

## HERITAGE MARKHAM EXTRACT

DATE: October 27, 2021

TO: R. Hutcheson, Manager of Heritage Planning  
D. Brutto, Senior Planner, North District

EXTRACT CONTAINING ITEM #4.1 OF THE TENTH HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON OCTOBER 13, 2021.

---

### **4.1 PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT**

#### **10379 AND 10411 KENNEDY ROAD MINOTAR HOLDINGS INC AND HAL-VAN 5.5 INVESTMENTS LTD.**

FILE NUMBERS:  
PLAN 20 133038

Extracts:

R. Hutcheson, Manager, Heritage Planning  
Daniel Brutto, Senior Planner, North District

Regan Hutcheson, Manager, Heritage Planning addressed the Committee and provided a summary of the staff memorandum. He noted that the heritage buildings were being incorporated into the design of the subdivision in a residential use with the buildings being kept together for cultural significance and that the proposal includes moving the south building closer to Kennedy Road for prominence and visibility. He commented on the grading issues faced by buildings along Kennedy Road and the need for new foundations for both buildings.

Rachel Redshaw of MHBC, representing the applicant, advised that both houses would be retained and used as residences. The orientation to Kennedy Road would be maintained, as well as the relationship between the two houses with the proposed garage at the rear. The new semi-detached dwellings proposed to the south are setback to maintain the sight line of the heritage homes from Kennedy Road, and to be 2-storey dwellings with traditional architectural elements. Ms. Redshaw stated that a Conservation Plan was part of the strategy and that proper relocation and rehabilitation of the dwellings and landscaping, and commemoration would be undertaken.

The Committee provided the following feedback:

- Commented that the proposed proximity of the heritage homes to each other seems close and queried whether a variance would be required for the setback.
- Commented that the chicane in the road could be moved south of the heritage dwellings to allow for a larger front yard for the south heritage building.
- Commented that the north heritage building could be moved slightly further north to create more space between the homes.
- Inquired whether the south heritage building could be moved further into the lot to allow for a larger front yard.
- Inquired whether additions could be put on the houses and if additions were planned.
- Commented that the north heritage building had a long drive lane that impacted backyard amenity space.
- Inquired when the 2-year occupancy requirement timeline would commence.
- Commented that the significant spacing between heritage dwellings is part of what makes them distinct from others.
- Inquired about the number of garages each townhouse to the south of the heritage buildings would have and a preference for adjacent driveway to create more green space next to the south heritage house..
- Commented that consideration should be given to minimizing asphalt.
- Inquired whether any trees would be lost due to grading around the lot.
- Inquired whether front porches would be installed when the heritage homes were restored and commented that the front yard setback and placement of the heritage homes on the lots would require consideration, if so.
- Commented that the height of modern 2-storey buildings may be taller than those of the 19<sup>th</sup> century and expressed concern that the proposed semi detached dwellings immediately to the south of the heritage homes may overwhelm the heritage houses in size and bulk, even with the setback.
- Inquired about placing a large single detached dwelling on the lot south of the heritage homes, rather than the proposed semi-detached homes.

Clay Leibel, the Applicant, provided the following responses:

- The proposed dwellings immediately to the south of the heritage homes are semi-detached homes with a single garage each.
- One tree is expected to be removed as part of the grading of the lot.
- The dwelling originally at 10411 Kennedy Road would have a veranda reinstated as part of the restoration.
- Architectural elements can be used to reduce the appearance of massing, and will be part of the development design.
- Landscaping will be part of the Restoration Plan.

- A large home may be difficult to sell in an area with mixed residential including town homes, and having a large single home immediately next to the heritage homes may dwarf the heritage homes compared to semi-detached homes.
- The heritage homes will have their own zoning and specific setbacks, which will be determined through the plan of subdivision and zoning by-law amendment.
- Consideration will be given to moving the chicane in front of the south heritage home slightly south. The original intention was to give an elevated landscape to the heritage homes and create greater prominence.
- An addition on the south heritage home is a possibility; the north home does not necessitate one.
- The driveway length in the drawing for the north heritage house is exaggerated to show the access point but in reality there should be space in the rear yard for backyard amenity.
- Noted that the north heritage resource is currently occupied and the south heritage resource is being used by him, and neither is at risk of short term collapse.

Staff provided the following comments:

- Commented that the 2-year occupancy standards timeline would commence when the plan of subdivision is registered.

#### Recommendation:

That Heritage Markham Committee recommends that the revised concept plan reviewed on October 13, 2021 that places the two historic Sommerfeldt Houses together on larger lots facing onto Kennedy Road is supported from a heritage perspective;

That the City's standard heritage requirements as originally noted in the March 10, 2021 staff memorandum to Heritage Markham and included below, be conditions of draft approval for the plan of subdivision and/or included in the Subdivision Agreement;

- Retention of the heritage resources on an identified lot/block;
- Protection of each heritage resource by keeping it occupied or properly boarded to prevent vandalism and deterioration including:
  - securing and protecting the building from damage through the requirements outlined in the City of Markham's Property Standards By-law (Part III – Heritage Buildings), and the Keep Markham Beautiful (Maintenance) By-law including Section 8 – Vacant Heritage Property;
  - when vacant, erecting a "No-trespassing" sign in a visible location on the property indicating that the Heritage Building is to be preserved onsite and should not be vandalized and/or scavenged; and

- installing a 8 ft high fence around the perimeter of the house to protect the dwelling until the completion of construction in the vicinity or the commencement of long-term occupancy of the dwelling as confirmed by City (Heritage Section) staff.
- Securing a Heritage Easement Agreement for each building;
- Provision of a legal survey of each Heritage Building to facilitate the registration of the designation by-law and Heritage Easement Agreement on the created/proposed lot;
- Provision of a \$250,000 Letter of Credit for each building to ensure the preservation and restoration of the existing heritage building and the implementation of all heritage requirements;
- Execution of a Site Plan Agreement with the City for the heritage building including detailed elevations outlining the proposed restoration/conservation plan prepared by a qualified architect with demonstrated experience in heritage restoration projects;
- Implementation of the exterior restoration of the heritage building and ensure basic standards of occupancy within two years ;
- Provision of a marketing plan to promote the features and availability of the heritage house;
- Commemoration of the heritage house through the acquisition and installation of a Markham Remembered interpretive plaque

That consideration be given to utilizing historic family names from this area for park and street names in the subdivision;

And that the owner address identified maintenance issues immediately to eliminate further damage to the buildings, including:

10379 Kennedy Road:

- Repair water damage between second floor bathroom and kitchen;
- Repair of original windows to ensure adequate closure;
- Repair of roof of main house
- Removal of overgrown vegetation around the house.
- Proper boarding when the house becomes vacant.

10411 Kennedy Road:

- Repair water damage in roof framing, particular to the north-east corner of the main building;
- Repair of original windows to ensure adequate closure and repair or replace, if necessary, broken or missing window panes;
- Repair front entryway (including door frame and door) where there is water damage (i.e. decaying wood),
- Repair of roof of main house
- Repair or replace spalling/ broken brick and repoint where necessary;
- Removal of overgrown vegetation around the house
- Proper boarding when the house becomes vacant.

and if necessary By-law Enforcement be requested to become involved.

**Carried**

## HERITAGE MARKHAM EXTRACT

DATE: March 10, 2021

TO: R. Hutcheson, Manager of Heritage Planning  
D. Brutto, Senior Planner, Planning & Urban Design

EXTRACT CONTAINING ITEM #4.1 OF THE THIRD HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON MARCH 10, 2021.

---

#### **4. DEPUTATIONS**

##### **4.1 PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT**

**INCORPORATION OF CULTURAL HERITAGE RESOURCES IN NEW  
SUBDIVISION  
SOMMERFELDT HOUSES  
10379 AND 10411 KENNEDY ROAD  
MINOTAR HOLDINGS INC AND HAL-VAN 5.5 INVESTMENTS LTD.  
(16.11)**

**FILE NUMBER:  
PLAN 20 133038**

Extracts:

R.Hutcheson, Manager, Heritage Planning  
D. Brutto, Senior Planner, Planning & Urban Design

Regan Hutcheson, Manager of Heritage Planning presented the staff memorandum on the incorporation of the Sommerfeldt heritage structures into the subdivision proposal for 10379 and 10411 Kennedy Road. Staff have not taken a position on the relocation of the heritage cultural resources, but have provided the Committee with options for its consideration. The heritage resources should be kept occupied as long as possible, and should continue to be maintained.

Dan Currie, MHBC Planning reported that in order to make the plan of subdivision work the grading of the site needs to be altered. In order for the cultural heritage resources to remain in their current locations, the foundation would need to be lifted, as the site is too low. He noted the cultural heritage resources are both in good structural condition and can be moved. The consultant indicated that relocating the cultural heritage resources, to the northwest mixed-use section (Block 'A') of the subdivision permits the house to be used for non-residential uses, such as a restaurant or daycare. Integrating the cultural heritage resources with the park also makes them more of a landmark.

Clay Leibel, applicant noted examples of how the heritage homes can be successfully incorporated into a condominium by making them into condo units, a fitness room, or party room. The Applicant is open to working with staff on the configuration of the cultural heritage resources.. The Applicant is committed to addressing all deficiencies with respect to the cultural heritage resources and is willing to keep the use open to both residential and non-residential uses, but would like them relocated to the northwest section of the development where mixed uses will be permitted.

Committee provided the following feedback on the incorporation of the Sommerfeldt cultural heritage structures into the subdivision proposal for 10379 and 10411 Kennedy Road:

- Suggested that the cultural heritage resources remain in their current location or be relocated as close to their original location as possible if required to be moved and remain in residential use, as the argument to depart from the City's Heritage Policy and move the resources was not strong enough (some members supported);
- Suggested that it is important to maintain the physical connection between the two related houses;
- Supported the re-location of the cultural heritage resources, but suggested that heritage resources be able to be used for residential or non-residential uses (some members supported);
- Ensure the orientation of the cultural heritage resources is appropriate, so that the front of the houses face the street.

After a lengthy discussion, the Committee asked the Applicant come back to the next meeting with more information on why the cultural heritage resources are required to be moved.

Recommendation:

THAT the Heritage Markham Committee has no objection from a heritage perspective to the relocation of the two Sommerfeldt Houses to Block 'A' (Mixed Use Block) and adapted to other non-residential uses subject to the submission of a building relocation plan.

**Lost**

Recommendation:

THAT Heritage Markham has no objection from a heritage perspective to the relocation of the two Sommerfeldt Houses to Block 'A' (Mixed Use Block) **if used for residential use.**

**Lost**

Recommendation:

THAT the Item 4.1 Plan of Subdivision and Zoning By-Law Amendment, Incorporation of Cultural Heritage Resources in New Subdivision, Sommerfeldt Houses, 10379, and 10411 Kennedy Road be deferred to the April 14, 2021 Heritage Markham Committee meeting.

**Carried**