



MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Senior Heritage Planner

DATE: March 13, 2024

SUBJECT: Zoning By-law Amendment and Plan of Subdivision Application
Proposed Relocation and Incorporation of Heritage Houses into a Proposed
New Townhouse Development
2716 & 2730 Elgin Mills Road
Levi Heise House & Christian Heise House
PLAN 23 150145

Property/Building Descriptions: Levi Heise House, single detached 2 storey dwelling constructed c. 1887 and the Christian Heise House, single detached, 1-1/2 storey dwelling constructed c. 1859.

Use: Vacant/ Residential

Heritage Status: Both Individually Designated under Part IV of the Ontario Heritage Act

Application Proposal

- The City has received a Zoning By-law Amendment (ZBA) application and a Plan of Subdivision application in support of a proposal to construct twenty eight new 3-1/2 storey townhouse units, a pair of 3-1/2 storey semi-detached dwellings and to relocate and incorporate both the Levi and Christian Heise Houses on Lots 1 and 2 with detached garages having additional second floor residential units.

Background

- The existing siting and orientation of the Levi and Christian Heise Houses helps interpret the familial relationship of the homes and serve as local landmarks on the portion of Elgin Mills Road between Highway 404 and the hamlet of Victoria Square to the east.
- The conceptual Site Plan which accompanies the ZBA application shows the two homes located on two lots fronting a window street parallel to Elgin Mills Road which retains the original south facing orientation of the homes and general relationship to each other. The proposed lots also illustrate proposed detached garages which may include an additional second storey residential unit (See Attachment B).
- Relocation of the homes is necessary to accommodate a 14m wide right setback to the northbound Hwy. 404 on-ramp required by the Ministry of Transportation.

- Heritage Staff has also received and reviewed separate Heritage Impact Assessments (HIA's) provided for each house.

Policy Context

Official Plan 2014

Official Plan policies on retention and relocation.

- **Retention**

4.5.3.12 To retain and conserve cultural heritage resources and consider the following options, in order of priority:

- a) retention of the resource in its original location and its original use (i.e., a heritage dwelling retained on its own lot in residential use in a new plan of subdivision); or*
- b) retention of the resource in its original location, but in an adaptive reuse (i.e., a heritage dwelling converted into a day care centre).*

In considering planning applications under the Planning Act and applications under the Ontario Heritage Act and other legislation, there will be a presumption in favour of retaining the cultural heritage resource in its original location and maintaining its three dimensional integrity as opposed to only retaining a façade incorporated into new development.

Relocation

4.5.3.13 To consider the following options in order of priority, for relocation of a cultural heritage resource in its entirety, where it has been demonstrated that retention of the resource in its original location is neither appropriate nor viable:

- a) within the area of development, preferably on the development site or former property; or*
- b) to a sympathetic site within Markham which may include a heritage conservation district or hamlet.*

Staff Comment

Relocation

- Heritage Section staff is satisfied that the proposed relocation of these homes is desirable as their current proximity to Elgin Mills Road and the on-ramp to Highway 404 make them less attractive as residences.
- Heritage Staff notes that the planned relocation of the homes proposes removal of a one storey frame portion of the Levi Heise House thought to be an enclosed rear veranda and a one storey frame addition to the east of the Christian Heise House built into the existing slope of the land.

Impact on Designation By-laws

- Although the Designation By-laws for both homes include the wooden additions as heritage attributes described under the term “original building footprints,” Heritage Staff concurs with the conclusion of the Heritage Consultant that the eastern addition to the Christian Heise House should be removed considering that the slope it is built into does not exist at the relocated lot. However, given that the conceptual plan does not propose new additions to the rear of the relocated heritage homes, Staff sees no reason why the enclosed rear veranda of the Levi Heise House and existing rear veranda of the Christian

Heise house should be eliminated and recommends that they be retained on the proposed new lots.

Removal of Verandas

- Staff also notes that the HIA recommends removal of the existing front veranda of the Levi Heise House and the front and rear veranda of the Christian Heise House to facilitate their relocation but recommends that all existing verandas be replicated exactly based on scaled drawings and details as part of their incorporation into the proposed development. All of these features are identified in the Designation By-laws as heritage attributes.
- This matter can be further assessed as part of a Major Heritage Permit application for each house given that the retention of original heritage features is highly encouraged. Once removed, these features would have to be re-built to comply with the Ontario Building Code which could require a 42” high railing where none exists on the Levi Heise House (based on the possible future veranda height to the ground) and a 42” railing replacing the existing heritage appropriate, low railing on the Christian Heise House.

New Lots and House Placement

- Staff is satisfied that the proposed lots for the relocated heritage homes provide for appropriate amenity areas and achieves the goals of the City’s Official Plan as they apply to Cultural Heritage Resources by giving them prominence within the proposed development and maintaining their general orientation and relationship to each other.
- Heritage Staff also recommends that the Levi Heise House be located closer to the property line to closer resemble the existing relationship with the Christian Heise House and provide a larger rear amenity space, and that the proposed detached garage on Lot 1 be moved further north to have the same rear yard setback as the proposed garage on Lot 2 in order to improve views to the east façade of the Levi Heise House and the west façade of the Christian Heise House.

Heritage Easement Agreements

- The Levi and Christian Heise Houses are individually designated under Part IV of the Ontario Heritage Act, but their protection can be enhanced by requiring the owner to enter into Heritage Conservation Easement Agreements as one of the conditions of approval of the Plan of Subdivision application.

Plan of Subdivision

- It is recommended that the standard heritage requirements should be conditions of draft approval for the plan of subdivision and/or included in the Subdivision Agreement ensuring:
 - Retention of the heritage resources on an identified lot/block;
 - Protection of each heritage resources 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 Major Heritage Permit with the City for each 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 of registration;
- Provision of a marketing plan to promote the features and availability of the heritage house;
- Commemoration of the heritage houses through the acquisition and installation of a Markham Remembered interpretive plaque for each house.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection to the proposed Zoning By-law Amendment application and recommends that the review of the future Major Heritage Permit applications be delegated to the City, (Heritage Section) staff provided that the Conceptual Site Plan is revised by:

- Illustrating the retention of the front verandas of both the Levi Heise and Christian Heise Houses as part of the relocation, and the re-opening of the rear veranda of the Levi Heise House; and
- Moving the Levi Heise House further south on Lot 1 to create a larger rear yard amenity space and the proposed detached garage northward to have the same rear yard setback as the proposed garage on Lot 2 to improve views to the east façade of the Levi Heise House and the West façade of the Christian Heise House.

THAT the City's standard heritage requirements be conditions of draft approval for the plan of subdivision and/or included in the Subdivision Agreement, including the requirement to secure Heritage Easement Agreements for each building;

AND THAT consideration be given to utilizing historic family names from this area for street names in the subdivision.

Attachments

Attachment A- Location Map and Photographs of the Existing Homes

Attachment B- Conceptual Site Plan

Attachment C- Proposed Elevations of Adjacent Townhouse and Semi-Detached Dwellings

Attachment D- Existing Frame 1 Storey Historic Addition to the Christian Heise House

Attachment E- Existing Enclosed Rear Veranda of the Levi Heise House

File: 2716 & 2730 Elgin Mills Road East

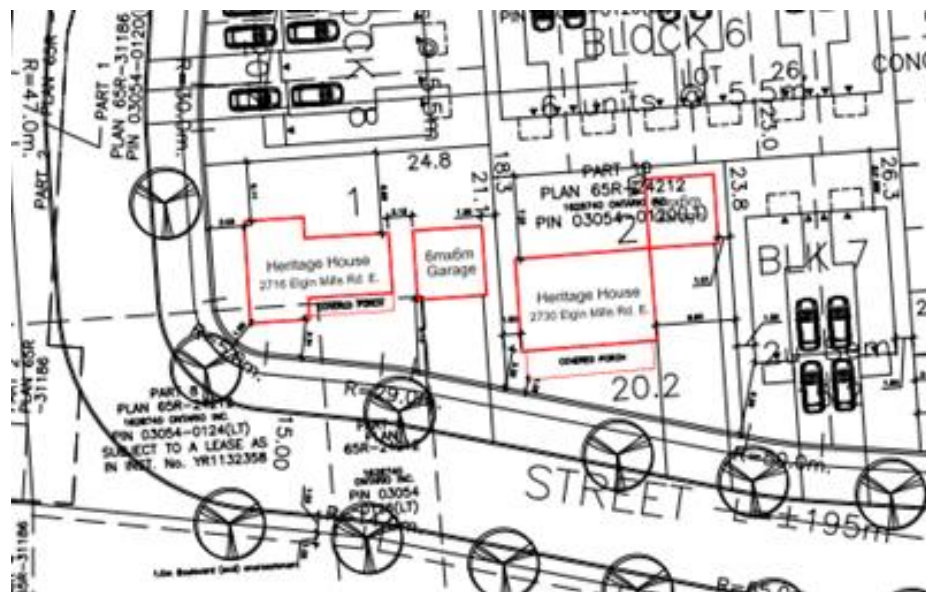
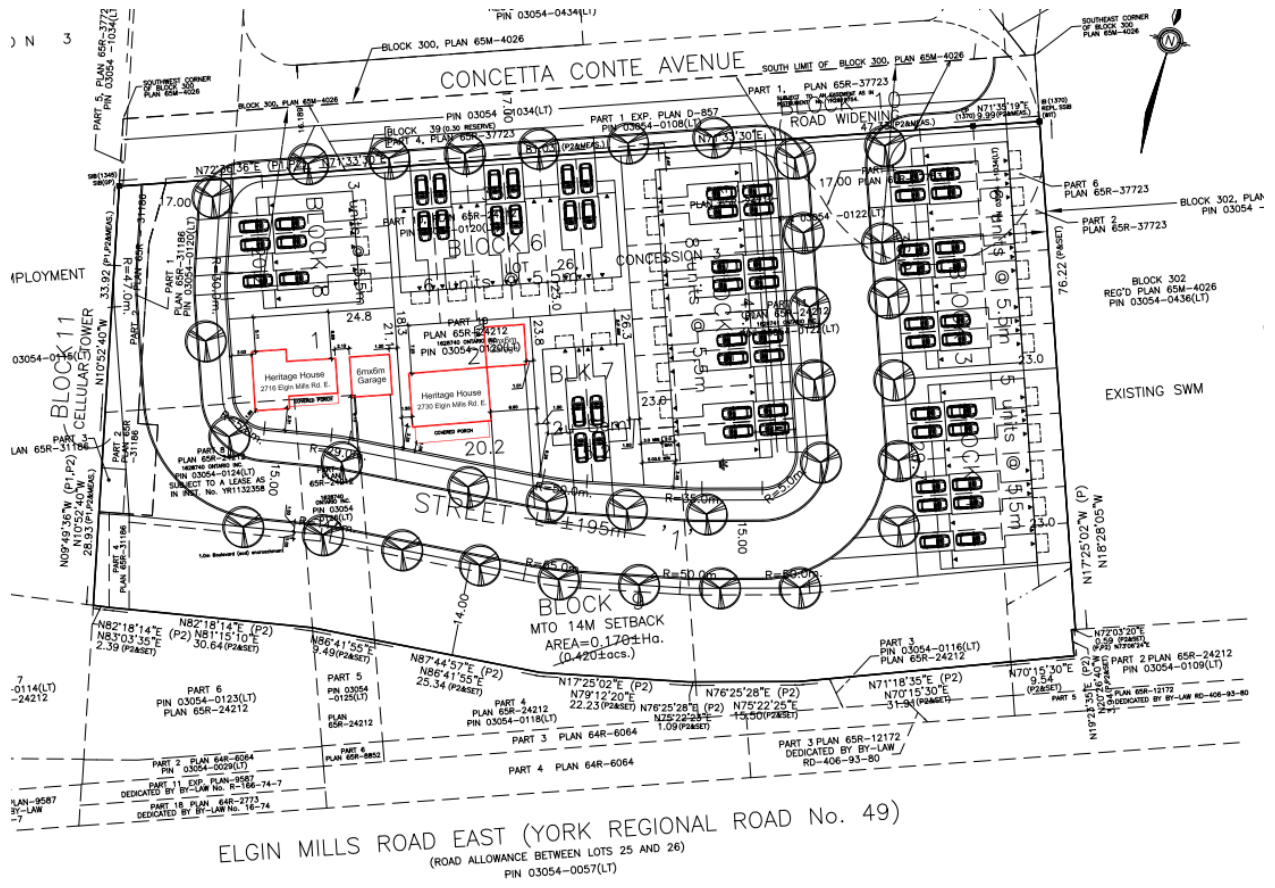
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Attachment A- Location Map and Photographs of the Existing Homes





Appendix B- Conceptual Site Plan

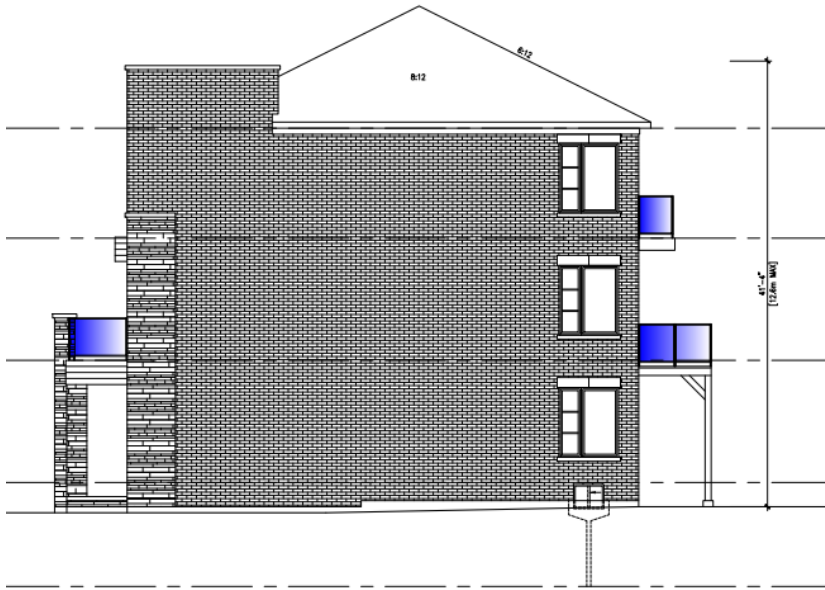


Attachment C

Proposed Elevations of Adjacent Townhouse and Semi-Detached Dwellings



TYPICAL FRONT ELEVATION



TYPICAL INTERIOR SIDE ELEVATION

Attachment D
Existing Frame 1 Storey Historic Addition and
Front Veranda of the Christian Heise House



Historic one storey east addition built into existing slope



Historic Rear Veranda

Attachment E- Existing Enclosed Rear Veranda of the Levi Heise House

