



Heritage Markham Committee Minutes

Meeting Number: 6
May 17, 2023, 7:00 PM
Electronic Meeting

Members	Councillor Karen Rea, Chair Lake Trevelyan, Vice-Chair Councillor Reid McAlpine Ken Davis, Vice Chair Victor Huang	Nathan Proctor David Wilson David Butterworth Tejinder Sidhu
Regrets	Councillor Keith Irish Paul Tiefenbach	Elizabeth Wimmer Ron Blake
Staff	Regan Hutcheson, Manager, Heritage Planning Peter Wokral, Senior Heritage Planner Erica Alligood, Election & Committee Coordinator	Jennifer Evans, Legislative Coordinator Geoff Day, Senior Planner II Brad Roberts, Manager, Zoning & Special Projects

1. CALL TO ORDER

Councillor Karen Rea, Chair, convened the meeting at 7:05 PM by asking 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)

Recommendation:

That the May 17, 2023 Heritage Markham Committee agenda be approved.

Carried

4. PART FOUR - REGULAR

4.1 COMPREHENSIVE ZONING BY-LAW PROJECT

HERITAGE AREA ZONING BY-LAW ISSUES (16.11)

Extract:

R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager, Heritage, provided a brief introduction, advising that this item was deferred from the May 10, 2023 Heritage Markham Committee due to Planning Staff being unable to attend. Mr. Hutcheson provided a brief overview of the City's Comprehensive Zoning By-law Project which is underway and advised that the purpose of the presentation to Heritage Markham is to provide an overview to changes which affect heritage areas within the City. Mr. Hutcheson introduced Geoff Day and Brad Roberts who were in attendance to deliver a presentation.

Brad Roberts, Manager, Zoning & Special Projects, delivered a presentation, highlighting the sections of the Comprehensive Zoning By-law which affect heritage areas.

The Committee provided the following feedback:

- Clarified that all heritage districts are affected by the changes. Staff confirmed that all heritage districts are included but noted that there may be some site specific exceptions;
- Questioned where the measurement of height is taken from. Staff advised that the height of a dwelling would be measured from the double top plate of the wall. Staff clarified that any trusses over the top of the building have a maximum height within the overall maximum height;
- Inquired about the measurement of floor area ratio. Staff clarified that floor area ratio is no longer being used as a measurement, but rather using total lot coverage between all storeys, which Staff confirmed works out to similar measurements;
- Asked if there continues to be an absolute cap in building or accessory building size. Staff confirmed that there are absolute caps, but noted that the setbacks would limit most proposals from reaching the maximum cap;
- Inquired about permissions for protruding garages. Staff confirmed that there was no change to this aspect for heritage buildings, noting that garages may not protrude beyond the front wall of the building;

- Expressed concerns about the restriction of dwellings to two storeys and asked what would prevent applicants from expanding the height of the two floors. Staff advised that the maximum wall heights would prevent this type of application and explained that these are established by the wall heights of two adjacent properties. Staff also advised that if a basement is raised, it would contribute to the overall height;
- Expressed concerns with the possible size of future homes in heritage areas. Staff stressed that, in-line with the building code, there is a cap of square footage, along with other instruments such as setbacks, to control the size of proposed dwellings;
- Inquired about the possibility of appeals to the Committee of Adjustment and where applicants may request variances. Staff advised that some level of control would be maintained through the heritage permit process, but agreed that the by-law will likely require future amendments to address issues, noting that it will not be a static process;
- Advised Staff that it would be beneficial to consult other stakeholders such as builders, architects, and planners to see how the by-law may be challenged in future; Staff confirmed that they had extensive consultation with infill developers and an external architect and incorporated many recommended changes;
- Inquired about permitted uses for the main floor of buildings within heritage districts. Staff advised that the first 10 meters cannot be office uses, but confirmed that if this was the use prior to the new by-law, it would be considered a legally non-conforming use which could continue operation;
- Inquired about the process of appealing the Comprehensive Zoning By-law and whether the entire by-law or sections would be appealed. Staff advised that often by-laws that are appealed in whole are sent back to the appellant by the Ontario Land Tribunal to be further scoped.

Recommendation:

THAT the presentation on the Comprehensive Zoning By-law Project and how it responds to issues of concern from a heritage perspective including instances where the zoning by-law may not support heritage policies, be received.

Carried

5. ADJOURNMENT

The Heritage Markham Committee adjourned at 8:46PM.