



MEMORANDUM

TO: Heritage Markham Committee

FROM: Evan Manning, Senior Heritage Planner

DATE: September 13, 2023

SUBJECT: Minor Heritage Permit Application
313 Main Street North, Markham Village
Unauthorized Fence Installation

FILE: HE 23 134242

Property/Building Description: Buddhist temple (former United Missionary Church) constructed c.1877 as per municipal records (façade heavily modified post-1950)

Use: Place of Worship

Heritage Status: 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 a Minor Heritage Permit (HE) application seeking permission to install a black metal chain link fence along the west and portions of the north and south property lines of 313 Main Street North (the “Subject Property” or the “Property”). Permission for galvanized metal driveway gates is also being sought;
- Note that the applicant is seeking approval after-the-fact as the alterations have already taken place. The work was undertaken without prior consultation or knowledge of Heritage Section staff (“Staff”).

Background

Context

- The Subject Property is located on the east side of Main Street North between Pilkey’s Lane to the south and Deer Park Lane to the north.
- Previous to this recent change to the property, the Main Street North frontage of the property was not fenced and the parking lot was not gated.

Legislative Context and Heritage Policy

Ontario Heritage Act

- As per Section 42(4) of the *Ontario Heritage Act*, Council (or its delegate) must approve a heritage permit, with or without conditions, 90 days from the date the municipality serves notice to the applicant of receipt of the submission. While Heritage Section staff can approve a heritage permit via delegated authority, only Council can deny a permit;
- Staff served notice to the applicant on August 3, 2023 resulting in a decision deadline of November 1, 2023.

MVHCD Plan

- The Subject Property is categorized as a Type ‘A’ property. As described in Section 3.2 (‘Building Classification’) of the MVHCD Plan, Type ‘A’ properties are described as follows:
 - *Of major importance to the Heritage District.*
 - *They have historical and architectural value.*
 - *They are the buildings that give the main heritage character to the district.*
- Section 4.1.4 (‘Commercial: Parking’) states that private properties should adhere to the guidelines in this section.
#2 Screening of parking areas should be appropriate to the heritage character of the street or surrounding area, and may be in the form of:
 - a) shrub vegetation, i.e. evergreen hedges if space is available
 - b) picket fences 3-4 ft (1m-1.5m) in height constructed in wood and painted in a colour compatible with the adjacent buildings; or
 - c) brick, masonry or wrought iron where this is appropriate to the style of abutting properties.
- Section 4.2.3 (‘Residential: Walls & Fences’) states that fencing is an integral part of establishing the heritage character of an area and that modern chain link fences do help to create a heritage character. Further, wooden picket fences and, to a much lesser degree, wrought iron fences have been the tradition in the Markham district. The guidelines indicate: ***“Railings and fences constructed of other non-traditional building materials will be discouraged”***

While the Subject Property is not commercial or residential in use, it is adjacent to properties that are either residential in use or contain a former residential building now in commercial use. As such, the above-referenced guidelines are viewed by Staff as relevant to this application.

Staff Comments

- Staff do not support the Minor HE Permit application as the installation of the black metal chain link fence is highly visible and is not in keeping with the heritage character of the Subject Property or relevant guidance in the MVHCD Plan.
- Masonry piers are also recommended for the galvanized metal gates which are recommended to be painted (if possible);
- Staff propose to work with the applicant to find a suitable replacement for the black chain link fence and encourage the applicant to amend the Minor HE permit application prior to the November 1, 2023 decision deadline.

Suggested Recommendation for Heritage Markham

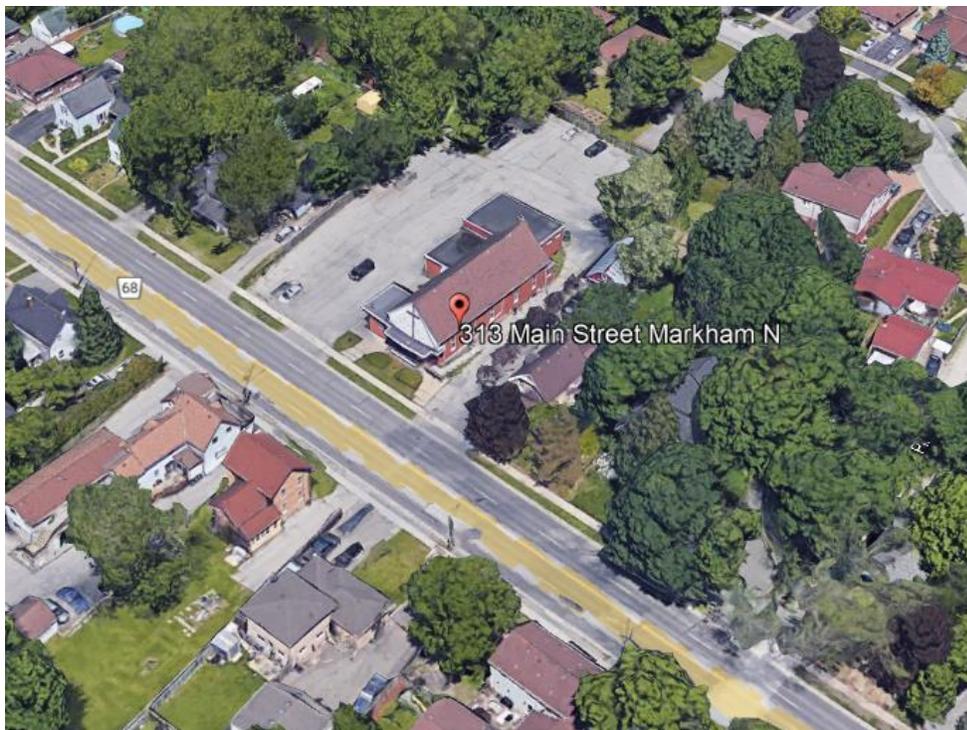
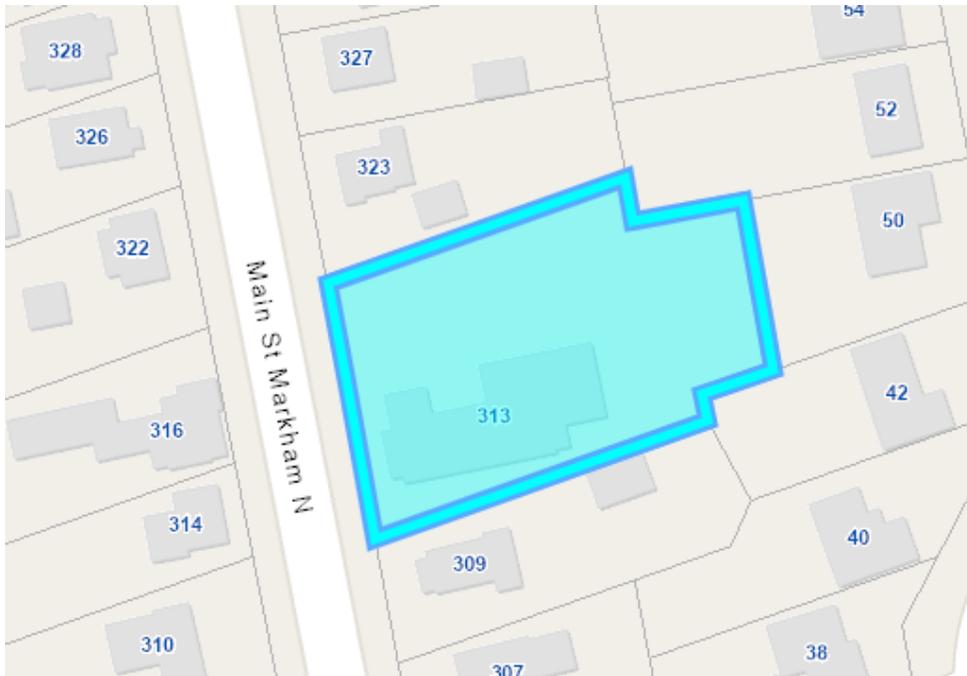
THAT Heritage Markham does not support the installation of the black metal chain link fence and metal gates without appropriate masonry gates at 313 Main Street North and recommends that the Minor Heritage Permit Application seeking approval of the unauthorized alterations be amended with a supportable alternative from a heritage perspective.

ATTACHMENTS:

Appendix 'A'	Property Map and Aerial Image of the Subject Property
Appendix 'B'	Photographs of the Subject Property
Appendix 'C'	Image of the Subject Property Prior to Alteration

Appendix 'A'

Property Map



Property map showing the location of the Subject Property outlined in blue [above] and an aerial image of the Subject Property [below] (Source: City of Markham)

Appendix 'B'

Photograph of the Subject Property



The primary (west) elevation of the Subject Property showing the unauthorized fence installation and new gate feature (Source: City of Markham)

Appendix C

Image of the Subject Property Prior to Alteration



West (Main Street North) showing parking lot and entrance driveway (Source: Google Maps)