recommendation with the friendly amendment to explore the restoration of the entry feature in the future.

Staff advised that the only drawings submitted by the applicant related to the plan of subdivision application were included in the agenda, and that Staff would review the Committee's concerns and explore whether the entry feature could be reintroduced in future.

Recommendation:

THAT the written submissions by Valerie Burke and Mark Noskiewics, LLP regarding agenda item 6.4 – Application for Draft Plan of Subdivision, 7750 Bayview Avenue, be received;

THAT the deputations by Barry Nelson (SPOHT), Evelin Ellison, and Valerie Burke regarding agenda item 6.4 – Application for Draft Plan of Subdivision, 7750 Bayview Avenue, be received;

THAT Heritage Markham recommends the City secure the standard heritage requirements such as designation of all the cultural heritage resources on the overall development parcel, a heritage easement agreement, conservation plan, interpretive plaques, etc., as a condition of approval of the draft plan of subdivision (PLAN 21 121246)

AND THAT Heritage Markham recommends exploring the reinstatement of the entry feature at the throat of the subdivision in the future landscape.

Carried

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

7.1 INFORMATION

**ONTARIO HERITAGE ACT AND REGULATION 385/21
RECENT CHANGES TO POLICY AND PROCEDURES
MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE
INDUSTRIES (16.11)**

Extracts:

R.Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager, Heritage Planning addressed the Committee and provided a summary of the staff memorandum, commenting on key highlights of the legislation and the regulation. He noted the change to review timelines for

some types of submissions, including applications such as Official Plan and Zoning by-law amendments and Plan of Subdivision. . He also advised that for future designation by-laws (and amendment of existing by-laws), the statement of significance and the identified heritage attributes had to specifically link back to provincial Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest) which will be more time consuming to undertake. . Any change to the legal description of existing by-laws would require the by-law to be amended to meet the new regulations. There are also now minimum submission requirements for certain applications and ‘complete application’ requirements.

The Committee provided the following feedback:

- Questioned whether the new process would require more time and resources of the Staff than the current process.
- Commented that senior planning staff may have to consider the available resources and that other matters could also be delayed as a result of redirecting staff resources.
- Commented that the new process is more cumbersome but provides tools for applicants to use when there is a disagreement.
- Commented that the legislation for Alteration and Demolition Applications required new minimum submission requirements from the applicant.

Staff commented that additional time for each application would be required, especially with adversarial applicants. The time constraints would require a significant amount of work in a short time.

Recommendation:

That Heritage Markham Committee receive the information on changes to the Ontario Heritage Act and the new Regulation (385/21), as information.

Carried

8. PART SIX - NEW BUSINESS

There was no new business.

9. ADJOURNMENT

The Heritage Markham Committee adjourned at 8:48 p.m.