

# FIGURE 1

FILE PATH: Q:\Development\Heritage\PROPERTY\JAMESWKR\29heritagehouse\DSCMarch20.doc

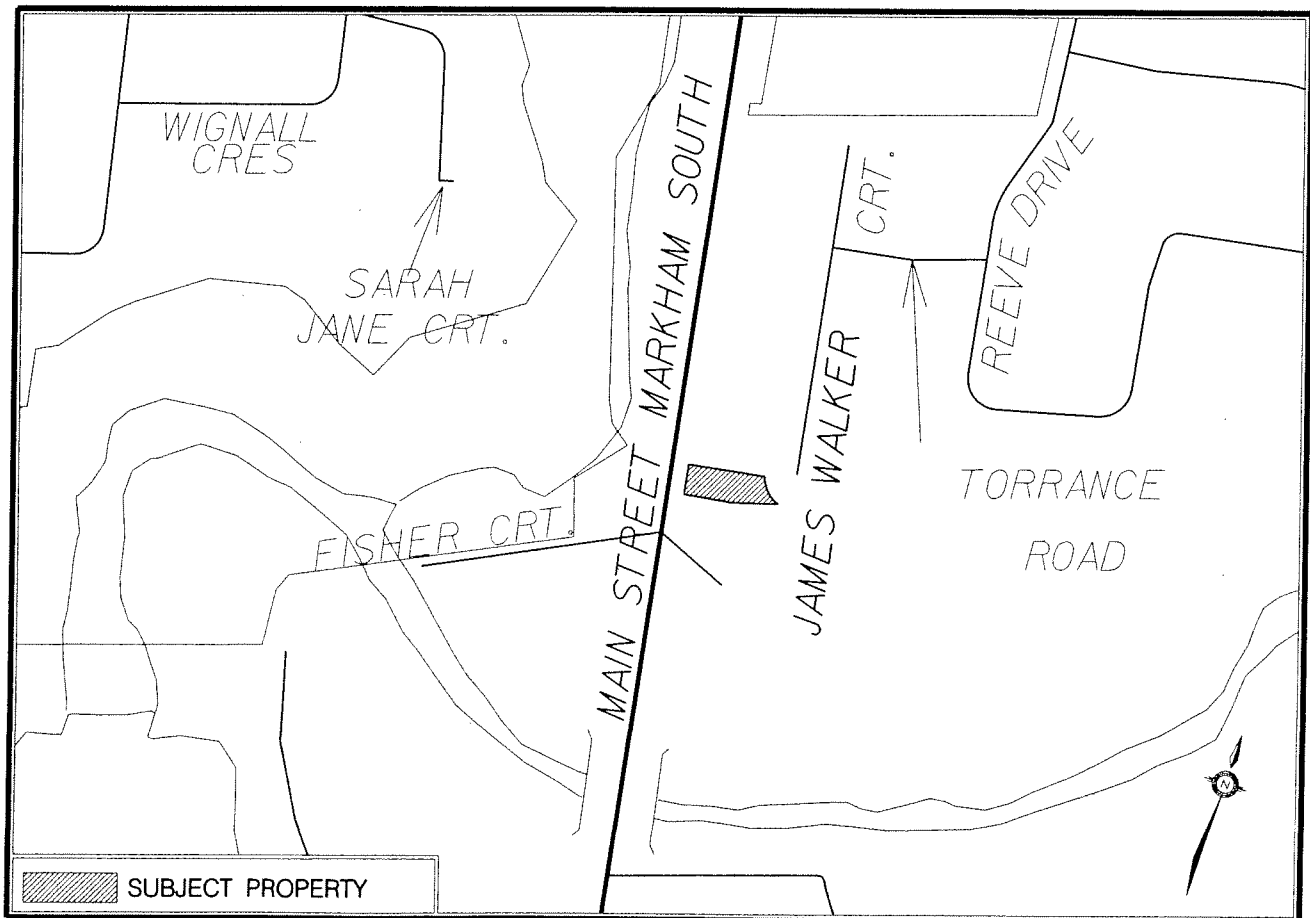
APPLICANT: Ter-Sky Developments Inc.  
51 Roysun Road, Unit 8  
Woodbridge ON  
L4L 8P9

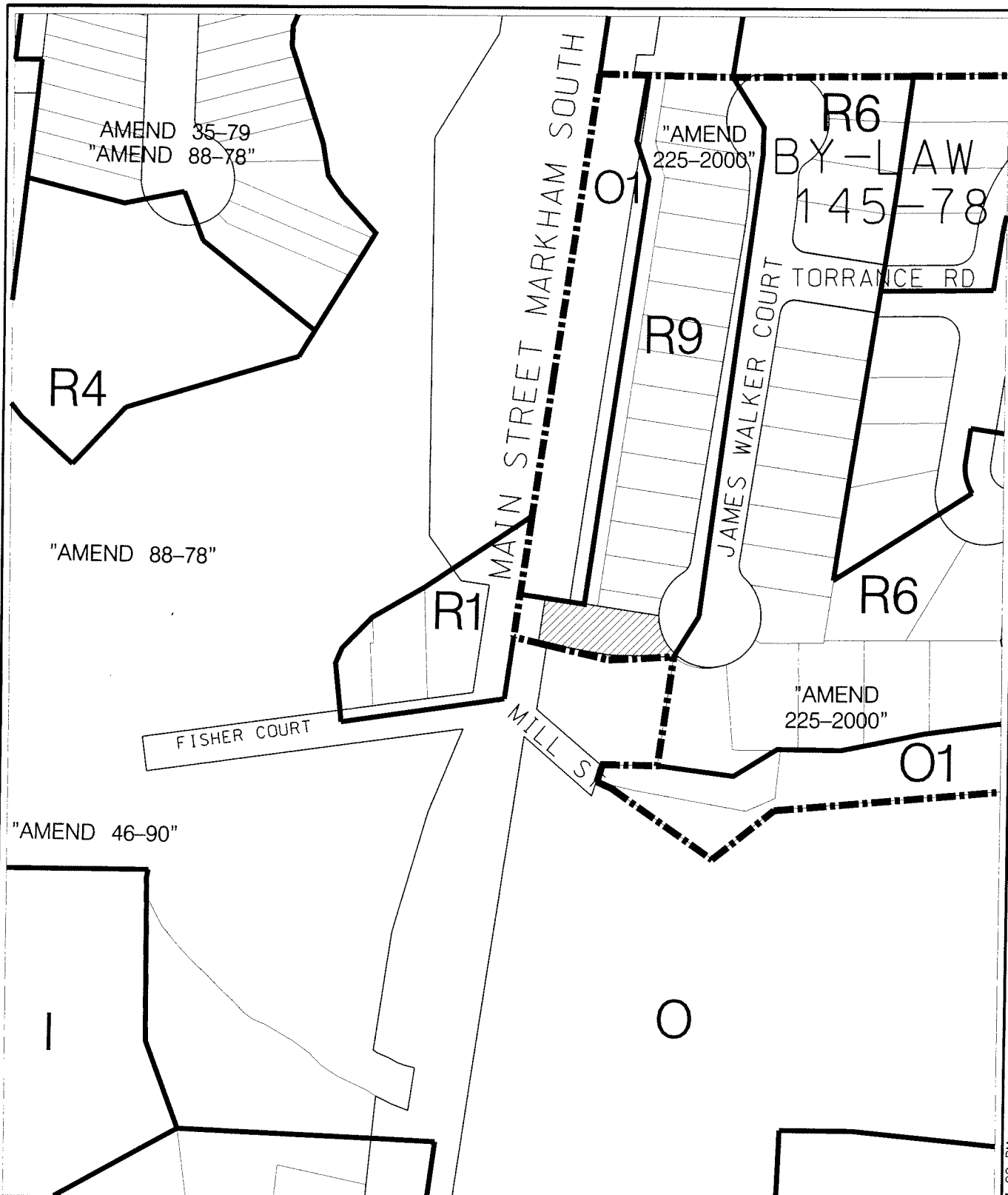
Telephone 1-905-264-0100  
Fax 1-905-264-0009

AGENT: Allen N. Windrem  
Chadwin & Company  
10 Vanessa Road  
Unionville ON  
L3R 4W2

Telephone 416-520-0294  
Fax 905-477-1694

## LOCATION MAP:





# AREA CONTEXT /ZONING

APPLICANT: TER-SKY DEVELOPMENTS  
29 JAMES WALKER COURT

FILE No: SC. 05022910 (GD)

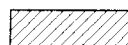


DEVELOPMENT SERVICES COMMISSION

DWN BY: CPW

CHK BY: GD

SCALE 1:

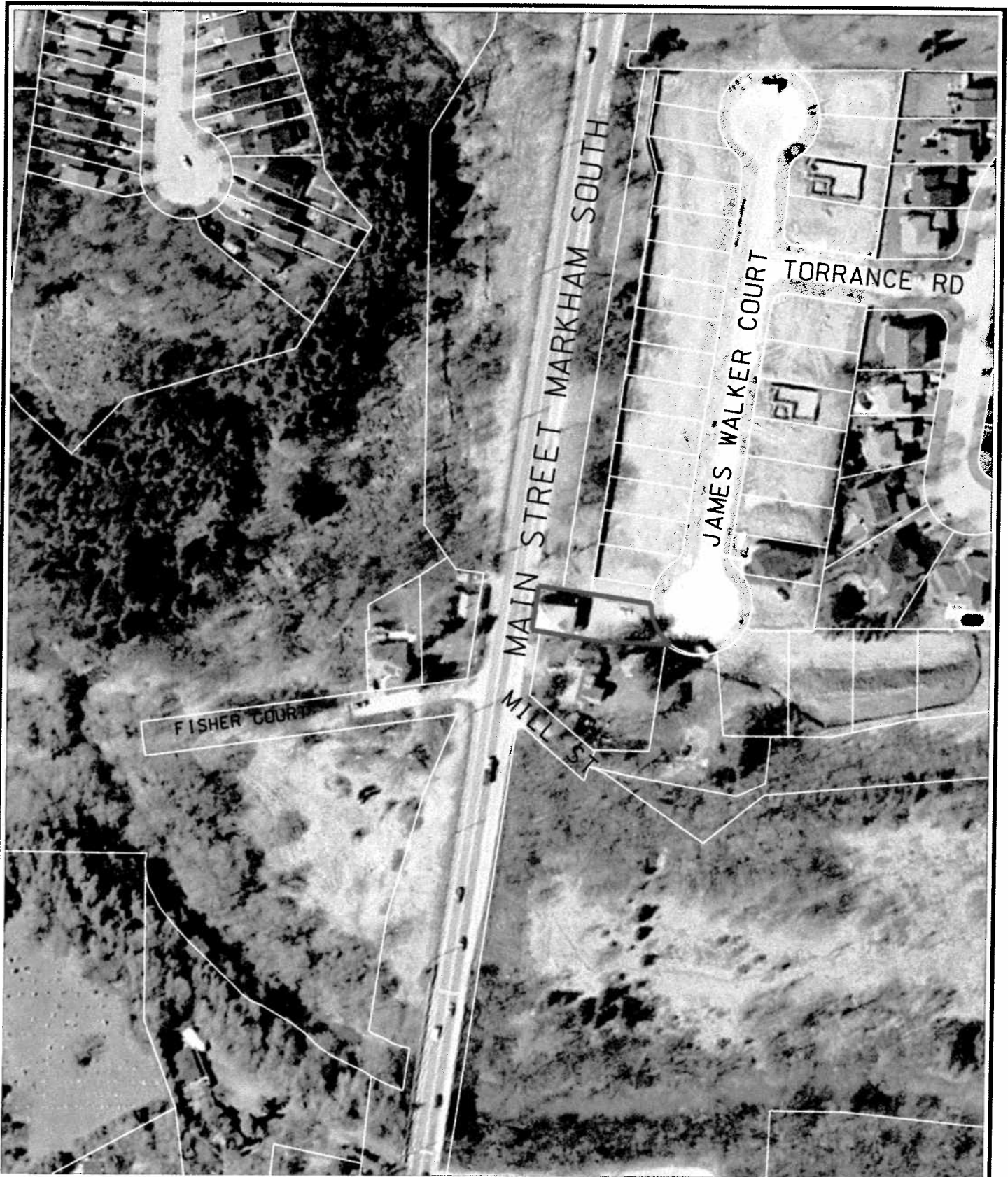


SUBJECT PROPERTY

DATE: 19/02/07

FIGURE No.2

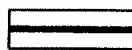
SC05022910.DGN 19/02/2007 3:27:22 PM



# AIR PHOTO (2005)

APPLICANT: TER-SKY DEVELOPMENTS  
29 JAMES WALKER COURT

FILE No: SC. 05022910 (GD)



SUBJECT PROPERTY

DATE: 190207



DEVELOPMENT SERVICES COMMISSION

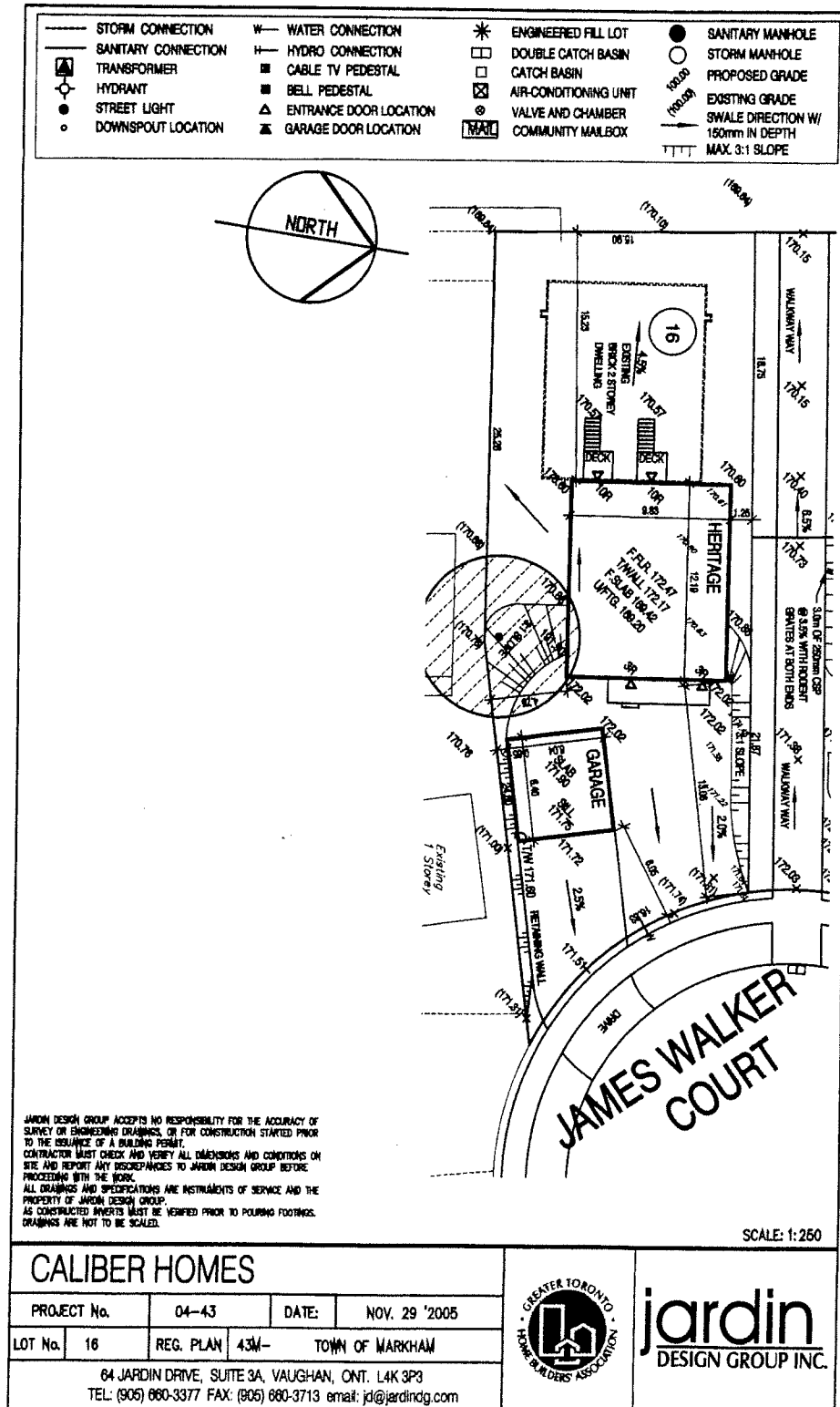
DWN BY: CPW

CHK BY: GD

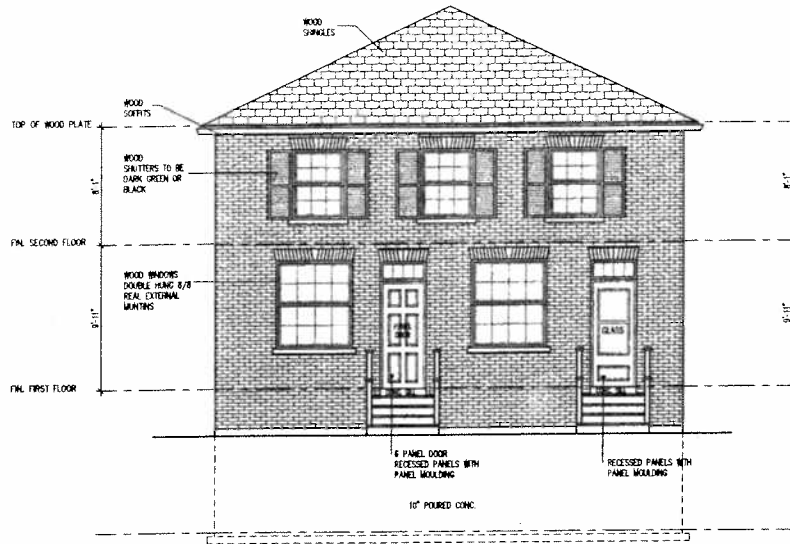
SCALE 1:

FIGURE No.3

FIGURE 4: PROPOSED SITE PLAN



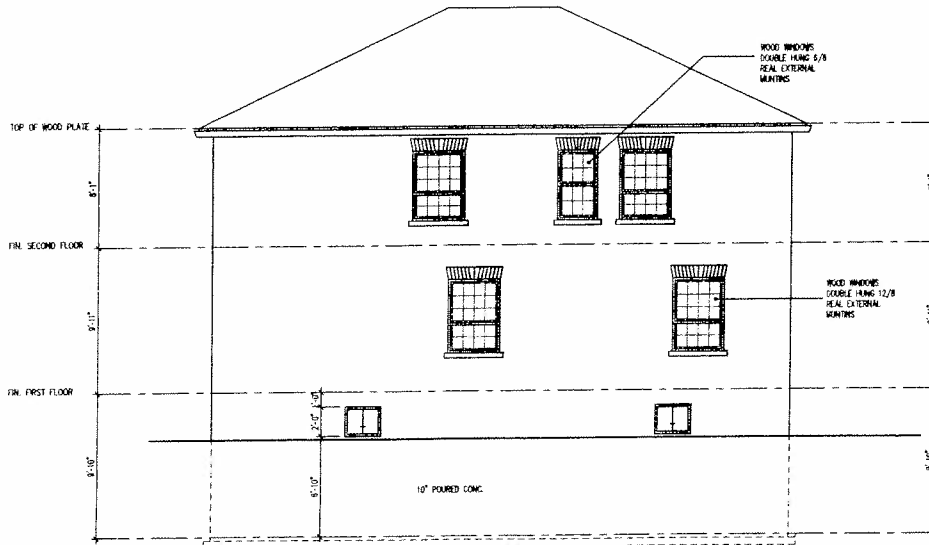
**FIGURE 5: PROPOSED ELEVATIONS**



**EXISTING  
FRONT ELEVATION**

<b>jardin</b> DESIGN GROUP INC.		64 JARDIN DR. SUITE 3A VAUGHAN ONT. L4K 3P3 TEL. (905) 660-3377 FAX. (905) 660-3713	
	TWO STOREY HOUSE FRONT ELEVATION	TYPE	T
		SCALE	3/16"=1'-0"
CALIBER HOMES MARKHAM		DATE	SEPT. 1, 2004
		04-43	NO. 4

DIRECTORY: 04-43 DRAWING NAME: SALES-OFFICE PDS  
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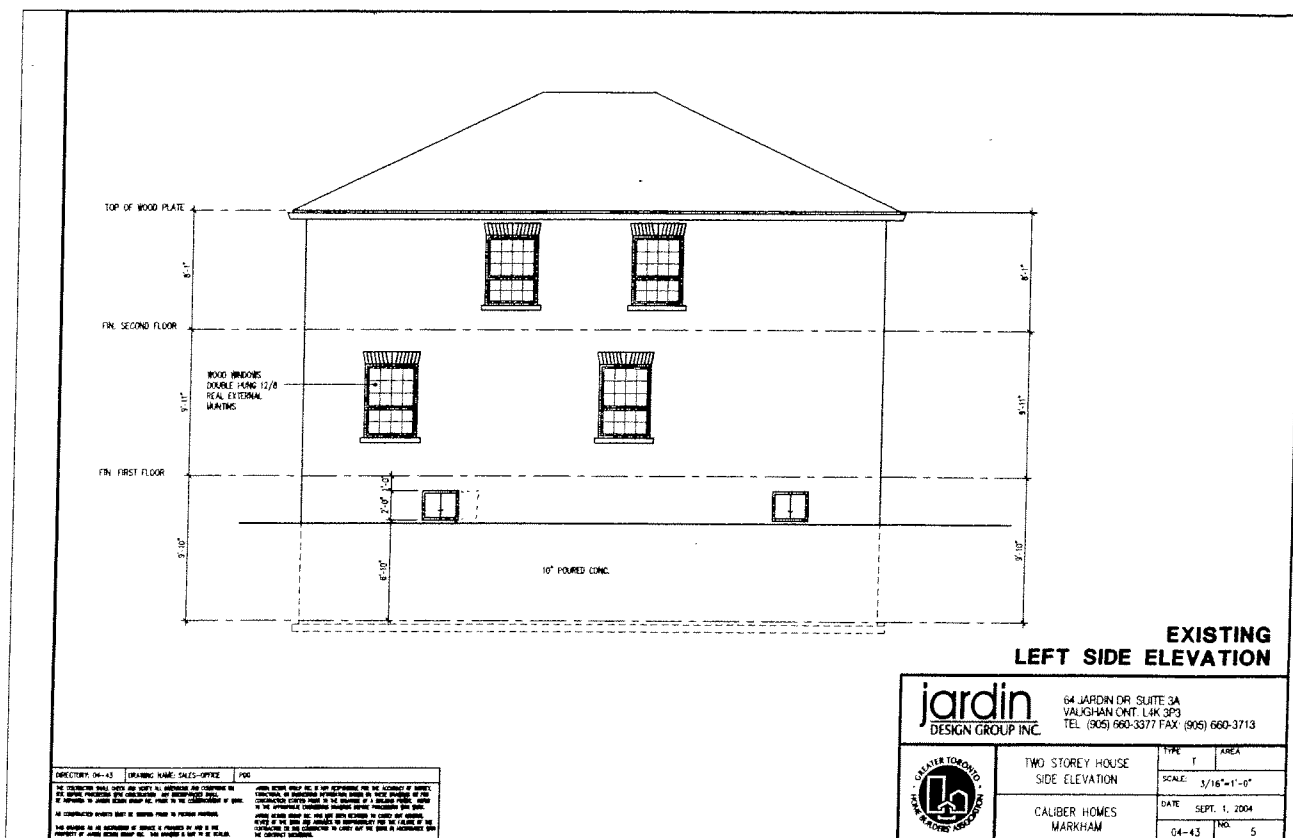
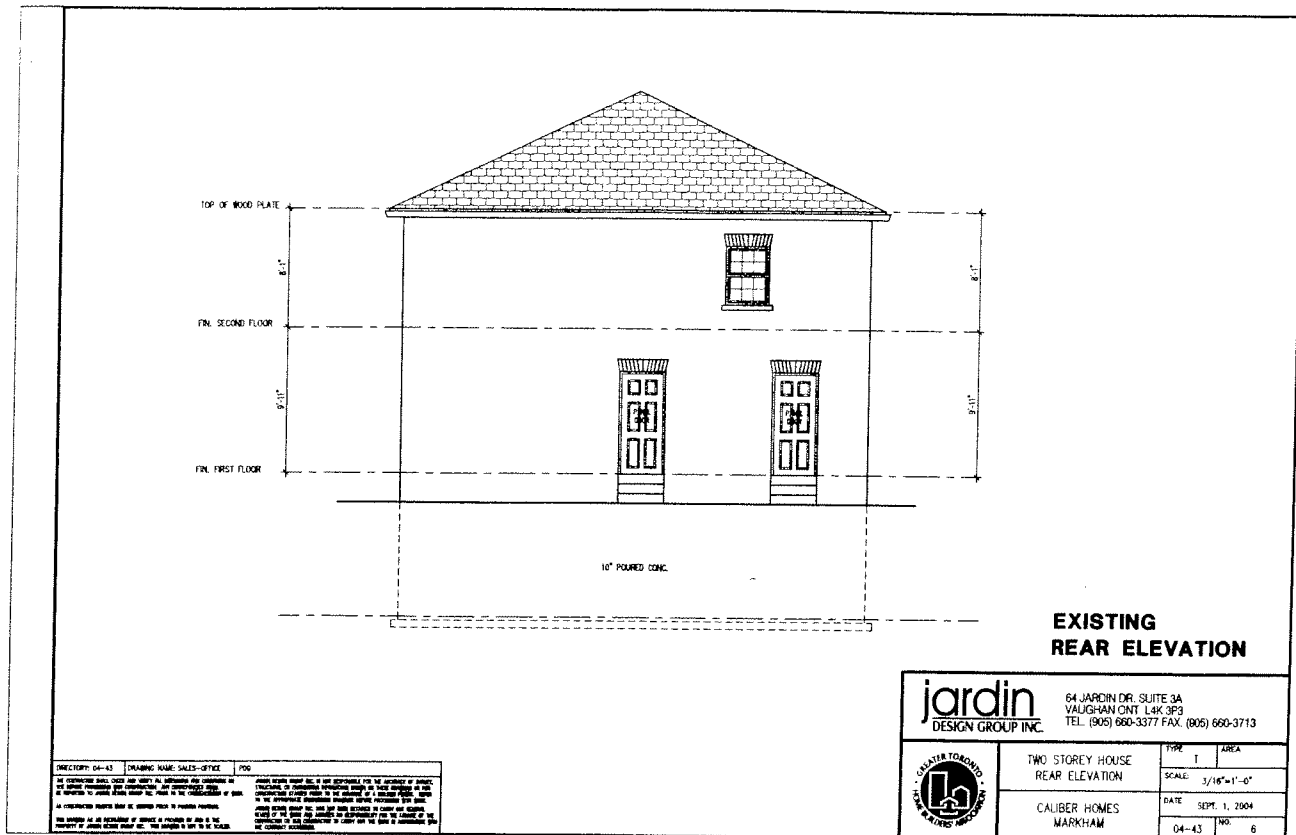


**EXISTING  
RIGHT SIDE ELEVATION**

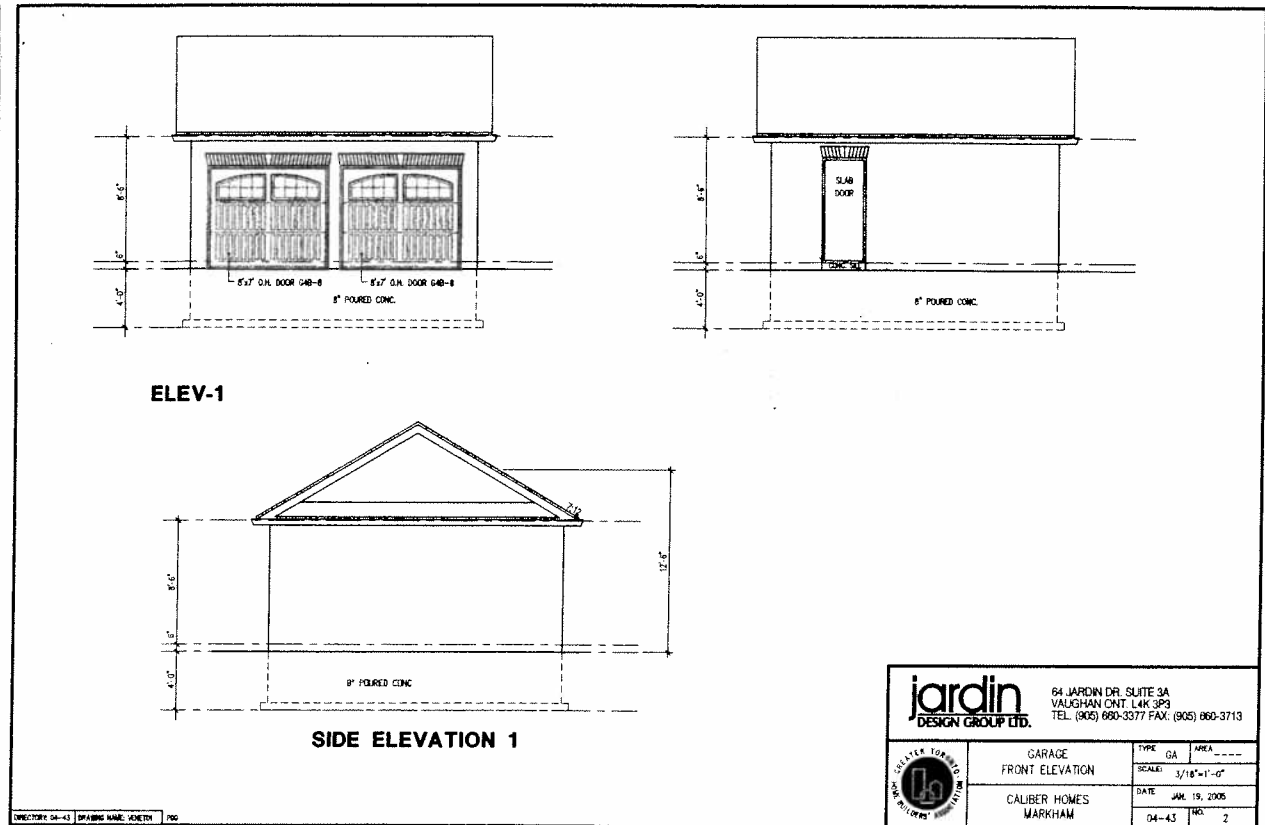
<b>jardin</b> DESIGN GROUP INC.		64 JARDIN DR. SUITE 3A VAUGHAN ONT. L4K 3P3 TEL. (905) 660-3377 FAX. (905) 660-3713	
	TWO STOREY HOUSE SIDE ELEVATION	TYPE	T
		SCALE	3/16"=1'-0"
CALIBER HOMES MARKHAM		DATE	SEPT. 1, 2004
		04-43	NO. 7

DIRECTORY: 04-43 DRAWING NAME: SALES-OFFICE PDS  
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**FIGURE 5: PROPOSED ELEVATIONS**



**FIGURE 5: PROPOSED ELEVATIONS**



## HISTORICAL RESEARCH ON 29 JAMES WALKER CT.

### BACKGROUND:

### APPENDIX A

The Archibald Barker House is a typical Georgian Double house of the second quarter of the 19<sup>th</sup> Century.

The house is believed to have been constructed c.1845 by/for Archibald Barker. Barker was a very prominent business man and political figure in Markham Village (owner of Glen Rouge Mill, Town Magistrate, School Trustee, Member of Town Council and Postmaster for Markham Village for some 35 years.

In 1806 John Fierheller received the original patent for the 200-acre property described as Lot 10, Concession 8. In 1814, the property (195 acres) was sold to Thomas Stovell by the Sheriff, thus indicating that the property had fallen into tax arrears. William Armstrong then bought the parcel in 1824. As early as 1839, Armstrong began subdividing the property, selling off 5-one and two-acre lots over the next 5 years, one of which was sold to Archibald Barker. In 1850, a group of the major land owners in the Markham Village area, including William Armstrong, registered Plan 18 of the Village of Markham.

49 Main Street is situated on lot 1 of Block C on Plan. 18. Archibald Barker purchased this lot from Armstrong in 1843. Barker had taken over as the Postmaster of Markham in 1832. The post office was housed next door at 53 Main Street South.

According to Town Historian, the late John Lunau, in this century the house was operated as a private school by a Mrs. Smith.

There is some speculation that the Archibald Barker House was built by a prominent local builder since it possesses similar design elements to 3 other buildings located in the Markham Village area, the John Reesor House (Demolished) located at the south end of Vinegar Hill, The James Thomas House (Relocated to the Heritage Estates) located north of Mount Joy on Highway 48, and "Woodfield" located at 63-65 Main Street North. It is Woodfield, however where the greatest similarity can be seen as can important clues of the original appearance of the house.



**HERITAGE MARKHAM  
EXTRACT**

DATE: February 21, 2007

TO: R. Hutcheson, Manager of Heritage Planning  
G. Duncan, Project Planner

EXTRACT CONTAINING ITEM #13 OF THE FIRST HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON FEBRUARY 14, 2007

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13. SITE PLAN APPROVAL APPLICATION  
FILE NO. SC 05 022910  
29 JAMES WALKER COURT (FORMERLY 49 MAIN STREET SOUTH)  
ARCHIBALD BARKER HOUSE (16.11)  
Extracts: R. Hutcheson, Manager of Heritage Planning  
G. Duncan, Project Planner
- 

The Senior Heritage Planner gave a presentation on this application.

**HERITAGE MARKHAM RECOMMENDS:**

THAT although Heritage Markham would prefer that the Archibald Barker House be retained on its existing foundation, the Committee is also concerned with the long-term preservation of this significant heritage building through a viable use;

AND THAT Heritage Markham recognizes the questionable viability of a residential use in this location so close to Main Street and the significant difficulties with conversion of the heritage building to commercial use, particularly with respect to a commercial driveway on this constricted portion of Main Street;

AND THAT Heritage Markham therefore supports the site plan as revised, with the heritage building moved back from Main Street in order to ensure its preservation as a functioning part of the community on the condition that a fence enclosing the portion of the lot fronting on Main Street South is no higher than 3-4 feet to ensure the building's visibility and prominence on Main Street South;

AND THAT authority be delegated to Heritage Section staff to approve the site plan application based on the restoration plans previously reviewed and approved when the building was converted to a sales office for the surrounding development.

CARRIED.

**MEMORANDUM****CHADWIN AND COMPANY  
LIMITED****DELIVERED**

**TO:** George Duncan, Planning Department  
Town of Markham

**FROM:** A. N. Windrem

**DATE:** January 29, 2007

**SUBJECT:** 29 James Walker Court (Formerly 49 Main Street South), Town of Markham "the Subject Lands"

**PROJECT NO:** 08-05-2005-03A

**c.c. Caliber Homes Attn. Messer's D. DiMeo and J. Andriano**

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George: Further to our earlier meetings and discussions and as arranged, I am writing with respect to the future use of the Subject Lands and planning approvals proposed to permit use of the subject lands for their current residential use.

By way of background, I confirm as follows with respect to the land use planning status of these lands.

- The lands are now legally described as Lot 16 Registered Plan 65- M- 3807
- Paragraphs 6.2, 6.3, 8.16 and 8.17 of The Subdivision Agreement for Registered Plan 65- M- 3807 ,dated September 22, 2004, include provisions with respect to the servicing and use of the subject Lands.
- Official Plan Amendment No. 108 to the Approved Official Plan for the Town of Markham "OPA 108" designates the subject lands for Medium Density 1 Housing "MD1" land uses
- Site Specific Zoning Bylaw 225-2000 amending Comprehensive Zoning Bylaw 145-78 (as amended) "the Zoning Bylaw" Zones these lands R9- Ninth Density Single family Residential. This Zoning Bylaw is in full force and effect
- Section 1.3 Subsection (iv) of Zoning Bylaw 225-2000 provides as follows:
  - For lot 16, the minimum setback adjoining Main Street for the dwelling existing on that lot at the date of passing of this by-law shall be nil
- These lands are subject to the provisions of the Markham Village Conservation District Plan as adopted by Markham Council on May 22, 1990
- An application for Site Plan approval was submitted by Ter-Sky Developments.

As discussed at our earlier meetings, Caliber Homes "Caliber" proposed to sell or lease the existing Heritage House to a commercial user.

A Memorandum outlining an option to use the Subject Lands for limited commercial purposes coupled with required land use planning approvals was prepared by the writer and discussed with Planning Staff.

This Memorandum was supported by a planning opinion and Traffic Study.

However, as you may recall, Senior Planning and Traffic staff determined that they could not support this proposal based upon commercial land use and traffic access issues and the matter of the future expansion of Markham Road (Highway 48) and recommended that the existing Heritage Dwelling continue to be used for residential purposes and be relocated farther back from Markham Road with vehicular access to be provided from existing James Walker Court.

Accordingly, following considerable review and discussion, as Authorized Agent for Caliber we are writing to advise as follows:

- Caliber will relocate the existing Heritage Dwelling to be used for residential purposes and be relocated farther back from Markham Road with vehicular access to be provided from existing James Walker Court in accordance with the attached Site Plan prepared by Jardin Design Group Inc. dated November 29, 2005 "the Revised Site Plan" .
- Caliber hereby formally amends its existing Site Plan Application to now include the attached Revised Site Plan.
- The Heritage repairs to the Heritage Dwelling with respect to window treatment and other matters will be undertaken as part of the relocation and improvements to said dwelling.

### **Site Plan**

This Plan proposes the following:

- Vehicular access to James Walker Court from the Subject Lands with no further vehicular access to Markham Road.
- Relocation of the current structure and repair to historic appearance of the façade of the existing Heritage House.
- Preservation of existing trees, where possible, on the subject lands

### **Official Plan Amendment**

Based upon our review of the land use policies in the Medium Density 1 Housing designation, and in particular Section 6.4.4 Subsections (f) and (g) an amendment to Official Plan Amendment No. 108 would not be required to relocate the existing Heritage Dwelling.

### **Zoning Bylaw Amendment**

Based upon our review of the existing R9- Ninth Density Single family Residential Zoning category and definitions of Zoning Bylaw 145-78 (as amended) the following amendments to the existing zoning would be required

ZONING PERFORMANCE STANDARD	ZONING BYLAW REFERENCE	ZONING PROVISION	SITE PLAN PROVISIONS	REQUIRED VARIANCE
Lot Frontage	7.2 of Bylaw 145-78 (as amended)	12 metres	15.6 metres	None
Front Yard	6.5 of Bylaw 145-78 (as amended)	6.0 metres	13.06 metres	None
Side Yard	7.2 of Bylaw 145-78 (as amended)	1.2 metres first storey and 0.6 metres second storey	1.25 metres	Total side yard of 1.2 metres
Rear Yard	7.2 of Bylaw 145-78 (as amended)	7.5 metres	15.29 metres	None
Accessory Building	6.2 of Bylaw 145-78 (as amended)	Accessory Buildings in Rear Yard	Garage in Front Yard	None: garage not Accessory Building as defined
Parking	3.0 and 6.14 of Bylaw 28-97 (as amended)	2 parking spaces	2 tandem parking spaces	None

It is proposed that the above zoning amendment would be achieved via an application to the Committee of adjustment for a minor variance.

However, the above analysis should be reviewed by Zoning staff to confirm same.

**Traffic Analysis**

We confirm that a traffic analysis is not required.

**Heritage Markham**

Based upon our earlier discussion and meetings we understand that our proposal will require review by Heritage Markham. In this regard we would request that our proposal be presented to the Committee at the next available meeting.

Please contact the writer should you require our attendance or additional information

In the interim should you have questions please contact me at your convenience.

Thank You,

Yours Very Truly,

A handwritten signature in black ink, appearing to read 'Allan N. Windrem', with a long, sweeping horizontal line extending to the right.

Allan N. Windrem MCIP, RPP, PLE, C.L.P., F.R.I.