



MEMORANDUM

TO: Heritage Markham Committee

FROM: Evan Manning, Heritage Planner

DATE: February 9, 2022

SUBJECT: Committee of Adjustment Variance Application
33 Washington Street, Markham Village Heritage Conservation District
Proposed Two-Storey Semi-Detached Dwelling with Detached Garage

FILE: A/004/22

Property/Building Description: Proposed Two-Storey Semi-Detached Dwelling with Detached Garage

Use: Residential

Heritage Status: 33 Washington Street is designated under Part V of the *Ontario Heritage Act* as part of the Markham Village Heritage Conservation District (the “MVHCD” or the “District”).

Application/Proposal

- The City has received an application to the Committee of Adjustment (COA) requesting variances to permit construction of a new 330.12 m² semi-detached dwelling with a 64.10 m² detached garage at 33 Washington Street (the “subject property” or the “property”). Covered porches are proposed along both the west (street facing) and east elevations.
- Specifically, the applicant requires relief from Zoning By-law 1229, as amended, to permit the following:
 - a) a lot frontage of 72 feet, whereas the by-law requires a minimum lot frontage of 75 feet (for a semi-detached unit);
 - b) a front yard setback of 10.2 feet, whereas the by-law requires a minimum front yard setback of 25 feet;
 - c) a stair to encroach into the front yard 28 inches, whereas the by-law permits a maximum of 18 inches;

- d) a lot coverage of 46.01 percent, whereas the by-law permits a maximum lot coverage of 40 percent;
- e) a side yard setback of 4.99 feet, whereas the by-law requires a minimum side yard setback of 6 feet.

Note that a Zoning Preliminary Review (ZPR) was completed in November 2021.

Background

Context

- The subject property is located on the east side of Washington Street midway between Centre Street to the south, and Joseph Street to the north. There is an existing one-storey single detached dwelling and detached garage which, according to MPAC records, were constructed in 1903. Vehicular access to the existing and proposed garages is achieved from Jerman Street. The development enabled by the proposed variances would replace the existing structures.
- The subject property is located within an established residential neighbourhood comprised of predominately one to two-storey detached dwellings. These dwellings were constructed predominantly in the nineteenth and early twentieth centuries, with pockets of mid-century and contemporary infill. Lot coverage along with front and rear yard setbacks is variable within the neighbourhood. Mature vegetation exists on and adjacent to the subject property;
- There is historic precedent for semi-detached dwellings in the immediate vicinity as evidenced by 25-27 Washington Street.

Heritage Policy

- The subject property is categorized as a Type ‘C’ property. As described in Section 3.2 (‘Building Classification’) of the MVHCD Plan, Type ‘C’ properties possess the following characteristics within the District:
 - *These buildings do not relate to the historical character.*
 - *They do not reinforce the historical character.*
 - *Any redevelopment on a lot with this designation will be subject to the policies set out herein and handled in the same manner as a NEW BUILDING.*

The following guidelines from the MVHCD Plan are relevant to the proposed minor variance application:

- Section 4.2.1 provides guidelines for the proportions and height of residential buildings:
 1. *Additions and new infill buildings should be designed to be compatible in terms of height, massing and proportions with those of adjacent heritage buildings;*
 2. *The size of the new structure should neither dominate the adjacent heritage structures, nor be diminutive in scale.*

- Section 4.2.2 provides guidelines for the setback and siting of residential buildings:
2. Addition or infill buildings are to be set-back and sited so that they do not obscure the adjacent heritage building(s).
- Section 1.7 – acknowledges the number of older trees in the District and their species and indicates *“these large older trees contribute significantly to the heritage ambience of the district and every effort should be made to ensure that they are retained”*.
- Section 2.5 – *“that mature, healthy trees be preserved wherever possible on both private and public property”*.

Staff Comment

- Heritage Section and Urban Design staff have completed a preliminary review of the MNV application and while the scale and massing of the proposed semi-detached dwelling are broadly supported from a heritage perspective, Staff do not support its proposed siting. As currently positioned, the south elevation of the semi-detached dwelling is located approximately 2m from a mature Black Walnut tree located along the property line with 29 Washington Street. It is the opinion of arborist retained by the applicant that excavation for the proposed dwelling would have an adverse impact on the root structure and health of the Black Walnut tree, leading to its death within one to five years;
- The applicant is also proposing the removal of a mature Black Walnut tree located adjacent to Jerman Street. While it is the opinion of the applicant’s arborist that the tree is in poor health and likely cannot survive the root damage associated with construction of the new driveway, Urban Design staff need to confirm whether the tree is located on private or City-owned property, and whether refinements to the site plan can allow for its survival;
- Heritage Section staff have no objection to removal of the existing dwelling and detached garage as they are not considered to contribute significantly to the cultural heritage value of the MVHCD.

Next Steps

- Heritage Section and Urban Design staff propose to work with the applicant to achieve a supportable site plan that conserves the existing mature trees, where possible, while ensuring that the design of the new dwelling is compatible with the heritage character of the MVHCD.
 - Should the applicant agree to work with City staff, and should the Heritage Markham Committee agree with Staff’s position, a revised development concept will be reviewed by Heritage Markham at a future date.
 - Should the applicant wish to proceed with the development concept as illustrated in Appendices C and D of this memo, and should the Committee be in opposition to this concept, Heritage Section staff will produce a Staff report for consideration by the COA that opposes the requested variances.
- The MNV application is tentatively scheduled to be considered by the COA on March 23, 2022;

- As the subject property is designated under Part V of the *Ontario Heritage Act*, review by Heritage Markham and approval by City Council is necessary to permit the demolition of the on-site structures;
- Redevelopment of the property will be subject to full site plan control with review by Heritage Section staff for compliance with the MVHCD Plan.

Suggested Recommendation for Heritage Markham

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

OR

THAT Heritage Markham opposes the proposed variances from a heritage perspective to permit a new semi-detached dwelling with a shared detached garage, and requests that City Staff work with the applicant on a revised development concept.

ATTACHMENTS:

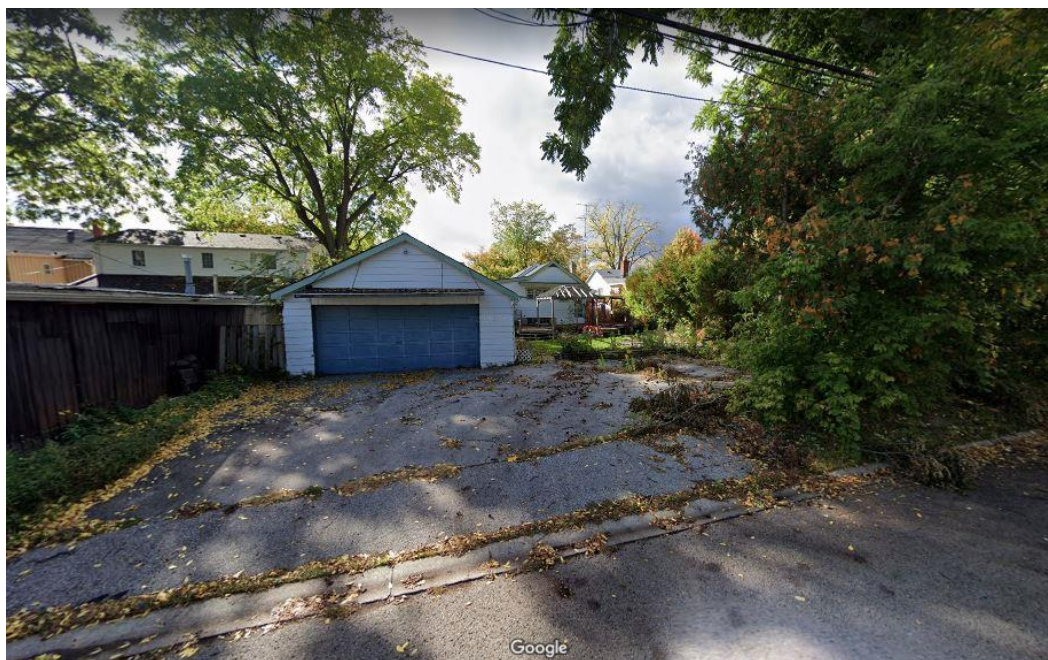
Appendix 'A'	Property Map
Appendix 'B'	Photographs of the Subject Property
Appendix 'C'	Proposed Site Plan and Site Information
Appendix 'D'	Proposed Elevations

Appendix 'A'
Property Map



Appendix 'B'

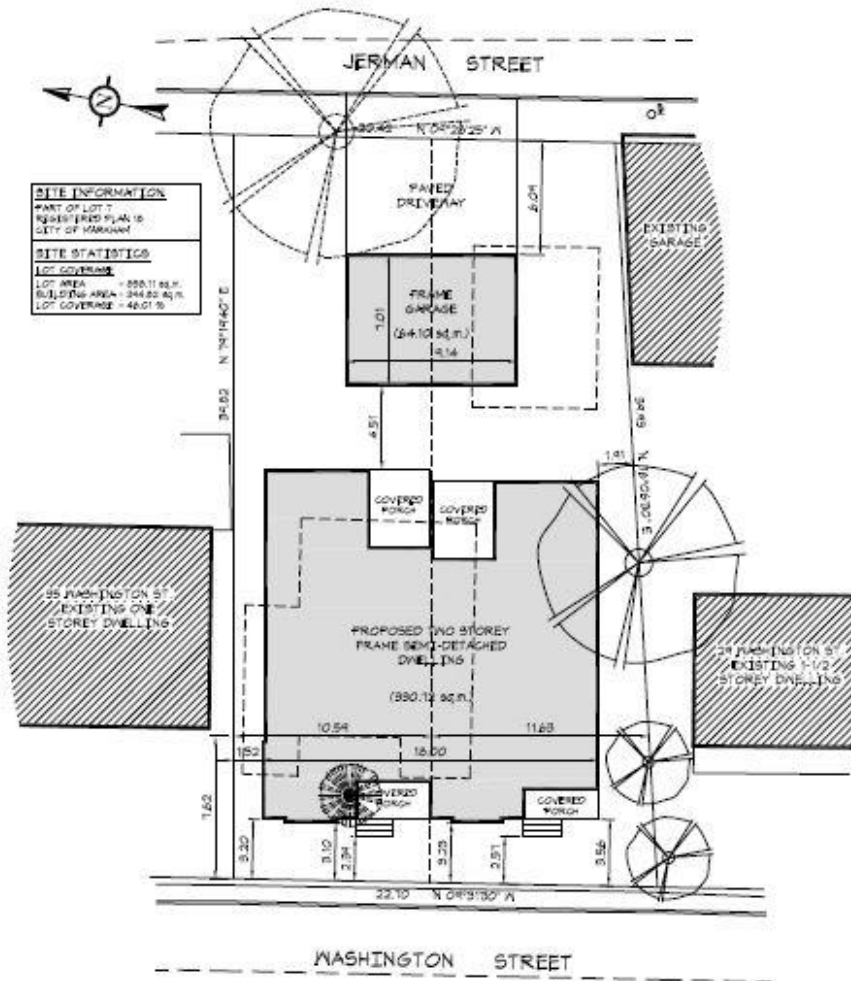
Photographs of the Subject Property



The west (primary) elevation of 33 Washington Street (above) and the rear elevation fronting Jerman Street (below) (Source: Google)

Appendix 'C'

Proposed Site Plan and Site Information



SITE INFORMATION

PART OF LOT 7
REGISTERED PLAN 18
CITY OF MARKHAM

SITE STATISTICS

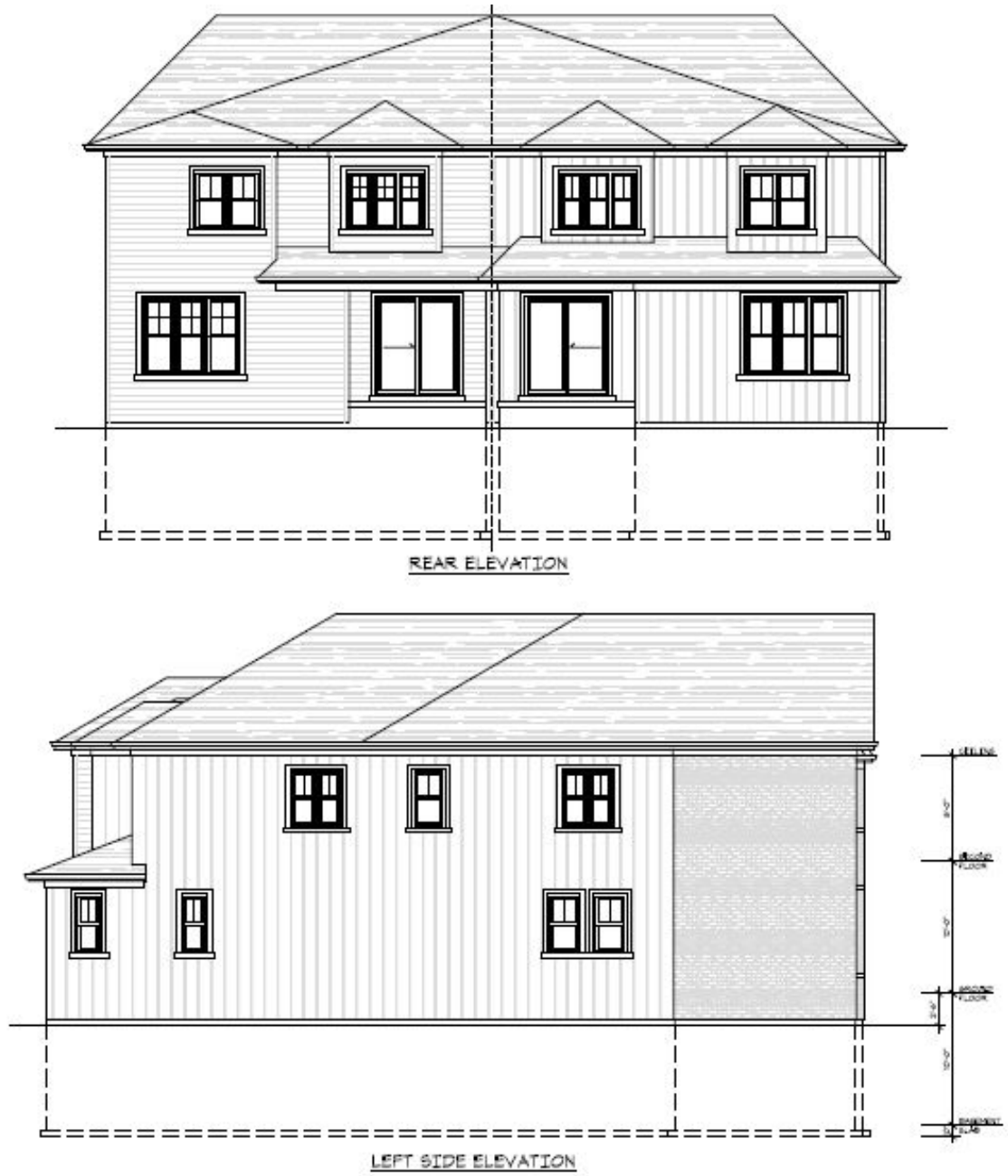
LOT COVERAGE

LOT AREA = 858.11 sq.m.
BUILDING AREA = 344.82 sq.m.
LOT COVERAGE = 40.07 %

Appendix 'D'
Proposed Building Elevations



(Source: Applicant)



(Source: Applicant)