

# **Heritage Markham Committee Meeting City of Markham**

**November 8, 2017  
Canada Room, Markham Civic Centre**

## **Members**

Ian Darling, Vice Chair  
Councillor Valerie Burke  
Maria Cerone  
Ken Davis  
Graham Dewar  
Evelin Ellison  
Anthony Farr  
Councillor Don Hamilton  
David Johnston  
Councillor Karen Rea  
Zuzana Zila

## **Regrets**

David Nesbitt, Chair  
Jennifer Peters-Morales

## **Staff**

Regan Hutcheson, Manager, Heritage Planning  
George Duncan, Senior Heritage Planner  
Peter Wokral, Heritage Planner  
John Britto, Committee Secretary (PT)

Ian Darling, Vice Chair, convened the meeting at 7:23 PM by asking for any disclosures of interest with respect to items on the agenda.

Graham Dewar disclosed an interest with respect to Item # 5, 124 Main Street, Unionville and 11 Albert Street, Markham Village, by nature of being the contractor of the project, and did not take part in the discussion of or vote on the question of the approval of this matter.

David Johnston disclosed an interest with respect to Item # 5, 124 Main Street, Unionville and 11 Albert Street, Markham Village, by nature of being the architect of the project, and did not take part in the discussion of or vote on the question of the approval of this matter.

The Heritage Markham Committee recessed at 9:00 p.m. and reconvened at 9:10 p.m.

**1. Approval of Agenda (16.11)**

- A) Addendum Agenda
- **Heritage Property Tax Reduction Program  
Request for Heritage Easement  
St. Volodymyr's Ukrainian Catholic Church and Rectory  
15 Church Lane, Thornhill Heritage Conservation District.**
- B) New Business from Committee Members
- **Vacant and Threatened Heritage properties, City-wide.**
  - **End of Year Reception**

Heritage Markham Recommends:

That the November 8, 2017 Heritage Markham Committee agenda be approved, as amended.  
CARRIED

**2. Minutes of the October 11, 2017  
Heritage Markham Committee Meeting (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

Heritage Markham Recommends:

That the minutes of the Heritage Markham Committee meeting held on October 11, 2017 be received and adopted.

CARRIED

**3. Zoning By-Law Amendment Application  
Official Plan Amendment Application  
Plan of Subdivision  
4031 Sixteenth Avenue  
James McLean House/Briarwood Farm (16.11)**

File Number: OP/ZA/SU 16 133028

Extracts: R. Hutcheson, Manager of Heritage Planning  
E. Wimmer, Senior Planner  
S. Heaslip, Senior Project Coordinator

The Manager of Heritage Planning reviewed the Zoning By-Law Amendment Application, Official Plan Amendment Application and Plan of Subdivision to permit a small infill subdivision on a private lane, on a remnant of a former farm property at 4031 Sixteenth Avenue. Now surrounded by a modern-era subdivision of single detached houses, the

property is historically known as the James McLean House or more recently, Briarwood Farm. The property contains a 1½ storey brick farmhouse and is designated under Part IV of the *Ontario Heritage Act*.

The Manager of Heritage Planning advised that in 2016 Heritage Markham Committee considered a previous version of this application wherein 12 units were proposed and the heritage building was proposed to be relocated closer to 16<sup>th</sup> Avenue. Since that time, a revised application has been submitted in July 2017 proposing to retain the heritage building on its original site and on its original foundation facing 16<sup>th</sup> Avenue. It is proposed to reduce the number of new dwellings with one of the new dwelling units located north of the heritage building, and facing 16<sup>th</sup> Avenue. The lands immediately to the west of the heritage building, which will include the original driveway to the heritage building, will be open space land and would come into the City's ownership.

The Manager of Heritage Planning further advised that Heritage Markham Committee has been provided with staff's review of the Plan and additional material from the revised Cultural Heritage Impact Assessment by architect Joan Burt. He further advised that the heritage building is an unique and significant property from a heritage perspective, both from the internal material left inside the building and the external material. Staff has provided the pros and cons of retaining the heritage building on its original site as compared to relocating the heritage building, as previously reviewed in 2016. Staff has provided the Committee with a preferred option of retaining the heritage building on its original site. Staff is also suggesting that it would be appropriate, based on heritage policies and allowing the context of the heritage building to be better maintained, to have the proposed new dwelling which is to the north of the heritage building removed and not incorporated into the proposed new development, which would reduce the developable land and a possible reduction of one unit.

The Manager of Heritage Planning further advised that there may be other ways of re-designing the subdivision to place the 6 units around the cul-de-sac. He also advised that all developments have to provide parkland dedication. Most smaller developments tend to provide cash-in-lieu of parkland.

Staff's preferred option is to:

- retain the heritage dwelling on a larger lot as per the concept plan from 1991 and maintain the existing driveway and access to 16<sup>th</sup> Avenue (which would need support from The Region of York) or if required, introduce a new driveway off the new cul-de-sac. This option protects the character and integrity of the heritage dwelling as well as a substantial amount of mature vegetation.
- There may be the possibility of obtaining the required parkland dedication in front of the heritage building.
- Any future approval of this development should obtain a Heritage Conservation Easement, designation of interior features as well as a revised Designation By-law, a Markham Remembered interpretive plaque and site plan approval (including a Restoration Plan) for the James McLean House as conditions of development approval.
- If a new dwelling is supported north of the heritage dwelling, the width of the driveway should be minimized to protect vegetation along the eastern boundary, the height of the

rear yard fencing should be limited to 3-3½ feet to maintain views of the heritage dwelling, and an attempt to achieve a smaller dwelling unit that would be more complementary to the heritage resource.

Staff is of the opinion that there is no compelling reason from a heritage perspective to support relocation of the designated heritage dwelling from its original site/foundation. The relocation would also result in the loss of mature trees and vegetation associated with the dwelling and makes the heritage dwelling less desirable from a liveability perspective due to the proposed proximity and noise associated with 16<sup>th</sup> Avenue.

Ms. Maria Gatzios, of Gatzios Planning & Development Consultants Inc., addressed the Committee on behalf of the applicant and provided two options, using overhead slides, for the proposed development of the James McLean House. Ms. Joan Burt, the landowner's Architect and author of the Cultural Heritage Impact Assessment of December 2015, was also present at the meeting.

Ms. Maria Gatzios reviewed the former 13 lot plan which was opposed by local residents and noted that in working with TRCA, the development parcel got smaller and the open space was enlarged.

Ms. Gatzios advised that the applicant agrees to retain and preserve the McLean House in its current location on lot 6, with vehicular access from the proposed new internal driveway as mandated by York Region. She further advised that if the Committee believes visibility of the heritage house is important, the applicant is willing to retain and preserve the James McLean House by relocating it to a new prominent and visible location on lot 7 of the proposed plan of subdivision. The applicants is not willing to eliminate the new house to the north of the heritage house.

Mr. Malcolm Lowe addressed the Committee using photographs, expressing concerns of the deteriorated condition of the James McLean House / Briarwood Farm heritage building including recent vandalism. He also believes there is evidence of wildlife living in the dilapidated building and noted the front door was open.

Mrs. Ann Woods addressed the Committee expressing concerns of possible trespassing of the property. Mrs. Woods provided the Committee with photographs, from one year ago, of the deplorable condition of the heritage property, and the exposure to the elements, including wildlife, birds, etc. taking shelter within the dilapidated building.

The Committee expressed concerns that the neglect of the heritage property by its present owners has led to its current deplorable condition, and believes that the owners should be advised that the roof should be repaired and all windows and doors boarded immediately. As well, the existing antenna should be removed. There was also concern expressed regarding lack of action by By-law Enforcement officials.

One member requested that staff report back on whether the condition of a building can be part of the Pre-Consultation review undertaking the City.

Heritage Markham Recommends:

That the following deputations and correspondence be received:

1. Ms. Maria Gatzios, Gatzios Planning & Development Consultants Inc., Mount Pleasant Road, Toronto, on behalf of the applicant, and correspondence dated November 8, 2017;
2. Mr. Malcolm Lowe, local resident; and
3. Mrs. Ann Woods, local resident, and photographs submitted at the meeting; and,

That Heritage Markham Committee supports the following:

- retention and preservation of the James McLean House within the proposed plan of subdivision on its original site and original foundation, and preferably maintain its existing access driveway from Sixteenth Avenue through an access easement over public land;
- removal of the proposed new dwelling to the north of the heritage dwelling which would offer an appropriate amount of land in front of and around the dwelling to preserve its heritage integrity as well as maintain mature trees and vegetation on the site (this land could be in public or private ownership); and,

That Heritage Markham recommends that any conditions of approval for the proposed redevelopment of this property include

- the requirements for a restoration/conservation plan and site plan application for the heritage dwelling (and any additions or accessory buildings) to be submitted and approved by the City;
- the requirement to revise the existing designation by-law to reflect the current manner in which designation by-laws are written, including a statement of cultural heritage value or interest and a description of heritage attributes to be protected including interior features, and a revised legal description based on the new lot description; and
- the requirement for a Heritage Easement Agreement and a Markham Remembered Plaque; and,

That if a new dwelling is supported north of the heritage dwelling, the City should work with the applicant to minimize the width of the driveway to protect vegetation along the eastern boundary, limit the height of the rear yard fencing to 3-3½ feet to maintain views of the heritage dwelling and attempt to achieve a smaller dwelling unit that would be more complementary to the heritage resource; and,

That the applicant be advised to repair the roof, board all windows and doors, and remove the existing antenna; and,

That staff and the applicant be sensitive to any wildlife residing in the property.

CARRIED

- 4. Heritage Permit Applications,  
104 John Street, Thornhill,  
32 Victoria Avenue, Unionville,  
139 Main Street, Unionville,  
Delegated Approvals: Heritage Permits (16.11)**  
File Numbers: HE 17 179256  
HE 17 177971  
HE 17 179259  
Extracts: R. Hutcheson, Manager of Heritage Planning

Heritage Markham Recommends:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

CARRIED

- 5. Building Permit Applications,  
201 Main Street Unionville,  
124 Main Street, Unionville,  
5 Washington Street, Markham Village,  
11 Albert Street, Markham Village,  
20 Main Street North, Markham Village,  
9642 9<sup>th</sup> Line, Cornell Community  
Delegated Approvals: Building Permits (16.11)**  
File Numbers: 17 175489 AL  
17 175245 HP  
17 157017 AL  
17 176722 HP  
17 178417 AL  
17 177522 HP  
Extracts: R. Hutcheson, Manager of Heritage Planning

Graham Dewar disclosed an interest with respect to Item # 5, 124 Main Street, Unionville and 11 Albert Street, Markham Village, by nature of being the contractor of the project, and did not take part in the discussion of or vote on the question of the approval of this matter.

David Johnston disclosed an interest with respect to Item # 5, 124 Main Street, Unionville and 11 Albert Street, Markham Village, by nature of being the architect of the project, and did not take part in the discussion of or vote on the question of the approval of this matter.

Heritage Markham Recommends:

That Heritage Markham receive the information on building and demolition permits approved by Heritage Section staff under the delegated approval process.

CARRIED

- 6. Events,**  
**Doors Open Markham 2017 – Event Wrap Up,**  
**Minutes of October 25, 2017 (16.11)**  
Extracts: R. Hutcheson, Manager of Heritage Planning

Heritage Markham Recommends:

That Heritage Markham receive as information.

CARRIED

- 7. Site Plan Control Application,**  
**143 Main Street, Unionville Heritage Conservation District,**  
**Update: Additions and Alterations to the Pingle Tenant Farm House (16.11)**  
File Number: SC 17 172884  
Extracts: R. Hutcheson, Manager of Heritage Planning  
G. Duncan, Project Planner

Heritage Markham Recommends:

That Heritage Markham supports the revised design for alterations and additions to 143 Main Street, Unionville, subject to the applicant entering into a Site Plan Agreement containing the usual conditions relating to materials, colours, etc.

CARRIED

- 8. Information,**  
**The Ontario Heritage Act Register (16.11)**  
Extracts: R. Hutcheson, Manager of Heritage Planning

Heritage Markham Recommends:

That Heritage Markham Committee receive as information.

CARRIED

**9. Site Plan Control Application,  
104 John Street, Thornhill Heritage Conservation District,  
Proposed Carport on Accessory Building (16.11)**

File Number: SC 17 172884

Extracts: R. Hutcheson, Manager of Heritage Planning  
P. Wokral, Heritage Planner

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Heritage Markham Recommends:

That Heritage Markham has no objection from a heritage perspective to the proposal to install the single carport to the accessory building at 104 John Street as shown in the drawings date stamped May 2014 (issued for review October 19, 2017).

CARRIED

**10. Correspondence (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Heritage Markham Recommends:

That the following correspondence be received as information:

- a) Society for the Preservation of Historic Thornhill: Newsletter, October 2017. Staff has full copy.
- b) Community Heritage Ontario Newsletter, Fall 2017 (sent out electronically by Staff).

CARRIED

**11. Site Plan Control Application,  
16 Church Street, Markham Village Heritage Conservation District,  
Proposed Addition to Heritage Dwelling (16.11)**

File Number: SC 17 161015

Extracts: R. Hutcheson, Manager of Heritage Planning  
P. Wokral, Heritage Planner

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The Heritage Planner reviewed the Site Plan Control Application for a proposed addition to the heritage dwelling at 16 Church Street in the Markham Village Heritage Conservation District. The property has been lying vacant for a few years and has fallen into disrepair. The owner is now proposing to lift the existing heritage house in order to construct a new foundation and basement, and to construct a 2,377 <sup>2</sup>ft (220.8 m<sup>2</sup>), two storey addition, with an attached one car garage, to the rear of the existing heritage dwelling.

The front of the lot, from a zoning by-law perspective is considered to be Church Street. The lot size is 4,865 <sup>2</sup>ft. whereas the by-law requires a minimum of 6,600 <sup>2</sup>ft.



The applicant has worked with Heritage and Urban Design Department staff, but due to the dimensions of the lot, and the location of the existing heritage dwelling, the area in which to locate an appropriate addition is fairly constrained. Variances related to the existing front yard setback, the proposed rear yard setback and the amount of floor space will be required, but the applicant has not yet submitted a variance application to the Committee of Adjustment.

The Heritage Planner advised that the total size of the proposed house including the garage is 3,380 <sup>2</sup>ft. Staff is generally satisfied with the location, scale, massing and form of the proposed addition. Staff has no objection to the proposed lifting of the existing heritage dwelling and the construction of a new foundation, provided that there is no significant change in the elevation of the first floor of the heritage dwelling above grade. The existing foundation and basement is in poor condition, does not provide useable living space, and is not raised sufficiently above grade to prevent damage to the wooden structure of the heritage house.

Ms. Ruth Winterfield, a local resident addressed the committee reiterating that the existing heritage house needs to be repaired. She further expressed concerns with respect to the 70% net floor area ratio for the construction of the proposed new dwelling, whereas the existing by-law permits 45% lot coverage. This massing does not complement the existing homes in the neighbourhood.

The Heritage Planner confirmed that the house occupies 45% of the lot coverage, whereas the 70% (net floor area ratio) includes the second floor and the garage.

Responding to a question from a Committee member, the Manager of Heritage Planning advised that the Planning Act does not provide for neighbours to be notified of site plan control applications, although staff encourage applicants to speak to their neighbours of any future development proposals. He further advised that this issue has been raised by Heritage Markham Committee members in the past and he has confirmed from the City's Legal and Planning Departments that the City of Markham does not require that the neighbours be notified of site plan control applications.

The Committee discussed the inconsistency in the lot area calculations between that of MPAC and the application, and expressed concerns with respect to the overall massing and setbacks of the proposed development and the impact on potential flooding issues.

The Heritage Planner advised that the intent of the net floor area calculation is to ensure that new buildings and additions are compatible with the sizes of houses in the neighbourhood. He further advised that 3,380 <sup>2</sup>ft is somewhat modest in size as compared to what is generally seen with respect to scale and massing of new houses in the neighbourhood. It was noted that the permitted net floor area for the subject lot would be approximately 2,190 sq ft (house and garage)

Ms. Pamela Pan, the Designer of the project, addressed the Committee in support of the proposed development using overhead projection slides. She advised that it is proposed to have a soft landscaped courtyard in the front yard of the property.

Responding to a question from a Committee member, Ms. Pan advised that the proposed new garage will be set back from the current garage fronting George Street. She further advised an engineer will be engaged to prepare a drainage plan.

Heritage Markham Recommends:

That the correspondence from Ms. Jacquie Gardiner, dated November 8, 2017, and the deputation by Ms. Ruth Winterfield, local residents, be received; and,

That Heritage Markham has no objection to the proposed lifting of the heritage dwelling at 16 Church Street so that it can be placed on a new foundation in the same location on the property; and,

That Heritage Markham does not support, from a heritage perspective, the proposed location, scale, massing and form of the proposed addition; and further,

That a revised proposal be brought back for consideration at a future meeting of the Heritage Markham Committee.

CARRIED

**12. Committee of Adjustment Variance Application,  
128 Harbord Street,  
Philip Eckardt Log House (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
G. Duncan, Project Planner  
R. Punit, Secretary, Committee of Adjustment

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The Senior Heritage Planner reviewed the Committee of Adjustment Variance Application submitted in association with the Site Plan Control application. A rear yard setback of 2.3 metres is requested, whereas the By-law requires a minimum rear yard setback of 7 metres. He advised that Heritage Markham reviewed the development plans for the subject property at its October 11, 2017 meeting and generally supported the proposal, including the placement of the building on the lot. At that time, the applicant was not aware of any variances that would be required to implement the plans, but has since obtained a zoning review which indicates two variances are required. Additionally, the applicant wishes to locate an accessory dwelling unit in the basement, which can be permitted through a minor variance process. The requested variances do not affect the overall concept that was earlier supported by Heritage Markham Committee.

The Senior Heritage Planner advised that with respect to the reduced rear yard setback, staff recommend that a condition of approval of the reduced setback require that the height of the rear yard fence be limited to 1.2 metres to preserve the views to the restored heritage building. With respect to the accessory dwelling in the basement, staff recommend that the exterior stairway be relocated to the south to avoid the stairway enclosure impacting the west and north views of the restored heritage building

The Senior Heritage Planner further noted that Staff advised the applicant of the suggested conditions, and the applicant was amenable to those conditions.

Heritage Markham Recommends:

That Heritage Markham has no objection to the requested variances for 128 Harbord Street, from a heritage perspective, provided that conditions of approval limit the height of any rear yard fencing to 1.2 metres, and that the exterior basement stairway be relocated to the south to protect views of the west and north sides of the restored Philip Eckardt Log House.

CARRIED

**13. Budget Discussions,**

**Heritage Markham Budget Request for 2018 (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
B. Karumanchery, Director, Planning & Urban Design

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Heritage Markham Recommends:

That consideration of this matter be deferred to the December 2017, Heritage Markham Committee meeting.

CARRIED

**14. Studies/Projects,**

**Heritage Markham Awards of Excellence 2017 (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Heritage Markham Recommends:

That Heritage Markham receive the Awards of Excellence Sub-Committee Notes from October 26, 2017 and approves the recommended award winners; and,

That a new category be added to the Heritage Markham Awards of Excellence program entitled “Natural Heritage/Heritage Landscape” to allow the recognition of natural heritage works within a cultural heritage context or heritage landscape works; and further,

That the 2017 Heritage Markham Awards of Excellence be held from 7:00 to 9:30 p.m. on Monday, December 11, 2017, in the Canada Room at the Markham Civic Centre.

CARRIED

**15. Heritage Property Tax Reduction Program,  
Request for Heritage Easement  
St. Volodymyr's Ukrainian Catholic Church and Rectory  
15 Church Lane  
Thornhill Heritage Conservation District (16.11)  
Extracts: G. Duncan, Senior Heritage Planner**

The Senior Heritage Planner reviewed the request for a Heritage Easement Agreement to facilitate a Heritage Tax Reduction application and to facilitate the protection and maintenance of the property's structures (church, house and hall) by the congregation of the St. Volodymyr's Ukrainian Catholic Church and Rectory at 15 Church Lane in the Thornhill Heritage Conservation District. He advised that Markham Council implemented a Heritage Tax Reduction Program effective January 1, 2003. The purpose of the program is to provide a financial incentive for owners to preserve and maintain significant heritage properties in the City. Provincial legislation that permits heritage tax relief programs requires that eligible properties be subject to a Heritage Easement Agreement. This agreement must be in place prior to the end of the current year, to enable the owner to qualify to apply for the Program for the 2017 taxation year.

The Senior Heritage Planner advised that staff has prepared the Reasons for Identification for the subject property, which identifies the property's cultural heritage attributes. Although the owner has requested that the choir loft and church hall be included in the list of significant features, neither of these features are included in the list of attributes in the individual designation by-laws or Building Inventory which forms a part of the revised Thornhill Heritage Conservation District Plan (2007) and are not considered significant features meriting inclusion in the reasons for Identification.

**Heritage Markham Recommends:**

That Heritage Markham has no objection to the City entering into a Heritage Easement Agreement for St. Volodymyr's Church and Rectory at 15 Church Lane for the purpose of meeting the qualifications for the Heritage Tax Reduction Program and the long-term protection of the cultural heritage attributes of the property.

CARRIED

**16. New Business**

**Vacant and Threatened Heritage Properties, City-wide (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
C. Alexander, Acting Manager, By-Law Enforcement & Regulatory  
Services  
T. Wilkinson, Provincial Offences Officer Supervisor

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Councillor Karen Rea suggested that staff carry out inspections of all vacant and threatened heritage properties in the City and issue appropriate notices to the respective owners of such properties. The Heritage Planner noted that Staff were already meeting with By-Law Enforcement Staff on this matter.

Heritage Markham Recommends:

That By-law Enforcement staff conduct a thorough inspection of all vacant and threatened heritage properties in the City and issue appropriate notices to the respective owners of such properties.

CARRIED

**17. New Business**

**End of the Year Reception (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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The Committee agreed that a reception after the December meeting should be held. Staff will co-ordinate refreshments. Councillor Burke offered to book the Councillor's Lounge.

Heritage Markham Recommends:

That the December Heritage Markham meeting begin at 6:30 p.m.

**Adjournment**

The Heritage Markham Committee meeting adjourned at 10:16 PM.