



Report to: Development Services Committee

Meeting Date: December 6, 2021

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<b>SUBJECT:</b>	Recommendation Report, Heritage Permit Application, 4450 Highway 7 East, Unionville, Exterior Painting File: HE 21 140321, Ward 3
<b>PREPARED BY:</b>	Evan Manning, Heritage Planner, ext. 2296
<b>REVIEWED BY:</b>	Regan Hutcheson, Manager of Heritage Planning, ext. 2080 Ron Blake, Senior Development Manager, ext. 2600

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**RECOMMENDATION:**

- 1) THAT the report dated December 6, 2021, titled “Recommendation Report, Heritage Permit Application, 4450 Highway 7 East, Unionville, Exterior Painting File: HE 21 140321, Ward 3”, be received;
- 2) THAT the painting of the original brick surface is not supported and the Heritage Permit application be denied;
- 3) THAT the paint be removed from the brick surface; and
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not Applicable.

**PURPOSE:**

To seek direction from Council regarding a Heritage Permit application for exterior painting at 4450 Highway 7 East (the “subject property”) (See Property Map, Appendix A).

**BACKGROUND:**

**Unapproved alterations to a Part V property**

The subject property contains a commercial plaza with multiple tenancies and is designated under Part V of the Ontario Heritage Act (the “Act”) as a constituent property of the Unionville Heritage Conservation District (HCD).

The exterior of the westernmost retail unit has been painted to obscure the existing brick masonry. Note that the applicant appears to have been unaware of the requirement for a heritage permit prior to commencing work, and that the alteration was undertaken without prior consultation or approval from Heritage Section staff.

### **Built form context and categorization in the HCD Plan**

Commercial uses predominantly in the form of low-rise commercial plazas are located nearby to the subject property along both sides of Highway 7. This building typology is anomalous within the Unionville HCD, and does not significantly contribute to its cultural heritage value. As such, the subject property is identified as Class ‘C’ within the Unionville HCD Plan. The qualities of this property class are as follows:

- *Modern infill construction;*
- *Older buildings that have been altered to an extent that their heritage character is no longer apparent.*

From a review of municipal records, it appears that the existing commercial plaza was constructed in the 1980s. As the project was commercial in nature and subject to site plan control, exterior materiality (i.e. brick masonry), among other considerations, was likely determined through consultation with municipal Staff. It appears that a complementary orange/red brick was selected (somewhat similar to the historic soft salmon variety that was produced by the Snowball brickworks in Markham).

### **Relevant Heritage Policy**

Unionville Heritage Conservation District Plan (“District Plan”):

- Section 9.5.2 - Additions and alterations to Non-Heritage Buildings indicates that for a modern complementary approach – ***“alterations should reflect the building’s existing architectural treatment or use the guidelines for new construction in the District (Section 9.2). The use of materials complementary to the heritage character of the District is encouraged.”***
- Section 9.2.9 – New Buildings - Cladding Materials notes that ***“Brick should be... of a traditional local colour and texture.”***
- Section 9.2.11 – New Buildings – Paint Colours notes the following:
  - One of the key ways of integrating a new building into a heritage area is through the use of traditional local heritage paint colours
  - Early paint colours in Unionville tended to be more reserved – pale natural tones favoured by Andrew Downing; by the early 1900s a wider variety of colours became available
  - Appropriate colours can be found in many modern paint company brochures
  - **Section 9.4.7** (paint colours for heritage buildings) of the District Plan **provides information on typical historic Unionville paint colours**
- Section 9.4.7 – Alterations to Heritage Buildings- Paint Colours also provides a preliminary list of exterior paint colours considered appropriate for the District while advising that ‘florescent or luminous colours are not considered acceptable’.

- These colours are attached as Appendix “B” to this report and are not a definitive listing.
  - Generally, permitted paint colours are found within the heritage collection of major paint manufacturers (e.g. Benjamin Moore and Sherwin Williams).
- Section 9.4.7 also notes that “*Painting brick surfaces on historic buildings is not supported*”. Although not a heritage building, normally modern brick buildings are not usually painted.

## **OPTIONS/ DISCUSSION:**

### **Direction from Council is required**

The selected colour, as indicated in the heritage permit, is ‘Pink Hibiscus’ from Benjamin Moore’s ‘Colour Preview Collection’. The colour does not conform to guidelines contained within the Unionville HCD Plan. The painting of a brick building that is designed to be complementary to the built form character of the HCD is also of concern, and does not conform to direction in the HCD Plan. From a practical standpoint, there are also potential future maintenance complications when/if the paint begins to fail.

Normally Heritage Section staff approve heritage permits under delegated authority. Given the nature of the alteration, including its apparent non-conformance with guidelines in the Unionville HCD Plan, and high-degree of visibility from the public realm, Heritage Section staff sought direction from the Heritage Markham Committee at its meeting on October 13, 2021. The Committee recommended that the permit be denied, and the exterior paint removed. For a copy of the meeting extract, please see Appendix ‘C’.

While Heritage Section staff have delegated authority to approve heritage permit applications as per Section 42 (16) of the Act, denial of an application requires consideration by Council. Staff do not support the application and recommend removal of the paint.

As per Section 42(4) of the Act, Council must give consideration of this matter within 90 days from the official notice of receipt which ends on December 25, 2021. If Council fails to make a decision by this date, Council shall be deemed to have given approval to the permit.

## **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

## **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The protection of cultural heritage resource through the heritage permit application process is a component of Growth Management. This helps achieve a quality community by ensuring that the City of Markham’s cultural heritage resources remain part of the fabric of the City, strengthening the sense of community.

## **BUSINESS UNITS CONSULTED AND AFFECTED:**

The Heritage Markham Committee was consulted.

**RECOMMENDED BY:**

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Biju Karumanchery, RPP, MCIP  
Director, Planning and Urban Design

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Arvin Prasad, MPA, RPP, MCIP,  
Commissioner of Development Services

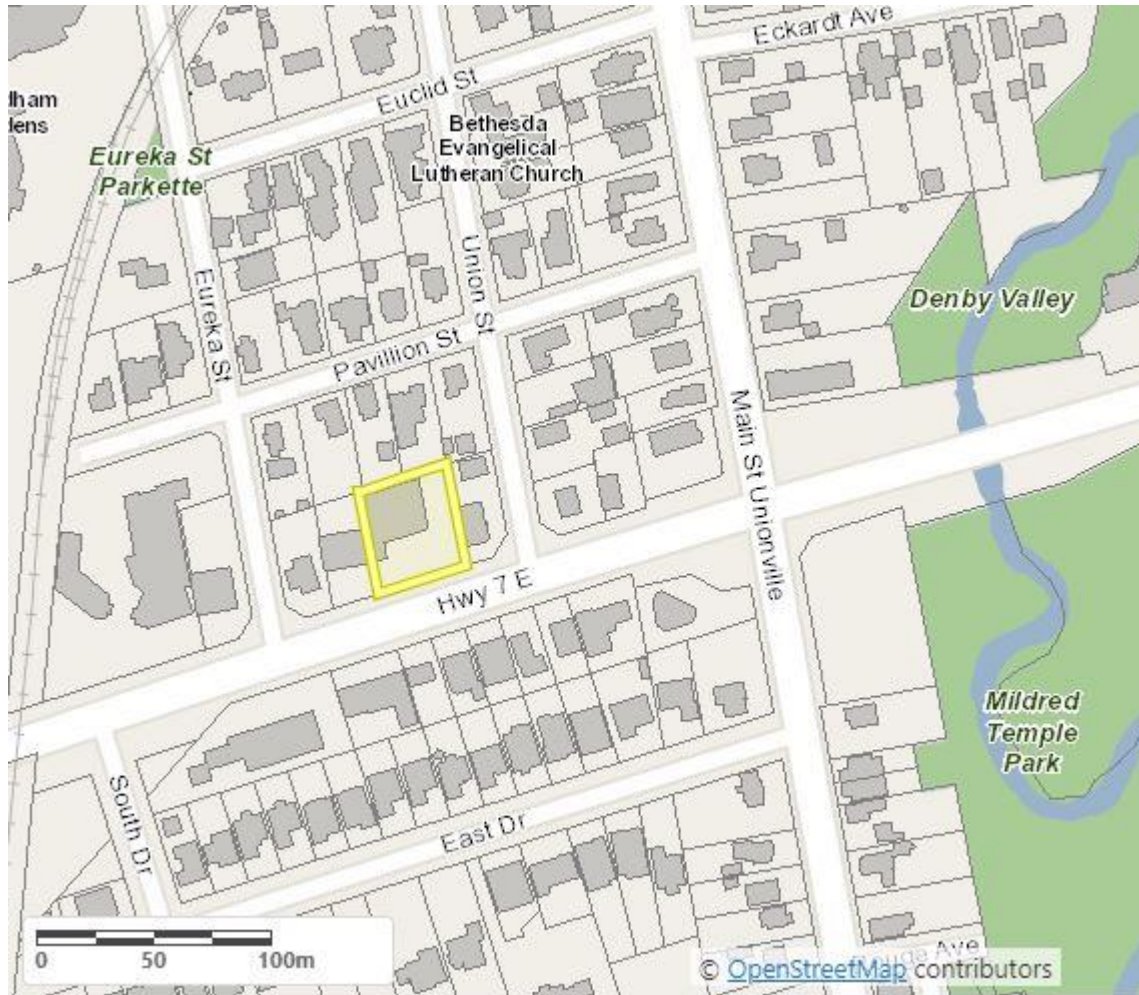
**ATTACHMENTS:**

Appendix “A”      Property Map and Photographs  
Appendix “B”      Section 9.4.7 Guideline #10 from the Unionville HCD Plan  
Appendix “C”      Heritage Markham Extract

## APPENDIX “A”

### Property Map and Photographs

#### *Property Map*



4450 Highway 7 East, Unionville  
*Context*



*North side (above) and south side (below) of Highway 7 (Source: Google)*

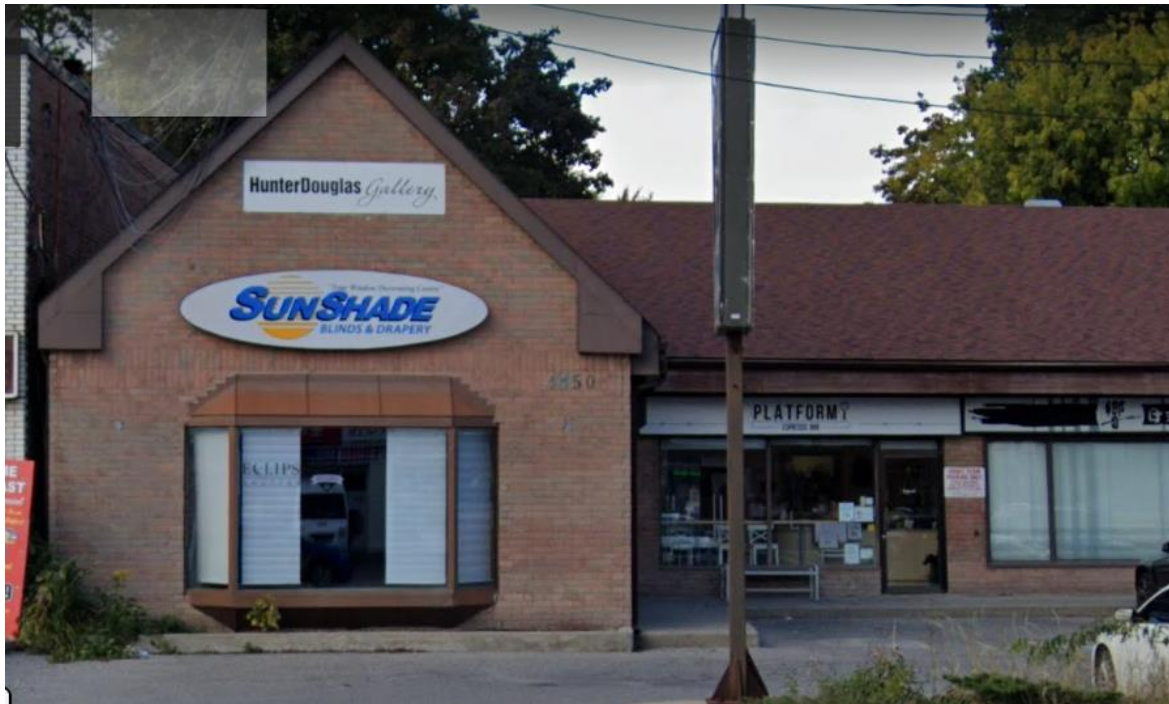




4450 Highway 7 East, Unionville  
*Prior to Painting*



*South (primary) elevation of the subject property prior to painting (Source: Google)*



4450 Highway 7 East, Unionville  
*Painted*







*The subject property partially painted (Source: Applicant)*

## **APPENDIX “B”**

### **Unionville Heritage Conservation District Plan Section 9.4.7 Guideline #10**

10. The attached list of colours are considered appropriate for the District, but it is by no means a definitive list. Other colours can be considered although fluorescent or luminous colours are not considered acceptable.

#### **Classical Colours: (Pre-1860)**

-white	-“historical” white
-cream	-buff
-pearl grey	-light lemon yellow
-pale green	-pale greyish blue

#### **Renwick’s Colours (1860-1900)**

-olive green	-golden brown
-gold	-rosy beige
-beige	
-orangey brownish yellow	

#### **Downing’s Colours (1860-1900)**

-straw	-drab greenish yellow
-sand	-medium grey (stone)
-greyish brown (earth)	

## **APPENDIX “C”**

### **Heritage Markham Extract**

#### **6.3 HERITAGE PERMIT APPLICATION**

##### **4450 HIGHWAY 7 EAST, UNIONVILLE EXTERIOR PAINTING (16.11)**

###### **FILE NUMBERS:**

- HE 21 140321

###### **Extracts:**

R.Hutcheson, Manager, Heritage Planning

E. Manning, Heritage Planner

Evan Manning, Heritage Planner, addressed the Committee and provided a summary of the staff memorandum. He noted that the application was for the unit on the west side of the commercial complex, and that the tenant had painted the exterior brick a pink tone that is not an approved heritage colour. Normally, brick buildings are not painted. The tenant stated they were unaware of the requirement for a Heritage Permit or the need for consultation with heritage staff. Mr. Manning noted that other applicants in the Unionville Heritage Conservation District had been required to remove the paint from brick exteriors when the colour did not conform with guidelines in the Unionville Heritage Conservation District Plan.

The Committee provided the following feedback:

- Commented that the building was located within the Unionville Heritage Conservation District but was not of historical significance.
- Commented that heritage guidelines for paint colour should be followed if painting of the surface is permitted.
- Expressed support for returning the brick to its original colour.
- Noted that enforcement of the existing regulations was required to maintain the aesthetic of the heritage conservation areas.

Staff noted that the tenant had also changed the exterior sign without applying for a sign permit and that by-law enforcement would be informed to ensure compliance.

Recommendations:

THAT Heritage Markham does not support the painting of the original brick and recommends that approval of the heritage permit application be denied, and the paint be removed from the brick surface.

Carried