

**HERITAGE MARKHAM COMMITTEE MEETING
CITY OF MARKHAM
Council Chamber, Markham Civic Centre**

Monday, September 10, 2012

MINUTES

Members

Councillor Valerie Burke
Councillor Colin Campbell
Jenny Chau
Ted Chisholm
Judith Dawson
Councillor Don Hamilton
David Johnston
Barry Martin, Vice-Chair
Marion Matthias
Richard Morales
Barry Nelson
David Nesbitt
Ronald Waine, Chair

Staff

Regan Hutcheson, Manager of Heritage Planning
George Duncan, Senior Heritage Planner
Peter Wokral, Heritage Planner
Kitty Bavington, Council/Committee Coordinator

Ronald Waine, Chair, convened the meeting at 7:15 p.m. by asking for any disclosures of interest with respect to items on the agenda.

Councillor Valerie Burke disclosed an interest with respect to Item #2 for 26 Colborne Street, by nature of owning the subject property, and did not take part in the discussion of or vote on the question of the approval of this matter.

Ted Chisholm disclosed an interest with respect to Item # 3 for 17 Euclid Street, by nature of owning the adjacent property, and did not take part in the discussion of or vote on the question of the approval of this matter.

Barry Martin disclosed an interest with respect to Item # 15 for 6278 19th Avenue, by nature of being involved in the property prior to joining Heritage Markham, and did not take part in the discussion of or vote on the question of the approval of this matter.

1. APPROVAL OF AGENDA (16.11)
 - A) Addendum Agenda
 - B) New Business from Committee Members

HERITAGE MARKHAM RECOMMENDS:

THAT the Heritage Markham agenda be approved.

CARRIED

2. MINUTES OF THE AUGUST 8, 2012
HERITAGE MARKHAM COMMITTEE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
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Councillor Valerie Burke disclosed an interest with respect to Item #2 for 26 Colborne Street, by nature of owning the subject property, and did not take part in the discussion of or vote on the question of the approval of this matter.

HERITAGE MARKHAM RECOMMENDS:

THAT the Minutes of the Heritage Markham meeting held on August 8, 2012 be received and adopted.

CARRIED

3. COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION
COMMITTEE OF ADJUSTMENT CONSENT APPLICATION
17 EUCLID STREET, UNIONVILLE
PROPOSED SEVERANCE AND VARIANCES (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
S. Corr, Committee of Adjustment
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Ted Chisholm disclosed an interest with respect to Item # 3 for 17 Euclid Street, by nature of owning the adjacent property, and did not take part in the discussion of or vote on the question of the approval of this matter.

The Manager of Heritage Planning gave an overview of the Committee of Adjustment Consent and Minor Variance applications, and noted corrections to the figures indicated.

Jim Kirk, Planning Consultant on behalf of Mark and Lorreen Boehmer, the applicants, gave a presentation explaining the proposal and discussed the development of the property with respect to the site plan, impacts, and Markham policies. Mr. Kirk reviewed how the lot fabric in the neighbourhood had changed since 1856 (30 of 60 lots had intensified).

Mr. Kirk responded to concerns from the Committee regarding the loss of amenity area. He indicated that a generous outdoor living area would be achieved. Mr. Kirk concluded that the proposal will add value to the area and would not detract from the heritage character.

Templar and Erica Tsang Trinaistich, area residents, spoke in opposition to the proposal with respect to the impacts to the character of the heritage neighbourhood. Their concerns included: the proposed lot size, the lot orientation; alterations to pattern of development, the proximity of the new house to their backyard; impacts on surrounding backyards and loss of buffer space, and setting a precedent. In their opinion, the existing larger lot is an anchor lot in a character street. The Committee questioned if a smaller proposed dwelling would be acceptable, and Mr. Tsang Trinaistich indicated they were opposed to the severance in general.

Robert and Jane Vet, area residents, spoke in opposition to the proposal with respect to previous Committee of Adjustment decisions for this property, and the potential for detrimental impacts to surrounding properties and existing rear yard amenity areas. In their opinion, the small lot would be out of character and does not meet the Heritage District Plan objectives. The Committee questioned if a smaller proposed dwelling would be acceptable, and Mr. Vet indicated they were opposed to the severance in general. It was noted that the Vets' have the smallest lot and frontage in the area (legacy lot) and that this should not be repeated.

Steve and Beth Hanson, area residents, spoke in opposition to the proposal with respect to the impacts to the heritage character and integrity of the neighbourhood, the view from their adjacent home, and the potential damage to the existing trees. They noted that the area is a stable community and a collective of unique homes and green spaces, and that the proposal is not compatible with the area and is not consistent with the Heritage District Plan objectives. The Committee questioned if a smaller proposed dwelling would be acceptable, and Mr. Hanson indicated they were opposed to the severance in general.

Violet and Jeff Guiler, area residents, spoke in opposition to the proposal, suggesting the existing large dwelling, a character home, is suited to the existing large lot, and expressed concern regarding the proposed orientation of the new dwelling. In their opinion, the proposed lot is out of character and they did not support it. The Committee questioned if a smaller proposed dwelling would be acceptable, and Mr. Guiler indicated he would only support a small accessory building on the lot.

The Committee discussed the proposal and made comments regarding the orientation of the proposed house, inappropriate intensification in this area, and the impacts to the green space and the heritage neighbourhood.

HERITAGE MARKHAM RECOMMENDS:

THAT the deputations by Jim Kirk, Templar and Erica Tsang Trinaistich, Robert and Jane Vet, Steve and Beth Hanson, and Violet and Jeff Guiler, regarding 17 Euclid Street, be received;

THAT Heritage Markham does not support the application to sever a portion of 17 Euclid Street to create a new lot fronting onto Eureka Street and does not support the associated variances because they would result in development that does not conform to the heritage conservation policies of the Markham's Official Plan and the Unionville Heritage Conservation District Plan;

AND THAT the record reflect that the decision was unanimous with the Heritage Markham members present.

CARRIED

4. HERITAGE PERMIT APPLICATIONS
79 JOHN STREET, THORNHILL, 117 JOHN STREET, THORNHILL
8966 WOODBINE AVE. BUTTONVILLE, 8965 WOODBINE AVE.
BUTTONVILLE, 16 PAVILION STREET, UNIONVILLE, 17 PETER STREET,
MARKHAM VILLAGE, 12 WISMER PLACE, MARKHAM HERITAGE
ESTATES, 3 HERITAGE CORNERS LANE, MARKHAM HERITAGE
ESTATES, 24 DAVID GOHN CIRCLE, MARKHAM HERITAGE ESTATES
DELEGATED APPROVALS: HERITAGE PERMITS APPROVED BY STAFF
(16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

The Committee noted that 79 John Street is a war veteran's house and has heritage significance. Staff acknowledged that it was classified as a Class C Building and agreed to use the classification noted in the District Plan in the future.

HERITAGE MARKHAM RECOMMENDS:

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

AND THAT the "non-heritage" description for 79 John Street be revised to a Class C building.

CARRIED

5. BUILDING PERMIT APPLICATIONS
DELEGATED APPROVALS: BUILDING PERMITS AND SIGN PERMITS
APPROVED BY HERITAGE SECTION STAFF
3 LEAHILL DRIVE, THORNHILL, 8965 WOODBINE AVE. BUTTONVILLE,
10 ROUGE STREET, MARKHAM VILLAGE, 59 ROUGE STREET,
MARKHAM VILLAGE, 55 ALBERT STREET, MARKHAM VILLAGE, 33
JOSEPH STREET, MARKHAM VILLAGE, 68 MAIN STREET NORTH,
MARKHAM VILLAGE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
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HERITAGE MARKHAM RECOMMENDS:

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

CARRIED

6. COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION
FILE NUMBER: A/176/12
148 JOHN STREET, THORNHILL
MINOR VARIANCE APPLICATION (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Senior Heritage Planner
S. Corr, Committee of Adjustment
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The Committee noted that the building is a 1½ storey building. Technical issues were discussed and staff provided clarification for future reference.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham has no objection to Minor Variance Application A/176/12 for 148 John Street, Thornhill.

CARRIED

7. SITE PLAN CONTROL APPLICATION
FILE NUMBER: SC 12 114376
7703 KENNEDY ROAD
TWO STOREY ADDITION TO A HERITAGE HOUSE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
M. Fry, Planner II
-

The Committee and staff discussed the history of development of this property and design issues for the current application. Tree replacement and improvements to the design were recommended.

HERITAGE MARKHAM RECOMMENDS:

THAT the site plan application for 7703 Kennedy Road be sent to Architectural Review Sub-committee.

CARRIED

8. SITE PLAN CONTROL APPLICATION
COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION
FILE NUMBER: SC 12 124808 + A/162/12
20 JAMES SCOTT ROAD
PROPOSED TWO STOREY SINGLE DETACHED DWELLING (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
S. Corr, Committee of Adjustment
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Russ Gregory, representing the applicant, was in attendance and advised of road-widening requests by the City that impact the variances and building design.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham supports the design of the proposed new house at 20 James Scott Road in terms of its materials, roof forms, windows and architectural detailing;

THAT the owner enter into a site plan agreement with the City containing the standard conditions regarding materials, colours, windows, etc;

AND THAT Heritage Markham delegates final approval of the Site Plan Control Application and Minor Variance application A/162/12 to Heritage Section Staff, provided that Heritage Section Staff is satisfied that both applications reflect a new dwelling that is complementary to the heritage character of the area and reflective of the emerging pattern of development on the street.

CARRIED

9. 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) Heritage Canada Foundation: National Heritage Summit. Montreal, October 11 – 13, 2012
- b) Heritage Canada Foundation: Board of Governors Appointments
- c) ACORN newsletter, August 28, 2012
- d) Toronto Historical Association Newsletter, September 2012 edition
- e) Ontario Historical Society: Bulletin Newsletter, Summer 2012.

CARRIED

10. REQUEST FOR FEEDBACK
FILE NUMBER: SC 11 119910 + SC 11 119913
15 & 17 ROUGE STREET
MODIFICATIONS TO WINDOW DESIGN (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Senior Heritage Planner
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The Senior Heritage Planner explained the modifications to the windows at 15 and 17 Rouge Street. The plans had been approved with single hung windows, as opposed to the unauthorized casement windows that have been installed.

In response to questions from the Committee, staff advised that the applicant has been cooperative and had consulted staff on other issues, but not on the windows.

Mr. DiMartino, the applicant, advised that he had consistently consulted with staff. He displayed photographs of similar windows on his other properties.

Staff reviewed the approved plans and the window details. The Committee noted the variations to the design, and the importance of adhering to approved plans. Discussions included options to improve the design of the windows without replacing them.

Russ Gregory, the designer of the houses, suggested improvements that could be made by adding exterior bars to create the desired muntin pattern. Mr. DiMartino agreed to the changes suggested.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham accepts the substitution of casement windows on the front of the new houses at 15 and 17 Rouge Street subject to the applicant adding permanent exterior adhered muntin bars to the windows at 17 Rouge Street, in accordance with the approved elevations, and the City retaining a portion of the Letter of Credit for each house in accordance with the Site Plan Agreement, in compensation for the substitution without authorization of casement windows for single hung windows;

AND THAT the applicant continue to work with Heritage staff to improve the design to simulate the approved single-hung windows, to the satisfaction of Heritage staff.

CARRIED

11. COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION
FILE NUMBER: A/165/12
56 ALBERT STREET (FORMERLY 33 JOSEPH STREET)
PROPOSED SINGLE DETACHED DWELLING
MINOR VARIANCE APPLICATION (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
S. Corr, Committee of Adjustment
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The Heritage Planner gave a brief overview of the proposed Minor Variance application for 56 Albert Street, and advised that the variances have been amended. Staff are generally in support of the application, but are concerned for the preservation of a large City tree on the property boundary. Staff are working with the applicant to achieve an appropriate setback and protection for the tree.

The Committee requested that the protective fencing for the tree be installed as soon as possible.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham delegates final approval of the Minor Variance Application A/165/12 and the future site plan application for the proposed new dwelling at 56 Albert St. to Heritage Section Staff, provided that the applicant revises the site plan and floor plans of the proposed house to have the main building mass and foundations no closer than 6.5 m to the front property line and that Heritage Staff is satisfied that the proposed house is complementary to adjacent properties, and complies with the design guidelines for new buildings contained in the Markham Village Heritage Conservation District Plan.

CARRIED

12. SITE PLAN CONTROL APPLICATION
FILE NUMBER: SC 12 132315
23 WATER STREET, MARKHAM VILLAGE
PROPOSED TOWNHOUSES (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
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The Manager of Heritage Planning reviewed the modifications to the proposal previously presented to the Committee and identified specific design elements that the Committee may wish to comment on.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham refer the elevations to the Architectural Review Sub-Committee for review.

CARRIED

13. DEMOLITION OF A HERITAGE BUILDING
7877 HIGHWAY 7
NIGHSWANDER BROTHERS TEMPERANCE HOTEL AND STORE
LOCUST HILL COMMUNITY (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
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The Senior Heritage Planner provided background on this property, and advised that staff regretfully did not oppose demolition due to neglect that resulted in the dangerous condition of the building at 7877 Highway 7 E. Staff outlined consultation with the Ministry of Culture and Infrastructure Ontario and efforts of the City to gain support for preservation of heritage resources in provincial ownership.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham regrets the loss of the Nighswander Brothers Temperance Hotel and Store, a landmark building in the community of Locust Hill which had been recommended for designation under the Ontario Heritage Act in 2003;

THAT the loss of this significant heritage building due to an extreme example of poor stewardship and demolition by neglect is a regrettable outcome for a government agency, and sets a poor example for the private sector;

THAT Council be requested to contact the Minister of Culture to express the City of Markham's disappointment in the lack of action on the Nighswander Brothers Temperance Hotel and Store and the poor communication from Infrastructure Ontario on its intentions for the building and property, and the loss of the structure from Locust Hill due to demolition by neglect;

AND THAT Infrastructure Ontario be requested to reconstruct the original building.

CARRIED

14. SPECIAL EVENT
DOORS OPEN MARKHAM 2012 – MINUTES OF AUGUST 21, 2012
REQUEST FOR VOLUNTEERS (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
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The Senior Heritage Planner requested volunteers to assist at Doors Open for locations that require supervision of the student volunteers.

HERITAGE MARKHAM RECOMMENDS:

That Heritage Markham receive this as information.

CARRIED

15. PROPOSAL FOR JOHN RAMER HOUSE AND BARN
MEMORIAL GARDENS
6278 NINETEENTH AVENUE
DICKSON HILL COMMUNITY
Extracts: R. Hutcheson, Manager of Heritage Planning
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Barry Martin disclosed an interest with respect to Item # 15 for 6278 19th Avenue, by nature of being involved in the property prior to joining Heritage Markham, and did not take part in the discussion of or vote on the question of the approval of this matter.

The Senior Heritage Planner provided background information on the proposal for the John Ramer House and Barn Memorial Gardens, and discussed legal issues involved. Staff outlined options for consideration. The Committee noted that the property has been reviewed by the Architectural Review Sub-Committee and that a strong message should be conveyed to the applicant.

HERITAGE MARKHAM RECOMMENDS:

THAT given that there is an active development application on the property and both the municipality and the applicant agreed to stand down and not pursue demolition or designation until Markham has made a decision on the planning application;

AND THAT given that the barn is deteriorating and will continue to deteriorate unless the applicant undertakes repairs, it is recommended that any consideration of the removal of the barn at this time is premature and that the applicant is directed to undertake the necessary repairs to stabilize and preserve the barn feature.

CARRIED

16. HERITAGE PERMIT APPLICATIONS

104 JOHN STREET

THORNHILL HERITAGE CONSERVATION DISTRICT

Extracts: R. Hutcheson, Manager of Heritage Planning

B. Wiles, Manager of By-law Enforcement and Licensing

The Senior Heritage Planner reviewed the issues relating to the new 6 ft. fence erected along the west property boundary at 104 John Street and advised that the fence is located 2 feet 8 inches closer to the street line than approved.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham has no objection to the 2 foot 8 inch extension to the privacy fence at 104 John Street as it is a minor variation from the original approval and has no appreciable effect on the views to the heritage house.

CARRIED

NEW BUSINESS

17. PROPOSED “HERITAGE AT RISK” SUBCOMMITTEE

Extracts: R. Hutcheson, Manager of Heritage Planning

The Committee considered establishing a “Heritage at Risk” Sub-committee to assist staff in their efforts to protect and preserve neglected and at risk buildings. David Johnston, Barry Martin, Ron Waine, Barry Nelson, Jenny Chau, and Judith Dawson indicated an interest in participating to further explore this concept.

HERITAGE MARKHAM RECOMMENDS:

THAT interested Heritage Markham Committee members meet with staff to develop terms of reference for a “Heritage at Risk” subcommittee, and report back to the Heritage Markham Committee.

CARRIED

18. HERITAGE COMMUNITY RECOGNITION AWARDS PROGRAM
ONTARIO HERITAGE TRUST

Extracts: R. Hutcheson, Manager of Heritage Planning

Councillor Valerie Burke nominated Evelin Ellison for a Heritage Community Recognition Award for 2013, and gave an overview of Ms. Ellison’s contribution to the advancement of Heritage in Markham.

HERITAGE MARKHAM RECOMMENDS:

That Heritage Markham nominate Evelin Ellison for the Cultural Heritage Award (2013) as part of the Heritage Community Recognition Award Program.

CARRIED

19. LETTER OF APPRECIATION/RECOGNITION

Extracts: R. Hutcheson, Manager of Heritage Planning
Councillor Valerie Burke

The Committee discussed a recent request for reinstatement of a picket fence and suggested that a letter of appreciation be sent to the owners for complying with the request. It was agreed that it would be appropriate for the Ward Councillor to send a letter in this case, and that the Committee should consider other opportunities for public recognition of property owners in heritage areas when they complete projects that enhance the heritage character of a property or area.

The Heritage Markham Committee meeting adjourned at 10:35 PM.