



Agenda
June 12, 2019
7:15 PM
Canada Room

**The Sixth Heritage Markham Committee Meeting of
The Corporation of The City of Markham in the year 2019.**

Alternate formats are available upon request.

Disclosure of Pecuniary Interest.

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Part One - Administration**1. Approval of Agenda (16.11)**

- A) Addendum Agenda
- B) New Business from Committee Members

Recommendation:

That the June 12, 2019 Heritage Markham Committee agenda be approved.

2. Minutes of the May 8, 2019

Page 15

Heritage Markham Committee Meeting (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

[Minutes](#)

See attached material.

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on May 8, 2019 be received and adopted.

Part Two - Deputations

Part Three - Consent

3. **Heritage Permit Applications,
257 Carlton Road, Unionville,
115-117 Main Street, Markham Village,
4 Peter Street, Markham Village,
Delegated Approvals: Heritage Permits (16.11)**

Page 27

File Numbers: HE 19 119539

HE 19 121333

HE 19 121427

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

See attached memorandum.

Recommendation:

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

4. **Building Permit Applications,** Page 28
7703 Kennedy Road, Hagerman's Corners Community,
7708 Kennedy Road, Hagerman's Corners Community,
340 Main Street North, Markham Village Heritage Conservation District,
33 Joseph Street, Markham Village Heritage Conservation District,
9950 Markham Road, Markham Museum,
2 Alexander Hunter Place, Markham Village Estates,
2 Alexander Hunter Place, Markham Village Estates,
Delegated Approvals: Heritage Permits (16.11)
 File Numbers: 15 177745 01 NH
 19 118672 AL
 18 254163 HP
 18 120238 HP
 19 420495 AL
 18 256476 HP
 18 254476 01 HP
 Extracts: R. Hutcheson, Manager of Heritage Planning
-
- [Memorandum](#)

See attached memorandum.

Recommendation:

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

5. **Policy,** Page 30
Bill 108- More Homes, More Choices Act, 2019
Proposed Changes to the Ontario Heritage Act (Schedule 11) (16.11)
 Extracts: R. Hutcheson, Manager of Heritage Planning
-
- [Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham Committee receive the information on the Bill 108 proposed changes to the *Ontario Heritage Act*, the extract from the Markham Staff report related to concerns associated with the changes to the Act, and the heritage related recommendations forwarded to the Ontario Government as part of Markham's official feedback.

- 6. Awards, Architectural Conservancy of Ontario** Page 56
Nominations for ACO Heritage Awards 2019 (16.11)
 Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That the Heritage Markham Committee is pleased to nominate George Duncan, local Markham author for his publication entitled “Historic Unionville – A Village in the City” for the Architectural Conservancy of Ontario’s Stephen A. Otto Award for Scholarship.

- 7. Information, Community Heritage Ontario, Board of Directors,** Page 62
New Director: Regan Hutcheson (16.11)
 Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

See attached memorandum.

Recommendation:

That Heritage Markham Committee receive the summary on Regan Hutcheson’s election to the new Board of Directors for Community Heritage Ontario as information.

- 8. Correspondence (16.11)** Page 63
 Extracts: R. Hutcheson, Manager of Heritage Planning

[Correspondence](#)

See attached material.

Recommendation:

That the following correspondence be received as information:

- a) Society for the Preservation of Historic Thornhill: May 2019 Newsletter (Staff has full copy)

Part Four - Regular

9. **Heritage Permit Application** Page 66
146 Main Street,
Millennium Bandstand Landscaping
Unionville Heritage Conservation District (16.11)
 File Number: HE 19 120824
 Extracts: R. Hutcheson, Manager of Heritage Planning
 D. Plant, Senior. Manager, Parks, Horticulture & Forestry

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham supports the Heritage Permit for the proposed alterations to the landscaping at the Millennium Bandstand in Unionville.

10. **Heritage Permit Application** Page 69
Main Street South of Highway 7,
Traffic Island Landscaping
Markham Village Heritage Conservation District (16.11)
 File Number: HE 19 120825
 Extracts: R. Hutcheson, Manager of Heritage Planning
 D. Plant, Senior. Manager, Parks, Horticulture & Forestry
 S. Grieve, Supervisor, Parks Operations

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham supports the Heritage Permit for the proposed clock feature on Main Street South and recommends that the metalwork be painted black to tie in with other street furniture within the Markham Village Heritage Conservation District.

- 11. Heritage Permit Application** Page 72
142 Main Street,
Municipal Laneway Walkway and Bollards,
Unionville Heritage Conservation District (16.11)
 File Number: HE 19 120826
 Extracts: R. Hutcheson, Manager of Heritage Planning
 D. Plant, Senior. Manager, Parks, Horticulture & Forestry

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham supports the Heritage Permit for the alterations to the municipal laneway south of 142 Main Street and recommends that the bollards be painted black to coordinate with other street furniture within the Unionville Heritage Conservation District.

- 12. Heritage Permit Application** Page 74
98 Main Street North,
Civic Square Landscaping,
Markham Village Heritage Conservation District (16.11)
 File Number: HE 19 120827
 Extracts: R. Hutcheson, Manager of Heritage Planning
 D. Plant, Senior. Manager, Parks, Horticulture & Forestry

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham recommends that the planter box replacements be faced with stone that matches the stone used in existing entry feature walls within the Markham Village Heritage Conservation District, for consistency; and,

That the introductory panel to the Markham Village Interpretive Plaque project be shown on the site layout diagram and that it maintain its current orientation.

13. Demolition Permit Application
14 Wales Avenue, Mount Joy Community,
Request for Demolition (16.11)

Page 79

File Number: HE 19 120827

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

See attached memorandum.

Recommendation:

That Heritage Markham has the following comments on the design for a new dwelling at 14 Wales Avenue: _____

14. Site Plan Control Application,
Committee of Adjustment Variance Application,
40 Albert Street, Markham Village Heritage Conservation District,
Proposed Semi-Detached Dwellings and Detached Garage (16.11)

Page 82

File Number: SPC 19 121293

A/48/19

Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Senior Heritage Planner[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham has no objection to the development of a semi-detached dwelling provided that the following revisions are made to the proposed plans:

- That the front yard setback of the proposed new semi-detached building be significantly increased to maintain the prominence of the existing heritage dwelling and the existing greenspace to the south;
- That the new semi-detached dwelling comply with 6 ft. side yard setback prescribed by the By-law, as this will help reduce the proposed lot coverage, and preserve the space between adjacent dwellings, which is a character defining aspect of historic neighbourhoods;
- That the roof line of the addition to the heritage dwelling and new semi-detached dwelling be simplified to reflect the hipped roof of the heritage dwelling

- That the massing of the proposed addition to the heritage dwelling and proposed new dwelling be simplified and reduced to reflect the massing of the heritage dwelling;
- That the windows of the proposed new dwelling and addition be more reflective of the proportions and pane divisions of the existing heritage dwelling;
- That brick chimneys be re-introduced to the roof line of the heritage dwelling; and,

That Heritage Markham does not support the proposed south side yard setback and maximum lot coverage in support of the proposed semi-detached dwelling and addition to the existing heritage dwelling at 40 Albert Street.

**15. Committee of Adjustment Variance Application, Page 95
11 Princess Street, Markham Village Heritage Conservation District,
Proposed New Dwelling (16.11)**

File Number: A/53/19

Extracts: R. Hutcheson, Manager of Heritage Planning
J. Leung, Committee of Adjustment

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham has no comment on the requested variances for 11 Princess Street from a heritage perspective, subject to the owner obtaining site plan endorsement for the new dwelling.

**16. Demolition Permit Application,
10988 Warden Avenue,
Request for Demolition – Barn Complex
North Markham Planning District (16.11)**

Page 98

Extracts: R. Hutcheson, Manager of Heritage Planning
D. Brutto, Project Planner

[Memorandum](#)

See attached memorandum and material.

Recommendation:

That Heritage Markham does not oppose the demolition of the barn complex at 10988 Warden Avenue subject to the applicant's agreement to salvage selected elements to incorporate into one of the proposed new buildings on the property (such as the office) and to the applicant agreeing, through the Site Plan Control application process, to provide a Markham Remembered interpretive plaque describing the history of the site, to be installed in a visible location on the property; and,

That a copy of the Heritage Impact Assessment be provided to the Markham Museum for their archives.

Part Five - Studies/Projects Affecting Heritage Resources - Updates

The following projects impact in some manner the heritage planning function of the City of Markham. The purpose of this summary is to keep the Heritage Markham Committee apprised of the projects' status. Staff will only provide a written update when information is available, but members may request an update on any matter.

- a) Doors Open Markham 2019
- b) Heritage Week, February 2019
- c) Unionville Heritage Conservation District Plan Amendments/ Update
- d) Unionville Heritage Centre Secondary Plan
- e) Unionville Core Area Streetscape Master Plan (2019)
- f) Update to Markham Village Heritage Conservation District Plan (2019)
- g) New Secondary Plan for Markham Village (2019)
- h) Comprehensive Zoning By-law Project (2019) – Review of Development Standards – Heritage Districts

Part Six - New Business

Heritage Markham Committee Meeting
City of Markham
May 8, 2019
Canada Room, Markham Civic Centre

Members

Graham Dewar, Chair
Maria Cerone
Ken Davis
Evelin Ellison
Anthony Farr
David Nesbitt
Jennifer Peters-Morales
Councillor Karen Rea

Regrets

Councillor Keith Irish
Councillor Reid McAlpine
Zuzana Zila
Regan Hutcheson, Manager,
Heritage Planning

Staff

George Duncan, Senior Heritage Planner
Peter Wokral, Senior Heritage Planner
Victoria Hamilton, Committee Secretary (PT)

Graham Dewar, Chair, convened the meeting at 7:15 PM by asking for any disclosures of interest with respect to items on the agenda.

David Nesbitt disclosed an interest with respect to Item # 4 (15 Union Street, Unionville), by nature of being the neighbour, and did not take part in the discussion of or vote on the question of the approval of this matter.

Part One - Administration

1. Approval of Agenda (16.11)

- A) Addendum Agenda
- B) New Business from Committee Members

Recommendation:

That the May 8, 2019 Heritage Markham Committee agenda be approved.

CARRIED

**2. Minutes of the April 10, 2019
 Heritage Markham Committee Meeting (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

[Minutes](#)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on April 10, 2019 be received and adopted.

CARRIED

**3. Heritage Permit Applications,
 197 Main Street, Unionville Heritage Conservation District,
 216 Main Street, Unionville Heritage Conservation District,
 Proposed Ground Signs for McKay Art Centre
 and Varley Art Gallery (16.11)**

File Numbers: HE 19 118632

HE 19 118363

Extracts: R. Hutcheson, Manager of Heritage Planning

N. O'Laoghaire, Manager, Art Gallery

G. Duncan, Senior Heritage Planner

[Memorandum](#)

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He reminded the Committee that the Unionville Heritage Conservation District Plan did not include any policy or guidance for public facility signage.

The applicant, Ms. Niamh O'Laoghaire, Manager of the Varley Art Gallery, was in attendance and presented the proposed signage for the Varley Art Gallery and McKay Art

Centre. A ground sign for the Varlet Art Gallery was previously presented in August 2018 to Heritage Markham and revisions were made based on the recommendations from the Committee.

In response to an inquiry, Staff advised that both the Varley Art Gallery and McKay Art Centre were owned by the City of Markham.

There was discussion regarding the standard sign silhouette design adopted for heritage properties such as parks, and whether that should apply to this signage. Staff advised that the referred to signage was typical for parks and street signs but not for public/civic buildings. Staff noted that over-standardization of signage could cause the heritage districts to appear overly commercialized, and that the design of the McKay Art Centre signage suited the quaint heritage character of the house, and the design of the Varley Art Gallery sign suited the post-modern architecture of the building.

Ms. O'Laoghaire presented the revised locations and placement planned for both signs, and provided reasoning for the specified locations. She noted that the composition of the Varley Art Gallery sign would be wood with wooden posts or high density foam made to appear like wood. The background of the sign would be purple with the logo portion of the sign cut out and the full name of the premises written in white lettering below.

The Committee inquired if the colour scheme was final. Ms. O'Laoghaire advised that purple and white were the current colours of the Varley Art Gallery logo, and the sign colours were chosen to reflect the current branding.

Ms. O'Laoghaire advised that the revised McKay Art Centre sign would allow artists to advertise their exhibitions and sales, and allow a hanging sign to be placed below the stationary sign during events. Ms. O'Laoghaire advised that the proposed sign was in the same sight line as other signs on the street, such as the Starbucks.

The Committee inquired about lighting for the signs. Ms. O'Laoghaire advised that there would not be lighting specifically for the signs; the existing street lighting would illuminate the signs.

There was discussion regarding the revised location of the sign at 197 Main Street inhibiting the view of the heritage building for photographs. Ms. O'Laoghaire stated that the sign could not be rotated in its current location due to a low lying wall present adjacent to the sign, so it would have to be moved forward and rotated. A Committee member stated that the new location placed the sign by the footpath entrance to the building which was a better location for directing patrons than the current sign. Another Committee member noted that the proposed rotation of the sign would decrease the profile of the sign when viewed from across the street for photographs.

The Committee proposed an amendment to the Staff recommendation – that Heritage Markham supports the new ground sign for the McKay Art Centre, without any objection to the proposed location.

Councillor K. Rea requested that Ms. O’Laoghaire ensure that the Ward Councillor, Reid McAlpine was aware of the proposed signage and locations and obtain his feedback on the matter.

Recommendation:

That Heritage Markham supports the revised design for the proposed ground sign at the Varley Art Gallery; and,

That Heritage Markham supports the new ground sign for the McKay Art Centre.

CARRIED

4. **Heritage Permit Applications,
27 Victoria Avenue, Unionville,
15 Union Street, Unionville,
19 Parkway Avenue, Markham Village,
24 Church Street, Markham Village,
48 Church Street, Markham Village,
48 Church Street, Markham Village,
Delegated Approvals: Heritage Permits (16.11)**

File Numbers: HE 19 117033

HE 19 117323

HE 19 117182

HE 19 117708

HE 19 117710

HE 19 118069

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

David Nesbitt disclosed an interest with respect to Item # 4 (15 Union Street, Unionville), by nature of being the neighbour, and did not take part in the discussion of or vote on the question of the approval of this matter.

Recommendation:

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

CARRIED

5. **Building and Sign Permit Applications,
328 Main Street North, Markham Village,
175 Main Street North, Markham Village,
106 Main Street North, Markham Village,
11 Heritage Corners Lane Markham Heritage Estates,
Delegated Approvals: Building and Sign Permits (16.11)**

File Numbers: 19 116080 PP

19 117673 SP

19 115659 SP

17 176810 HP

Extracts: R. Hutcheson, Manager of Heritage Planning

[Memorandum](#)

Recommendation:

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,
1 Beech Street North, Markham Village Heritage Conservation District,
Proposed Basement Second Suite (16.11)**

File Numbers: A/35/19

Extracts: R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

J. Leung, Committee of Adjustment

[Memorandum](#)

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the application seeking approval and legalization of the existing basement second suite located at 1 Beech Street in Markham Village.

CARRIED

7. **Heritage Permit Application,
Pomona Mills Park & Toogood Pond Park,
Proposed Shinrin Yoku Interpretive and Directional Signage (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

T. Lewinberg, Public Realm Coordinator

Memorandum

A member of the Committee requested that this item be moved to the regular agenda.

The applicant, Tanya Lewinberg, Public Realm Coordinator, was in attendance and presented the proposed interpretive and directional signage for Pomona and Toogood Pond Parks, highlighting their function as forest therapy guides and significance in featuring work done by the City to promote nature and the benefits of being in a park.

The Committee inquired why the proposed signage was not brought to Heritage Markham for review prior to this meeting. The applicant advised that she was not aware of the need to consult with Heritage Markham for park signage, and that production of the signs was expedited as the signs were funded through a grant.

There was discussion regarding the number of signs and whether they could be reduced. The applicant noted that five (5) of the signs were maps, three (3) were wayfinding, and only five (5) were invitation to view different aspects of the surrounding nature. The location of the signs were discussed, and it was noted that modifications could not be made to the signs as they were already produced and powder coated.

There was discussion as to whether the local Councillors, Reid McAlpine and Keith Irish, were aware of the signs. The applicant advised that Councillor Irish was aware and supportive of the signs. Councillor Rea recommended that Councillors McAlpine and Irish be consulted regarding the signage, to allow review and discussion with the necessary parties prior to the installation of the signs.

The Committee proposed an amendment to the Staff recommendation – that Heritage Markham supports the Staff recommendation, provided that Councillors McAlpine and Irish are consulted prior to the installation of the signs.

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the approval of the Heritage Permits for the proposed Shinrin-Yoku interpretive and directional signage as they do not negatively impact the heritage character of the either the Thornhill or Unionville Heritage Conservation Districts, **provided that Councillor Reid McAlpine and Councillor Keith Irish are consulted prior to the installation of the signs.**

CARRIED

8. Correspondence (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

[Correspondence](#)

Recommendation:

That the following correspondence be received as information:

- a) Markham Historical Society: Remember Markham Newsletter, Spring 2019.
(Staff has full copy)
- b) Ontario Historical Society: OHS Bulletin, April 2019. (Staff has full copy)

CARRIED

**9. Demolition Permit Application,
14 Wales Avenue, Listed on the Register of Property of Cultural Heritage
Value or Interest, Mount Joy Community,
Request for Demolition (16.11)**

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

Memorandum

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He noted that the property was not located in a heritage conservation district, but was on the *Markham Register of Property of Cultural Heritage Value or Interest*. G. Duncan noted that the property would not be subject to a Site Plan Control Application, but would require a demolition permit and building permit.

The applicant's representative, Russ Gregory, was in attendance and advised the Committee that designs had not yet been made for a proposed dwelling as he did not wish to move forward with any details until an opinion concerning demolition was received from Heritage Markham. He noted that he may also assist with the design for 15 Wales Avenue, which was also owned by the applicant.

The Committee advised that, in keeping with their approach to Group 2 rated buildings, demolition of the property could not be supported without any details on the proposed development. The Committee noted their support for a compatible addition, which the applicant's representative has achieved in the past on other local projects, to maintain the character of the street.

Staff advised that the Committee must decide whether to recommend the demolition of the building or that it be designated under the Ontario Heritage Act within 60 days, or have the applicant agree to an extension to allow time to return the Heritage Markham with a design for a replacement dwelling that would suit the neighbourhood context.

The Committee inquired if the applicant would be willing to defer the demolition application for 30 days to permit time for the applicant to work with Staff to find a feasible design with respect to the building. The applicant's representative agreed.

The Committee proposed an amendment to the Staff recommendation – that Heritage Markham recommends that a decision be deferred until the applicant's representative has had an opportunity to work with Staff in an attempt to find an agreeable resolution regarding the design for the proposed new dwelling.

Recommendation:

That Heritage Markham defer a recommendation on demolition until the applicant's representative has had an opportunity to work with Staff to find an agreeable resolution regarding the design for the proposed new dwelling.

CARRIED

**10. Zoning By-law Application,
Plan of Subdivision.
3575 Elgin Mills Road East, Berczy Glen,
Barn Complex (16.11)**

File Numbers: ZA 18 235522

SU 18 235522

Extracts: R. Hutcheson, Manager of Heritage Planning

D. Brutto, Project Planner

Memorandum

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He read aloud a letter received from the Frisby family, the previous owners of the property, and noted that Staff had recently taken quality pictures of the barn, which was standard practice for heritage buildings that were scheduled for demolition.

The applicant's representative, Vincent J. Santamaura from the Architectural Firm SRN Architects Inc., was in attendance.

The Committee inquired if V. Santamaura knew where the Frisby family intended to build their new residence with the salvaged lumber from the barn. Mr. Santamaura advised that he did not.

The Committee inquired about options for obtaining financial security to ensure the lumber from the barn was used to build a new residence. Staff advised that in the past, financial security was not held for accessory buildings and that the honour system was used.

The Committee noted their discontentment that the barn was not being preserved and integrated into the future development application.

Councillor Rea proposed an alternate use of the barn where it would be repaired and maintained by Unionville Little Theatre. The applicant's representative indicated that the current subdivision proposal had a very rigid street pattern, which would have to be altered if the barn remained in place.

There was discussion regarding the owner's right to remove the structure, stated in the letter from the Frisby family. It was noted that the condition stated was part of the purchase and sale agreement, a private commitment that did not supersede the City's requirement for approval prior to demolition.

There was discussion on how to preserve barns in good condition and prevent them from being demolished in the future. The Committee noted that all reasonable steps should be taken to preserve and find alternate purposes for the barns. Staff noted that it was a complex problem because in order to preserve the building, it needed to be able to function with an alternate use, however barns were large structures that would require significant alteration to function as modern structures for commercial or residential use,

and they were large which made them difficult to integrate into new development plans. Staff noted that lot values in the City of Markham were currently very high and losing the use of an area as large as a barn would likely be difficult for developers to support.

There was discussion regarding having a subcommittee meeting to review options for the future as similar situations would arise again.

The Committee proposed an amendment to the Staff recommendation – that Heritage Markham recommends Staff to investigate potential options for obtaining financial security to ensure the salvaged lumber from the barn is reused by the Frisby family in the construction of a new residence.

Recommendation:

That Heritage Markham receive the staff memo concerning the barn complex and other outbuildings at 3575 Elgin Mills Road East and supports the proposed salvaging of lumber by the Frisby family for a future new residence; **and**

That Heritage Markham recommends Staff investigate options for the City to obtain a financial security to ensure the salvaged lumber from the barn is reused by the Frisby family in the construction of a new residence.

CARRIED

11. **Demolition Permit Application,
11251 Woodbine Avenue, Markham North Planning District,
David Hopper House (16.11)**
File Numbers: 19 115460 DP
Extracts: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Project Planner
-

Memorandum

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He noted that the building was unique as it had a side kitchen wing rather than the more typical rear facing one. He outlined the 60 day limit for addressing the demolition request if Heritage Markham wished to support the designation of the building. G. Duncan noted that in the past, other abandoned, derelict buildings had been moved to Markham Heritage Estates, however this building was made of stone and the foundation was an integral part of the structure. He advised that the building could be relocated, but at significant cost.

The applicant's representative, Vincent J. Santamaura from the Architectural Firm SRN Architects Inc., was in attendance and advised the Committee that the owner had the property for 10 years, and prior to that time the floors had been removed. He noted that the owner had received an order to comply from the City, stating that the building was close to being condemned. V. Santamaura presented pictures showing the current state of the building.

The Committee stated that the building did not have any major cracks or faults in the stonework and that the unique feature of having both stone and brick as part of the structure was historically worth preserving. The Committee expressed their disappointment that the building was neglected by the owner and allowed to fall into decay, and noted that other buildings with similar states of vandalism and damage have been restored. The Committee further expressed disappointment with the assessment made by the Architect in the report and the inconsistencies present between the heritage assessment and structural assessment.

The Committee was not in support of permitting demolition due to the state of the building being caused by neglect and lack of maintenance by the owner, and supported the designation of the building under the *Ontario Heritage Act*.

Recommendation:

That Heritage Markham **does not support the demolition of the David Hopper House at 11251 Woodbine Avenue and recommends the designation of the building pursuant to the Ontario Heritage Act; and**

That Heritage Markham recommends the restoration of the building on-site and in a timely manner, and that immediate action be taken to prevent further deterioration of the building.

CARRIED

Adjournment

The Heritage Markham Committee meeting adjourned at 9:21 PM.

CARRIED



MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: Delegated Approvals
Heritage Permits Approved by Heritage Section Staff

The following Heritage Permits were approved by Heritage Section staff under the delegated approval process:

Address	Permit Number	Work to be Undertaken
257 Carlton Road Unionville	HE 19 119539	Road reconstruction – Carlton Road.
115-117 Main Street Markham Village	HE 19 121333	Brick repairs and re-pointing.
4 Peter Street Markham Village	HE 19 121427	New wood screen doors at rear of house.

Suggested Recommendation for Heritage Markham

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



MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: Delegated Approvals
Building Permits Approved by Heritage Section Staff

The following Building Permits were approved by Heritage Section staff under the delegated approval process:

Address	Permit Number	Work to be Undertaken
7703 Kennedy Road Hagerman's Corners Community	15 177745 01 NH	Revision relating to fire protection for an existing stairwell – bridal shop.
7708 Kennedy Road Hagerman's Corners Community	19 118672 AL	Repair damage to commercial plaza from vehicular collision.
340 Main Street North Markham Village HCD	18 254163 HP	Revision for basement egress window for a residential addition relating to an approved Site Plan Control application.
33 Joseph Street Markham Village HCD	18 120238 HP	Residential addition relating to an approved Site Plan Control application.
9950 Markham Road Markham Museum	19 420495 AL	Structural repairs to the Strickler Barn.
2 Alexander Hunter Place Markham Heritage Estates	18 256476 HP	New foundation and restoration and additions to the James Brander House relating to an approved Site Plan Control application.
2 Alexander Hunter Place Markham Heritage Estates	18 254476 01 HP	Detached garage with loft.

Suggested Recommendation for Heritage Markham

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

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MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: June 12, 2019

SUBJECT: Policy
Bill 108 – More Homes, More Choice Act, 2019
Proposed Changes to the Ontario Heritage Act (Schedule 11)

Project: Bill 108, Schedule 11
Proposed Changes to the *Ontario Heritage Act*

Background:

- See attached material from the Ontario Government as to why they propose to change the Ontario Heritage Act at this time.
- The Heritage Act changes are part of a much larger Bill 108 which proposes amendments to 13 separate Acts including the Planning Act, Development Charges Act, Local Planning Appeal Tribunal Act, Conservation Authorities Act, Endangered Species Act, Environmental Protection Act and the Education Act.

Status/ Staff Comment

- Heritage Staff has been consulting with other municipal governments, and Ontario heritage organizations in the preparation of comments on the proposed changes. A short review period was provided with all comments having to be submitted by June 1, 2019.
- See an extract from the Markham Staff report dated May 27th providing a review of the proposed amendments and our recommendations. Markham Council supported all 12 recommendations proposed by Staff concerning the Ontario Heritage Act. See pages 18 to 24 of the staff report (Recommendations 22 -33)
- Also see comments submitted by Community Heritage Ontario (the provincial organization representing municipal heritage committees) to the Ontario Government (attached)

Suggested Recommendation for Heritage Markham

That Heritage Markham Committee receive the information on the Bill 108 proposed changes to the *Ontario Heritage Act*, the extract from the Markham Staff report related to concerns associated with the changes to the Act, and the heritage related recommendations forwarded to the Ontario Government as part of Markham's official feedback.

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RESOLUTION OF COUNCIL MEETING NO. 11 DATED MAY 28, 2019

8.4 REPORT NO. 26 - DEVELOPMENT SERVICES COMMITTEE (MAY 27, 2019)

8.3.1 CITY OF MARKHAM COMMENTS ON PROPOSED BILL 108, MORE HOMES, MORE CHOICE ACT 2019 (10.0)

1. That the report entitled, "City of Markham Comments on Proposed Bill 108, *More Homes, More Choice Act 2019*" dated May 27, 2019, be received; and,
2. That this report, including the 39 recommendations from the City of Markham on Proposed Bill 108, More Homes, More Choice Act 2019, as summarized in the Revised Appendix 'A' as amended at the May 27, 2019 Development Services Committee meeting, be forwarded to the Assistant Deputy Minister of Municipal Affairs and Housing and to York Region as the City of Markham's comments on Bill 108; and,
3. That the City of Markham supports the Province of Ontario's proposed measures to streamline the planning process while retaining appropriate public consultation during the planning process as long as these measures can be reasonably implemented and avoid negative impacts such as potential delays; and,
4. That, in the event that the Province proceeds with the community benefits charge as proposed, the cap on the community benefits charge should be set to include the full recovery for soft infrastructure costs and parkland dedication as now collected under the current statutes, and that the cap be tied to land values only for the parkland dedication and current section 37 portions of the community benefits charge. To ensure that growth pays for growth, a municipality should be allowed to levy both the community benefits charge and receive parkland in a development; and,
5. That the City of Markham does not support any proposed legislative changes that would in effect reduce a municipality's ability to collect funds to ensure that growth pays for growth; and,
6. That the City of Markham supports the Province of Ontario's proposed changes to increase resourcing for the Local Planning Appeal Tribunal but does not support the re-introduction of "de novo" hearings as part of the Local Planning Appeal Tribunal process; and,

7. That the City of Markham supports the Province of Ontario's efforts to clarify the role and accountability of Conservation Authorities and urges the Province to support the Ministry of Natural Resources and Forestry, Ministry of Environment, Conservation and Parks, and municipalities with enhanced natural heritage protection and watershed planning tools to fill the potential gap in natural resource, climate change and watershed planning services resulting from the proposed modified mandate of the TRCA; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution



Kimberley Kitteringham
City Clerk

Presentation
Revised Appendix A
Appendix B
Appendix C

Copy to: Arvin Prasad
Trinela Cane
Catherine Conrad
Biju Karumanchery
Brian Lee
Joel Lustig/ Mark Visser
John Yeh

Consolidated Recommendations from Staff Report “City of Markham Comments on Proposed Bill 108, More Homes, More Choice Act 2019”, dated May 27, 2019 (in response to ERO 019-0016, ERO 019-0017, 019-0021, 013-5018, 013-5033)

Recommendation 1: That the deadline for comments on Bill 108 be extended to a minimum of 90 days after the draft Regulations are released to allow for sufficient time to assess financial impacts, planning and development approval impacts, impacts on affordable housing, and impacts to provision of community services resulting from growth.

Planning Community Services and Amenities and Collecting Development Charges (Proposed Changes to the *Development Charges Act* and *Planning Act* from Schedules 3 and 12 of Bill 108)

Recommendation 2: That the Province of Ontario leave development charges as the tool to recover the costs of hard and soft services as currently obtained, and that if a community benefits charge is being considered, that it be restricted to section 37 and parkland dedication as it relates to providing affordable housing in municipalities across Ontario.

Recommendation 3: That in the event that the Province proceeds with the community benefits charge as proposed, the cap on the community benefits charge should be set to include the full recovery for soft infrastructure costs and parkland dedication as now collected under the current statutes, and that the cap be tied to land values only for the parkland dedication and current section 37 portions of the community benefits charge. To ensure that growth pays for growth, a municipality should be allowed to levy both the community benefits charge and receive parkland in a development.

Recommendation 4: That a transition provision be adopted to allow for a 3-year term from the date of enactment of Bill 108, or until a community benefit by-law is enacted, as the implementation timeline is a concern given the number of municipalities that will have to study, develop and enact a community benefits charge by-law.

Recommendation 5: That for development applications deemed complete and secondary plans that have been adopted by Council prior to the enactment of Bill 108, the existing provisions for section 37, parkland dedication, and development charges continue to apply, and that any such application withdrawn after the enactment of Bill 108 may be subject to the existing section 37, development charges, and parkland provisions.

Recommendation 6: That if a community benefits charge is enacted by the Province, that municipalities be allowed to use their existing reserve balances for Section 37, Parks Cash-in-lieu, and Development Charges (for those services proposed to move to the community benefits charge) for any service prescribed under the community benefits charge.

Recommendation 7: That the proposal to not permit parkland dedication and a community benefits charge at the same time is not supported as municipalities may be forced into a position to choose either obtaining parkland or collecting contributions towards facilities and services (e.g. soft services) as it is not clear if Regulations prescribing services would include parkland, except in instances of affordable housing development.

Recommendation 8: That where a parkland dedication by-law is applied to a development, the City retain the authority under *Planning Act* section 42 (3) and 51.1 (2), and to apply an alternative parkland dedication rate.

Recommendation 9: That for development charge rates set earlier in the development process, there should be a sunset clause on the length of time permitted between a site plan and/or zoning application and building permit issuance – this could be in the range of 2 years to act as a disincentive for landowners who may want to apply but not proactively proceed with their development. Municipalities should also be allowed to index or charge interest from the date an application is deemed complete until a building permit is issued for all applications held for over a year.

Recommendation 10: That for developments subject to the six annual installment payment regime, except for affordable housing, the sale of the property should result in the immediate requirement to pay the remaining development charges due, by the original owner. Municipalities should be allowed to register the obligation on title to prevent transfer without the City being notified.

Recommendation 11: That the interest rate to be prescribed in the Regulations should be one that provides reasonable compensation to the City for the timing delay in receiving cash, as this may result in borrowing to fund growth-related requirements.

Permitting Up to Three Residential Units on a Lot (Proposed Changes to the Development Charges Act and Planning Act from Schedules 3 and 12 of Bill 108)

Recommendation 12: That the City of Markham does not support the proposed amendment to the *Planning Act* that would permit a third residential unit on a lot as of right, and that municipalities retain their current authority to review and determine appropriate locations for dwelling units in ancillary buildings on a lot and within the municipality.

Recommendation 13: That municipalities retain their current authority to refuse additional dwelling units where there are insufficient services to support the increased density, or apply appropriate development charges to facilitate construction of the required services.

Recommendation 14: That municipalities retain their current authority to apply minimum parking requirements, to primary and accessory dwelling units.

Recommendation 15: That municipalities retain their current authority to apply zoning provisions to construction accommodating additional dwelling units, to ensure the proposed development is compatible with the built form of the neighbourhoods in which they are located.

Recommendation 16: That second units should be subordinate to, or accessory to, a main residential building in order to be identifiably differentiated from other residential development such as stacked townhouses.

Inclusionary Zoning Permitted in Only Major Transit Station Areas and Areas Subject to a Development Permit System and Removing Provision for Upper-Tier Municipalities to Require a Local Municipality to Establish a Development Permit System (Proposed Changes to the *Planning Act* from Schedule 12 of Bill 108)

Recommendation 17: That municipalities should continue to have ability to apply inclusionary zoning to development in areas other than protected major transit station areas or areas subject to a development permit system.

Application Review Timelines and Local Planning Appeal Tribunal Practices and Procedures (Proposed Changes to the *Local Planning Tribunal Act* and *Planning Act* from Schedules 9 and 12 of Bill 108)

Recommendation 18: That the proposed reduction in timelines for decisions on development applications is not supported as appeals for non-decisions to the LPAT removes decision making authority on development applications from Council, and may result in potentially longer decision timelines.

Recommendation 19: That rather than reducing timelines for Council decisions on applications, the Province provide sufficient resources to provincial ministries and agencies to allow them to provide their comments on development applications to assist municipalities in meeting prescribed timelines.

Recommendation 20: That the proposed Local Planning Appeal Tribunal process that reverts back to a “de novo” hearing process is not supported, as it will increase development approval timelines and increase the cost of development. The Province should carry forward the current test for the appeal of a Planning Act application requiring the Local Planning Appeal Tribunal to evaluate a municipal decision on a planning application based on its consistency with the Provincial Policy Statement, and conformity with Provincial Plans, as well as Regional and local Official Plans, or if the Province is unwilling to restore the appeal test, the Province should revise Bill 108 to provide for more deference to Council’s decisions.

Recommendation 21: That there be a provision in the Local Planning Appeal Tribunal Act permitting oral testimony for participants (non-parties), and that written submissions by

(As amended at the May 27, 2019 Development Services Committee meeting)

participants should be given the same consideration as in-person testimony by the Local Planning Appeal Tribunal in the hearing of an appeal.

Proposed Changes to the *Ontario Heritage Act* (Schedule 11 of Bill 108)

Recommendation 22: That the Province provide direction through enhanced educational materials to better guide heritage conservation objectives, including updating the Ontario Heritage Toolkit, as opposed to introducing principles by Regulation.

Recommendation 23: That the Province consider the option of requiring notice to property owners prior to the matter being considered by Council with the condition that once notification of listing is given, the property owner would be prevented from submitting a demolition permit application until after Council has considered the recommendation for listing the property on the Register.

Recommendation 24: That the provision of enhanced guidance to municipalities on best practices for listing properties through education materials is supported.

Recommendation 25: That if the Province proceeds with the option of requiring notification to the property owner after Council has listed a property on the Register, the legislation should be amended to provide a time limit on the period when an objection to the listing can be submitted (as opposed to in perpetuity).

Recommendation 26: That the Province defer consideration of the amendment concerning prescribed requirements by Regulation for designation by-laws until such time as the Regulation has been drafted and available for consultation.

Recommendation 27: That the Province consider providing clarity in the *Ontario Heritage Act* by further defining what constitutes "heritage attributes".

Recommendation 28: That the protection and incorporation of a cultural heritage resource should be considered as part of the final report on a planning application that is presented to a council so it can be considered in a holistic manner and not in a piecemeal approach (within the first 90 days).

Recommendation 29: That at a minimum, the Province maintain the Conservation Review Board as the non-binding appeal body for individual designation and amendments to the content of designation by-laws with the municipal council having the final decision on what is considered to be of heritage value in the local community. The Local Planning Appeal Tribunal could address objections related to requested alterations and demolition requests (as it does currently for properties within heritage conservation districts).

(As amended at the May 27, 2019 Development Services Committee meeting)

Recommendation 30: That if the Conservation Review Board is replaced by the Local Planning Appeal Tribunal, the Province should ensure that Tribunal members assigned to *Ontario Heritage Act* appeals possess cultural heritage expertise and an understanding of the *Ontario Heritage Act*.

Recommendation 31: That the amendments regarding the introduction of complete application provisions and specified timelines for alteration and demolition applications are supported.

Recommendation 32: That the identified clarification in the legislation indicating that “demolition and removal” will also include demolition and removal of heritage attributes is supported, but that Section 69(5) which deals with offences and restoration costs should be amended to remove the reference to “altered” to ensure that a municipality can recover restoration costs associated with the removal or loss of heritage attributes if a property has been impacted by a contravention of the Act.

Recommendation 33: That the changes to the *Ontario Heritage Act* be removed from Bill 108 or deferred to allow the Ministry to undertake meaningful consultation with all stakeholders on both improvements to the legislation and allow feedback on the future content of the identified Regulations.

Proposed Changes to the *Environmental Assessment Act* (Schedule 6 of Bill 108)

Recommendation 34: That the proposed exempted categories are supported as long as environmental protection measures are maintained.

Proposed Changes to the *Conservation Authorities Act* (Schedule 2 of Bill 108)

Recommendation 35: That Provincial efforts are supported to clarify the role and accountability of conservation authorities and that the Province is urged to support the Ministry of Natural Resources and Forestry, Ministry of Environment, Conservation and Parks and municipalities with enhanced natural heritage protection and watershed planning tools to fill the potential gap in natural resource, climate change and watershed planning services resulting from the proposed modified mandate of the TRCA.

Proposed Changes to the *Endangered Species Act* (Schedule 5 of Bill 108)

Recommendation 36: That refinements be made to section 16.1(2) of the proposed *Endangered Species at Risk Act* to ensure that landscape agreements are required to result in an overall net benefit to each impacted species at risk.

(As amended at the May 27, 2019 Development Services Committee meeting)

Recommendation 37: That the Species at Risk Conservation Trust be required to publish a regular report to provide an open and transparent accounting of the collection and spending of species conservation charges.

Recommendation 38: That the changes proposed for the *Endangered Species Act* (proposed sections 5(4)(b), 8.1, 9(1.1)) be carefully reviewed in consultation with experts to ensure the purpose and intent of the *Endangered Species Act* is not compromised.

Proposed Changes to the *Education Act* (Schedule 4 of Bill 108)

Recommendation 39: That if a landowner and a school board enter into an agreement for an alternative project, the municipality should be consulted on the alternative project.

the Local Planning Appeal Tribunal will change this practice. If it does not, the effect will likely be a significant limitation on effective public participation in the appeal process. This change may also encourage participants to become parties, which will result in further delays of the hearing process. Should public participation continue to be limited to written submissions, staff recommend that Bill 108 include a provision in the *Local Planning Appeal Tribunal Act* requiring written submissions by participants (non-parties) be given the same consideration as in-person testimony.

Recommendation 20: That the proposed Local Planning Appeal Tribunal process that reverts back to a “de novo” hearing process is not supported. The Province should carry forward the current test for the appeal of a *Planning Act* application requiring the Local Planning Appeal Tribunal to evaluate a municipal decision on a planning application based on its consistency with the Provincial Policy Statement, and conformity with Provincial Plans, as well as Regional and local Official Plans, or if the Province is unwilling to restore the appeal test, the Province should revise Bill 108 to provide for more deference to Council’s decisions.

Recommendation 21: That there be a provision in the *Local Planning Appeal Tribunal Act* permitting oral testimony for participants (non-parties); otherwise, written submissions by participants should be given the same consideration as in-person testimony by the Local Planning Appeal Tribunal in the hearing of an appeal.



6. **Proposed Changes to the *Ontario Heritage Act* (Schedule 11 of Bill 108)**

The proposed changes to the *Ontario Heritage Act* will impact the manner in which property listing, designation, alteration and demolition applications are processed and tracked through Markham’s heritage conservation program.

According to the Province the changes to the *Ontario Heritage Act* seek to improve consistency, transparency and efficiency for communities, property owners and development proponents. Amendments and new guidance is being proposed that according to the Province will:

- Enhance Provincial direction to municipalities on how to use the tools provided in the *Act* and manage compatible change
- Provide clearer rules and improved tools to facilitate timely and transparent processes for decision-making
- Create consistent appeals processes

Provincial direction for municipalities to consider prescribed principles when making decisions

The proposed legislation will require the council of a municipality to consider any principles that may be prescribed by Regulation when exercising decision-making under prescribed provisions of both Part IV (individual property) or Part V (Heritage Conservation District). The Province’s rationale is that there is a lack of clearly articulated policy objectives to guide municipalities when protecting properties.

Requiring a municipal council to consider principles prescribed by a Regulation is unprecedented in enabling legislation. Since the principles have not been released there is no opportunity to comment on what the principles would involve and/or require, and their potential effect on heritage decision-making.

Recommendation 22: That the Province provide direction through enhanced educational materials to better guide heritage conservation objectives, including updating the Ontario Heritage Toolkit, as opposed to introducing principles by Regulation.

Require notice to a property owner within 30 days after being listed on the Register

The proposed legislation will require notice to a property owner within 30 days after being listed on the Register as well as providing a right of objection by the owner to the municipality. Also, the Province aims to provide improved guidance on listing best practices. The *Ontario Heritage Act* is currently silent on how heritage value is determined and there are no notice requirements to the property owner.

Originally “listing” had no legal implications and was intended as a planning tool to help municipalities identify all the properties in a community that were of potential cultural heritage value (basically those that had not been afforded protection through designation). In 2006, an amendment to the *Ontario Heritage Act* added a requirement for owners of listed properties to provide the municipality with 60-days notice before demolition could occur.

It is reasonable that owners be given notice of listing. It should allow the municipality to resolve any disagreements or confusion at an early stage. However, for the proposed amendments, the right to object to listing is open-ended and could result in multiple objections over time by current/future owners causing an undue administrative burden on municipal resources and potentially impeding listing initiatives.

The Province is recommending that notice be provided once Council has agreed to add the property to the Register. Recently Markham Council considered the option of providing notice to the owner prior to Council’s consideration of listing the property, but wanted to find a mechanism to ensure that a demolition permit could not be initiated upon notification.

Recommendation 23: That the Province consider the option of requiring notice to property owners prior to the matter being considered by Council with the condition that once notification of listing is given, the property owner would be prevented from submitting a demolition permit application until after Council has considered the recommendation for listing the property on the Register.

Recommendation 24: That the provision of enhanced guidance to municipalities on best practices for listing properties through education materials is supported.

Recommendation 25: That if the Province proceeds with the option of requiring notification to the property owner after Council has listed a property on the Register, the legislation should be amended to provide a time limit on the period when an objection to the listing can be submitted (as opposed to in perpetuity).

Designation by-laws to comply with requirements prescribed by Regulation

It is proposed that designation by-laws are required to comply with requirements prescribed by Regulation, including requirements related to describing the cultural heritage value or interest of the property and its heritage attributes. Although criteria for determining if a property has cultural heritage value is provided by existing Regulation, the Province proposes providing direction on the content of designation by-laws.

The current legislation already indicates that the municipality must provide a statement explaining the cultural heritage value of the property and a description of heritage attributes. The Ontario Heritage Toolkit also currently provides educational guidance on what is to be included in these subject areas.

The Regulation associated with this proposed change is not available at this time for review, and it may include “such other requirements as may be prescribed”. Better direction that results in more consistent and clear by-laws is supportive, but it could be provided through educational materials rather than through Regulation.

Markham has only identified physical heritage attributes in its designation by-laws, but if the concern from the Province is that non-physical features have been included by some municipalities, the Province may wish to address the matter by amending the definition in the *Ontario Heritage Act* of “heritage attributes” to clarify they are physical attributes.

Recommendation 26: That the Province defer consideration of the amendment concerning prescribed requirements by Regulation for designation by-laws until such time as the Regulation has been drafted and available for consultation.

Recommendation 27: That the Province consider providing clarity in the *Ontario Heritage Act* by further defining what constitutes “heritage attributes”.

Timelines for designation (individual properties) – 90 day time limit for municipality to issue notice of intention to designate and 120 days to designate after issuing notice

The legislation provides for a 90 day time limit for a municipality to issue a notice of intention (NOI) to designate where certain prescribed events have occurred on the property (these are to be identified by regulation and are anticipated to include certain applications under the *Planning Act*, subject to limited exceptions also prescribed by regulation). It also provides for a 120 day time limit for a municipality to pass a designation by-law after issuing a NOI subject to limited exceptions as prescribed by Regulation.

The current process in Markham for reviewing planning applications which affect a non-designated cultural heritage resource is to evaluate the resource and if considered worthy of protection and incorporation into the development, recommend designation as a condition of development approval (i.e. conditions of subdivision approval, a requirement in a Subdivision Agreement or condition of Site Plan Approval or provision in the Site Plan Agreement).

Under the proposed legislation, if a cultural heritage resource is to be protected, staff would have to prepare the designation by-law, prepare a staff report and recommend that Council approve a NOI to designate within 90 days of the beginning of the planning application (and more likely than not prior to Council considering the planning application).

Currently there are no limits placed on when Council may provide a NOI to designate and what constitutes a "prescribed event" has yet to be defined by Regulation.

Also from a practical perspective, if the designation by-law must be addressed and registered at an early stage and is part of a large development project, the by-law would have to be registered on title to the large development parcel as opposed to later in the development process when it could be registered against an identified lot or block. The development community does not prefer a designation by-law that is registered against all their property holdings.

The introduction of new statutory time limits in relation to the provision of various notices, decision-making and passing of designation by-laws will require the City to introduce an enhanced tracking tool to ensure that all civic departments and participants undertake their responsibilities in a timely manner. The failure to meet the new timelines could affect the protection of cultural heritage resources.

Recommendation 28: That the protection and incorporation of a cultural heritage resource should be considered as part of the final report on a planning application that is presented to a council so it can be considered in a holistic manner and not in a piecemeal approach (within the first 90 days).

Ability to appeal to the Local Planning Appeal Tribunal on decisions for designation by-laws

It is proposed there be a new right of appeal to the Local Planning Appeal Tribunal from final decisions related to designation by-laws passed by Council, as well as final decisions made by Council on applications for alterations on individually designated properties. Similar changes regarding appeal rights are made for amendments to designation by-laws and de-designation requests.

The Conservation Review Board currently reviews objections to such matters as designation and alterations to designated properties (Part IV) and their recommendations are not binding, but provide a review mechanism to ensure

Council's decisions are sound and appropriate from a heritage perspective. Council still has the final decision making authority, which ensures that decisions on what is of value from a heritage perspective is reflective of the local community and not of a provincial tribunal.

Replacing the Conservation Review Board's recommendations with the Local Planning Appeal Tribunal's decisions takes decision-making away from the local community on what is important from a heritage perspective and transfers the final decision to an unelected, unaccountable provincial body. The Conservation Review Board by all accounts works well, is less expensive for all parties and has adjudicators with heritage experience.

Municipal councils may be less likely to designate in response to owner opposition due to the formality, expense, delay and uncertainty of the Local Planning Appeal Tribunal process relative to the Conservation Review Board. This can also have an impact of municipal staff resources and the Local Planning Appeal Tribunal's ability to hold hearings in a timely manner.

Under the Bill's proposal, owners will have the right to appeal both alteration and demolition/removal decisions to the Local Planning Appeal Tribunal for a binding decision (this would treat alterations to individually designated properties consistently with alterations to properties in a heritage conservation district). However, the ability to appeal the initial individual designation to the Local Planning Appeal Tribunal in the first instance represents a significant and unnecessary change.

Recommendation 29: That at a minimum, the Province maintain the Conservation Review Board as the non-binding appeal body for individual designation and amendments to the content of designation by-laws with the municipal council having the final decision on what is considered to be of heritage value in the local community. The Local Planning Appeal Tribunal could address objections related to requested alterations and demolition requests (as it does currently for properties within heritage conservation districts).

Recommendation 30: That if the Conservation Review Board is replaced by the Local Planning Appeal Tribunal, the Province should ensure that Tribunal members assigned to *Ontario Heritage Act* appeals possess cultural heritage expertise and an understanding of the *Ontario Heritage Act*.

60 day timeline for a municipality to notify an applicant whether an application for alteration or demolition of a designated property is complete

A 60 day timeline is proposed for a municipality to notify the applicant whether an application for alteration or demolition of a designated property is complete. Minimum submission requirements can be established (either by the Province through Regulation or by the municipality). If the municipality fails to provide notice as prescribed, then the 90 day review period for Council to make a final decision begins immediately following the end of the 60 days.

At present in Markham, the “heritage permit” review process is incorporated into the review of *Planning Act* applications and Building Permit applications, a streamlined approach to heritage review that has offered efficiencies and cost/time savings for applicants (no separate applications or fees are required). The proposed changes will likely result in changes to our review/approval processes, and may require a more formal heritage application process.

Recommendation 31: That the amendments regarding the introduction of complete application provisions and specified timelines for alteration and demolition applications are supported.

The loss of heritage attributes will no longer be considered alterations

The legislation proposes to clarify that “demolition or removal” under sections 34 (individual properties) and 42 (properties in a district) will now include demolition or removal of heritage attributes as well as demolition or removal of a building or structure. The loss of heritage attributes will no longer be considered “alterations”. This change restricts the removal or demolition of heritage attributes without municipal approval and will allow municipalities to seek maximum fines for the unapproved removal or demolition of identified heritage attributes.

However, according to section 69(5 and 5.1) of the *Act*, the municipality can only recover restoration costs from the owner of the property (in addition to any other penalty imposed under the *Act*) if the property is “altered” in contravention of the *Act*. The legislation should be addressed to ensure that “altered” in this part of section 69 is removed and defined to include “removal or demolition of heritage attributes”. The removal of the word “altered” in both section 69(5)(a) and (b) may address this issue.

Recommendation 32: That the identified clarification in the legislation indicating that “demolition and removal” will also include demolition and removal of heritage attributes is supported, but that Section 69(5) which deals with offences and restoration costs should be amended to remove the reference to “altered” to ensure that a municipality can recover restoration costs associated with the removal or loss of heritage attributes if a property has been impacted by a contravention of the *Act*.

Request deferral of Ontario Heritage Act Amendments

Given that the proposed changes to the *Act* are extensive and were introduced with minimal time allocated for consultation, it is suggested that the amendments be deferred and that the Ministry undertake meaningful consultation with all stakeholders as was done when the 2005 and 2006 changes were made to the legislation. The proposed changes need to be fully tested as to their applicability and usefulness by working with heritage planners who use the current legislation on a daily basis as well as development proponents. There are some useful changes that

could make the Act work better and a fulsome consultation could produce a set of useful amendment with broad support.

Recommendation 33: That the changes to the *Ontario Heritage Act* be removed from Bill 108 or deferred to allow the Ministry to undertake meaningful consultation with all stakeholders on both improvements to the legislation and allow feedback on the future content of the identified Regulations.

7. Proposed Changes to the *Environmental Assessment Act* (Schedule 6 of Bill 108)

The proposed changes to the *Environmental Assessment Act* provide exemptions to certain undertakings and specified categories of undertakings within the class from the *Act*. The proposed changes also provide a new process governing amendments to approved class environmental assessments.

A number of proposed amendments and new subsection of the *Act* would specify when the Minister could issue orders under section 16 of the *Act*. An order under section 16 could require a proponent of an undertaking subject to a class environmental assessment process to carry out further study. The amendments would also provide that the Minister must make an order within any deadlines, as may be prescribed and should the Minister fail to do so, that written reasons be provided.

The proposed amendments also imposes limitations on persons making requests for orders under section 16 by requiring that the person be a resident of Ontario and make the request within a prescribed deadline.

The proposed exempted categories are supported, as long as environmental protection measures are maintained, for the following reasons:

- Provides the ability for some infrastructure projects to be exempt from the Environmental Assessment process. This will accelerate the process (i.e. detailed design to construction) if the requirement to carry out an Environmental Assessment is removed from the overall process. With these proposed changes, projects can move straight to detailed design stage and subsequently to construction
- Provide clarity in dealing with orders by allowing the proponent of an undertaking to carry out further study
- Provides deadlines for issuing orders

Recommendation 34: That the proposed exempted categories are supported as long as environmental protection measures are maintained.

8. Proposed Changes to the *Conservation Authorities Act* (Schedule 2 of Bill 108)

The proposed changes to the *Conservation Authorities Act* will clearly define the core mandatory programs and services provided by the conservation authorities.



CHO - PCO

Community Heritage Ontario

Patrimoine communautaire de l'Ontario

COMMENTS ON BILL 108

Community Heritage Ontario / Patrimoine Communautaire de l'Ontario (CHO/PCO) is the association of Municipal Heritage Committees (MHCs) of Ontario. These are our comments on the Ontario Heritage Act component of Ontario's Bill 108.

MHCs have been established by municipal councils to advise them on heritage conservation issues, including matters under the *Ontario Heritage Act (OHA)*. Membership of such committees consists of volunteers and municipal councillors. MHCs, like the municipalities they advise, have a wide range of capabilities and available resources to conduct their work. Such resources range from a dedicated group of municipal staff to do heritage research and prepare reports for the MHCs and councils, through to municipalities such as Oil Springs (population 648) with no heritage staff or budget. In that latter instance, MHC members do their own research and prepare reports including drafting schedules for designation by-laws and monitoring the conservation of heritage resources within their community. Municipalities with MHCs account for 90% of Ontario's population.

CHO/PCO supports many of the proposed amendments to the *OHA* in Bill 108 including:

- consistency in the body to which appeals under the *OHA* are made;
- the need for time frames within which municipalities and appeal bodies must render decisions; and
- the need for property owners to be notified of matters pending and decisions made under the *OHA* as it may affect their property.

Despite CHO/PCO's support for many of the proposed amendments to the *OHA*, there are some proposed changes to the legislation with which we have concern.

GUIDING PRINCIPLES TO OUR COMMENTS

Our comments are made with the following guiding principles in mind:

1. Municipalities and their MHCs are respected partners in the conservation of Ontario's heritage resources.

2. Changes to the OHA should not place an undue burden on municipalities with limited capabilities and resources such that it inhibits them from the conservation of heritage resources in their municipalities.
3. Municipalities on the advice of their MHCs are the bodies that are best capable of recognizing the local heritage resources that should be protected.
4. Owners should be notified by the municipality of matters pending under the OHA that affect their property and they should have the opportunity to object or appeal

BILL 108 - SCHEDULE 11- ONTARIO HERITAGE ACT – PRESCRIBED TERMS

There are a number of terms to be defined or detailed later in proposed regulations to the OHA. These are:

- Section 26.0.1 – ‘prescribed principles’
- Section 29 (1.2) Limitation – ‘prescribed event’
- Section 29 (8) 1. – ‘prescribed circumstance’
- Section 30.1 (1) - section 29 applies with ‘prescribed modifications’
- Sections 33 (2) & 34 (2) – ‘prescribed information and material’
- Section 34.3 (1) & (2) – ‘prescribed required steps and actions’

We recognize that such terms will be defined or detailed in regulation. Nevertheless whatever definitions or details are proposed should not place an undue burden on municipalities attempting to conserve their local heritage resources. When the regulations are drafted, we request that there be a transparent and robust public consultation process on the proposed regulations so that municipalities have at least 90 days to comment on the proposals.

BILL 108 - SCHEDULE 11- LISTING

Section 27 (5, 6, 7 & 8) Notice to property owner regarding inclusion in the Register.

We support the need to notify property owners about inclusion of their property in the municipal heritage register. However, we disagree with the proposed timing of the notification; leaving it until after Council has made a decision is too late. Many municipalities already notify a property owner of Council’s intent to include their property in the Register. Further the proposed legislation places no time limit on the property owner to object to the inclusion of the property in the Register.

Rather we believe that a property owner should be notified when any committee of Council (including the MHC) and Council itself is considering the inclusion of the property in the Register.

In such circumstance, the property owner may make representation for or against inclusion in the Register up to and including the time when Council makes its decision on inclusion. The notice to the property owner should include a statement of the effect on the property owner if the property is included in the Register in addition to the description of the property and any report on the property being considered by the committee or Council.

Once Council has made its decision, Council should be required to send a notice out to property owners, regardless of whether they have objected, that their property has been included in the Register. Such a notice should not include any further opportunity to object to the listing in the Register as the property owner will have had ample opportunity to put his/her opinion to Council and Council's relevant committees.

We request that proposed Clauses 27 (5), (6) (7) & (8) should be amended accordingly requiring municipalities to notify property owners whenever a municipality and its committees are considering including their property in the Register and that any opportunity for an owner to object ends when Council makes its decision.

If the government does not support the change we have requested above, we request that proposed clause 27 (6) 3 be amended by adding to the end of the clause that the objection period for listing is limited to 30 days after Council has issued its notice that the property has been listed in the Register. This is the same objection period as that permitted when a property is designated

BILL 108 - SCHEDULE 11- PART IV DESIGNATIONS – TIME LIMIT

Section 29 (1.2) Limitation – 90 day time limit

The proposed legislation states that a municipality may not express its intent to designate a property after 90 days has expired from a prescribed event. For a municipality and MHC with limited resources, it may not be possible to meet this time limit. Most municipalities have not researched and listed all heritage properties within their jurisdiction. As a result, under some circumstances, when a Planning Act application is submitted on a property with a heritage resource that a municipality has never identified in the past, a municipality and its MHC may have to research the property, prepare reasons for designation that meet the requirements of the OHA, write a report, notify the property owner, get the report to the MHC for a recommendation and then get a second report following the meeting of the MHC to Council so that Council may be in a position to express its intent to designate. Under such circumstances, 90 days is an insufficient amount of time.

We request that the 90 day time limit proposed in Clause 29 (1.2) be changed to 120 days.

BILL 108 - SCHEDULE 11— PART IV DESIGNATIONS – POWERS OF TRIBUNAL ON APPEALS

The proposed amendments to the OHA state that the following may be appealed to the Local Planning Appeals Tribunal (LPAT) which, after a hearing makes the final and binding approval:

- Section 29 (15), (16), (17) & (18) – Appeals to Council’s intent to Designate under Part IV, page 54 of Bill 108;
- Section 30.1, proposed subsection (13) – Appeals to Council’s intent to Amend a Part IV Designation By-law, page 56 of Bill 108;
- Section 31, proposed subsection (12) – Appeals to Councils intent, on Council’s initiative, to Repeal a Part IV Designation By-law, page 57 of Bill 108;
- Section 32, proposed subsection (12) – Appeals to Councils intent, at the owner’s request, to Repeal a Part IV Designation By-law, page 59 of Bill 108; and
- Section 33, proposed subsection (11) – Appeals to Council’s decision regarding alterations to a property designated under Part IV, page 61 OF Bill 108.

Currently the Conservation Review Board (CRB) hears an appeal under these sections of the OHA and then issues “a report to the council setting out its finds of fact, its recommendations as to whether or not the property should be designated” or By-law amended or repealed, or the property be altered as the case may be. The CRB report goes to the municipal council with the council making the final decision in light of the CRB’s report. The proposed legislation is for LPAT to make the final and binding approval. While we have no objection to making LPAT the provincial body hearing such appeals, **WE DISAGREE STRONGLY WITH MAKING THE LPAT THE FINAL APPROVAL AUTHORITY ON DESIGNATION, AMENDMENTS TO A DESIGNATION BY-LAW, REPEAL OF A DESIGNATION BY-LAW AND ALTERATIONS TO A DESIGNATED PROPERTY.**

The proposed legislation is contrary to one of our guiding principles – that a local municipality is the best authority on the values of local cultural heritage resources. It is also contrary to more than four decades of heritage conservation work in the Province of Ontario. Municipal councils have been respectful of the recommendations of the CRB when dealing with appeals to the CRB and in many instances, but not all, have complied with the CRB recommendations. In the future, we would expect to see municipal councils to continue to be respectful of LPAT decisions in these matters should LPAT’s decisions be advisory and not final.

We request that proposed Section 29 (15), (16), (17) & (18), together with the related subsections of Sections 30, 30.1, 32 and 33 that refer back to Section 29 be deleted in their entirety and replaced with the following:

“15) After holding the hearing, the Tribunal shall make a report to the council setting out its findings of fact, its recommendations as to whether or not the property should be designated under this Part and any information or knowledge used by it in reaching its recommendations.”

The following clauses in the existing OHA – Section 29 (13), (14), (14.1) (15) (15.1) should be retained with appropriate modifications to the numbers, changing ‘Review Board’ to ‘Tribunal’ and adding a requirement that Council act within 60 days of receiving the Tribunal report.

BILL 108 - SCHEDULE 11- PART IV DESIGNATIONS – REPRESENTATIONS ON DISMISSAL OF APPEALS TO LPAT

The following sections of the proposed amendments to the OHA permit representations by the appellant, but not the municipality, to LPAT should LPAT dismiss an appeal:

- Section 29 (17) (b) dismissal of appeal on Council’s intention to designate under Part IV;
- Section 30.1, proposed subsection (13) – dismissal of appeal to Council’s intent to Amend a Part IV Designation By-law, page 56 of Bill 108;
- Section 31, proposed subsection (12) – dismissal of appeals to Councils intent, on Council’s initiative, to Repeal a Part IV Designation By-law, page 57 of Bill 108;
- Section 32, proposed subsection (14) (b) – dismissal of appeal to Councils intent, at the owner’s request, to Repeal a Part IV Designation By-law, page 59 of Bill 108;
- Section 33, proposed subsection (13) (b) – dismissal of appeal to Council’s decision regarding alterations to a property designated under Part IV, page 61 OF Bill 108;
- Section 34.1, proposed subsection (7) (b) – dismissal of appeal to Council’s decision regarding demolition or removal to a property designated under Part IV, page 63 OF Bill 108; and
- Section 41, existing subsection (9) (b) – dismissal of appeal to Council’s decision regarding demolition or removal to a property designated under Part V, page 64 OF Bill 108

In the event that the government continues with the amendments to the OHA that make LPAT the final decision maker on the above appeals under Part IV and Part V of the OHA, we request that, in addition to the appellant, the municipality should, in fairness, be given the opportunity to respond to representations by the appellant to the Tribunal when LPAT dismisses an appeal.

We request that the appropriate Sections be amended by adding the words ‘and the municipality’ immediately following ‘the appellant’.

BILL 108 - SCHEDULE 11— PART IV DESIGNATIONS – KNOWLEDGE OF TRIBUNAL ON APPEALS

Whether LPAT will have advisory or final approval authority on OHA appeals, it is essential that members of the Tribunal hearing such appeals have a thorough grounding in heritage conservation principles and practice. This could be achieved by a Tribunal member's prior work experience in heritage conservation gained before being appointed to the Tribunal or through training programs provided by to Tribunal members by the Ministry or non-government organization with such experience.

We request that members of the Tribunal hearing appeals involving OHA matters have, or acquire, experience in the principles and practice of heritage conservation in Ontario prior to hearing such appeals.

Bill 108 - (Schedule 11) – the proposed More Homes, More Choice Act: Amendments to the Ontario Heritage Act

ERO number 019-0021

from the Ontario
Government

The Ontario government is proposing changes to the *Ontario Heritage Act* to support streamlining development approvals and increasing housing supply while continuing to empower municipalities to identify and conserve their cultural heritage resources.

The Ministry of Tourism, Culture and Sport (MTCS) is one of many partner ministries working with the Ministry of Municipal Affairs and Housing (MMAH) on streamlining approvals to support the Housing Supply Action Plan and to attract more investment to Ontario.

The *Ontario Heritage Act* provides municipalities with the tools to conserve heritage properties, including giving local government the power to designate properties and consent to alteration or demolition of those properties. Conserving the heritage of Ontario contributes to healthy communities by bringing environmental, social, economic, and cultural benefits. The intended outcome of the Act is the conservation and wise use of heritage properties for the people of Ontario and for future generations of Ontarians.

The Act has not been amended substantially in nearly 15 years. Since that time, development pressures have increased significantly in many communities across Ontario. The proposed amendments aim to improve provincial direction on how to use the Act, provide clearer rules and tools, and create more consistent appeals processes to help conserve heritage resources while allowing housing supply to increase.

In order to ensure that the heritage properties that are important to Ontarians continue to be protected without impeding compatible development, legislative amendments are being proposed that would:

Enhance provincial direction to municipalities, property owners and the public on how to interpret requirements in the Act by:

- Establishing in regulation prescribed principles that shall be considered by municipalities when making decisions under prescribed provisions of Parts IV (Conservation of Property of Cultural Heritage Value or Interest) and V (Heritage Conservation Districts) of the Act;
- Creating regulatory authority to establish mandatory requirements for the content of designation by-laws; and
- Improving the process for adding properties that are not yet designated (known as “listed”) to the municipal heritage register, by giving notice to property owners once their property is “listed” and enabling them to object to the municipal council.

Provide clearer rules and improve existing tools for municipalities to facilitate timely and transparent processes for reaching decisions under the Act by:

- Establishing a new 60-day timeline for notifying property owners of whether their applications for alteration and demolition are complete;
- Establishing a new 90-day timeline for municipalities to issue a notice of intention to designate a property as having cultural heritage value or interest, when certain events as prescribed by regulation have occurred respecting the property, subject to limited exceptions as prescribed by regulation;

- Establishing a 120-day timeline for passing a designation by-law after the municipality issues the notice of intention to designate, subject to limited exceptions as prescribed by regulation; and
- Clarifying the meaning and intent behind the term “demolition or removal”, in circumstances where a property’s heritage attributes have been identified.

Create a consistent and binding appeals process by:

- Requiring that municipal decisions related to heritage designations and alterations be appealable to the Local Planning Appeal Tribunal (LPAT), and that LPAT orders on such appeals be binding.

The goal of these amendments is to improve transparency and efficiency in municipal decision-making, while continuing to protect the cultural heritage resources that communities’ value. The proposed amendments maintain respect for local decision-making authority under the Act by providing clearer direction and well-defined rules that create consistency among municipalities when applying the tools in the Act.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: June 12, 2019

SUBJECT: Awards
Architectural Conservancy of Ontario
Nominations for ACO Heritage Awards 2019

Five reasons why you should nominate a project or person for an ACO Heritage Award today:

1. Individuals, groups and companies working to preserve heritage in Ontario deserve to be celebrated for their efforts. Their work benefits all of us!
2. Sharing success stories helps spread the word to people who may want to get involved in their communities, but who may not know how to get started. You may inspire someone.
3. All nominees will be recognized at the awards gala on October 3, and we will be reaching out to the press to share your stories. The more good news we have to share, the more attention we can bring to the importance of heritage conservation.
4. When we reach out to government to tell them how much Ontarians care about preserving heritage in our communities, the nominations and the awards help demonstrate that this is true.
5. The awards gala will be held on October 3 at the beautiful 1871 Berkeley Church in Toronto, and it's going to be a great party! Tickets will be going on sale soon.

Award nominations will be accepted until July 31.

Background

- See Nomination Materials Attached.

Comment

- George Duncan, local Markham author, has written a wonderful and insightful book on the properties of historic Unionville.
- The publication entitled, “Historic Unionville – A Village in the City” was published in 2015 by Dundurn Toronto.
- The book is the first detailed exploration of the facts and folklore behind Unionville’s winding ways and eclectic architectural sights, which span two centuries from the Georgian to the Post-Modern. It also includes an afterword offering an astute commentary regarding heritage conservation in Ontario.
- The Manager of Heritage Planning is recommending that the Heritage Markham Committee nominate Mr. Duncan for the Stephen A. Otto Award for Scholarship.

Suggested Recommendation for Heritage Markham

THAT the Heritage Markham Committee is pleased to nominate George Duncan, local Markham author for his publication entitled “Historic Unionville – A Village in the City” for the Architectural Conservancy of Ontario’s Stephen A. Otto Award for Scholarship

File:

Q:\Development\Heritage\SUBJECT\Architectural Conservancy of Ontario\HM june 2019 Award nomination.doc

Attachment

Architectural Conservancy Ontario - Heritage Awards 2019



**ARCHITECTURAL
CONSERVANCY
ONTARIO**

Architectural Conservancy Ontario is the province's principal non-government volunteer organization dedicated to the conservation of built heritage. ACO's Heritage Awards honour preservation leaders, projects and initiatives that are worthy of recognition for their contribution to the conservation of built heritage and cultural landscapes in Ontario.

Please read the rules and eligibility carefully. Nominations that do not meet the requirements will not be processed

ACO Awards Criteria

1. significance of the heritage issue or project
2. difficulties that the project and/or persons faced and overcame
3. the affect of the project's success on the immediate community
4. innovation, commitment, and leadership demonstrated

ACO strives to bring province-wide attention to the achievements of its award nominees. Their work provides models for others and is marked by innovative strategies, long-term leadership, significant restoration work or any service in the cause of heritage conservation that is worthy of being honoured.

Eligibility

Award nominees should be individuals, groups or organizations that are actively involved in heritage conservation in the Province of Ontario. Award nominators need not be ACO members. You may not nominate yourself. You cannot nominate a project for which you were the client, or the professional engaged to implement it.

Some nominees' work is ongoing, including that which might be honoured by ACO for lifetime achievement, special contributions, advocacy, support of heritage in the media or for careers that deserve nomination for ACO's Post-1945 Award.

Time Limit

Recognition is accorded to activities that have occurred within the five years prior to the nomination deadline date, July 31, 2019. The Awards Committee prefers that built projects be complete within that time frame. You may resubmit unsuccessful nominations in subsequent years, in the same or a different category.

The awards will be presented at ACO's Awards event on Thursday, October 3, 2019, in Toronto. If there are no nominations or no appropriate nominations in a particular category, the Awards Committee may not issue an award that year, in that category.

Jury

ACO's Awards Jury consists of professionals and other leaders from the heritage community. A new Jury is selected each year.

How to Apply

Please fill out the nomination form below. Submissions can only be received online using the nomination form.

SUBMISSION DEADLINE DATE: Wednesday July 31st, 2019, 11:59 p.m.

Remember, the jury only has the information you provide here, and the images you submit, with which to make its decision.

ACO AWARD CATEGORIES

A.K. Sculthorpe Award for Advocacy: Recognizes an individual, an informal group or an established non-profit organization which at a critical point achieved exemplary success in a significant heritage crisis.

Eric Arthur Lifetime Achievement Award: Recognizes individuals or groups who have made an outstanding contribution to the heritage conservation movement in Ontario over a sustained period of time. The state of the Province's architectural heritage today would not be the same without the significant activities of this nominee.

Peter Stokes Restoration Award – Corporate: Recognizes those responsible for the exemplary restoration of significant heritage structures, undertaken in accordance with the accepted policies and practices of heritage conservation in Ontario. This award is given to a larger firm or corporation.

Peter Stokes Restoration Award – Small Scale/Individual/Small Business: Recognizes those responsible for the exemplary restoration of significant heritage structures, undertaken in accordance with the accepted policies and practices of heritage conservation in Ontario. This award is given to a smaller scale project or one done by an individual or small business.

Paul Oberman Award for Adaptive Reuse – Corporate: Recognizes those responsible for projects that highlight and incorporate significant heritage structures in fitting and imaginative ways, thereby conserving them for future use and enjoyment. This award is given to a larger firm or corporation.

Paul Oberman Award for Adaptive Reuse – Small Scale/Individual/Small Business: Recognizes those responsible for projects that highlight and incorporate significant heritage structures in fitting and imaginative ways, thereby conserving them for future use and enjoyment. This award is given to a smaller scale project or one done by an individual or small business.

Margaret and Nicholas Hill Cultural Heritage Landscape Award: Recognizes an individual, group, or project that has created awareness and appreciation of Ontario's significant cultural landscapes and or cultural landscapes. It is an award for individual or community action rather than professional commissions or reports.

Mary Millard Award for Special Contributions: Recognizes ACO members and their associates who have made a significant contribution to the organization. It is these volunteers with their dedication, initiative and intelligence that constitute the most dynamic force in furthering the cause of historic preservation.

James D. Strachan Award for Craftsmanship: Awards an outstanding artisan for exemplary work over a career or in a specific project. The award recognizes outstanding craftsmanship in conservation and restoration. Emphasis will be placed on the use of traditional construction techniques and use of both traditional and innovative modern materials conducive to quality workmanship. The retention of original heritage material together with exact replication of missing elements is a key element of this award.

ACO NextGen Award: Awards an individual early in their career for outstanding contributions to the field of heritage, and a clear commitment to conservation work and/or community engagement.

ACO News Media Award: Awards an individual or organization working in any news media who has researched the facts, collected opinions, and diligently told the stories that have promoted a greater understanding of heritage significance, issues and controversies.

ACO Public Education and Engagement Award: Recognizes public events, projects, publications or programs undertaken by individuals or community groups creating significant opportunity to advance public awareness, understanding and enjoyment of Ontario's built heritage and cultural landscapes.

Post-1945 Design Award: Honours an architect, engineer, planner, or landscape architect living or dead whose post 1945 body of work is esteemed by professional peers and the general public alike as being outstanding, enduring, and worthy of preservation for future generations.

Stephen A. Otto Award for Scholarship: Named after the pre-eminent researcher and writer, recognizes exemplary work in the research and documentation of Ontario's built heritage and cultural landscapes undertaken to be widely shared.



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: June 12, 2019

SUBJECT: Community Heritage Ontario
Board of Directors – New Director: Regan Hutcheson

Community Heritage Ontario (CHO) is the provincial association of Municipal Heritage Committees (MHCs) with a mission of:

- Encouraging the development of municipally appointed heritage advisory committees;
- Promoting the appreciation, understanding and support for the values of cultural heritage and to work for its conservation and continued contribution to a sustainable society in Ontario; and
- To further the identification, preservation, interpretation and wise use of community heritage locally, provincially and nationally.

The Corporation is supervised by a Board of Directors of 8, membership of which is elected by the membership at the Annual General Meeting.

At the Annual Meeting on June 1, 2019 Regan Hutcheson was nominated to serve for the 2019-2021 term and was elected along with three returning Directors.

At the Annual Meeting, it was reported that there were 114 member groups representing 955 MHC members as well as 13 individual members. It was noted that there are 147 MHCs in Ontario but 33 still have not joined (some due to the annual fee)

It will be beneficial to have representation on the Board of Directors as Markham is hosting the 2020 Ontario Heritage Conference.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham Committee receive the summary on Regan Hutcheson's election to the new Board of Directors for Community Heritage Ontario as information.



The Society for the Preservation of HISTORIC THORNHILL

1974-2019: 45 years of giving a future to Thornhill's history

Box 53120, 10 Royal Orchard Blvd., Thornhill, Ont. L3T 7R9

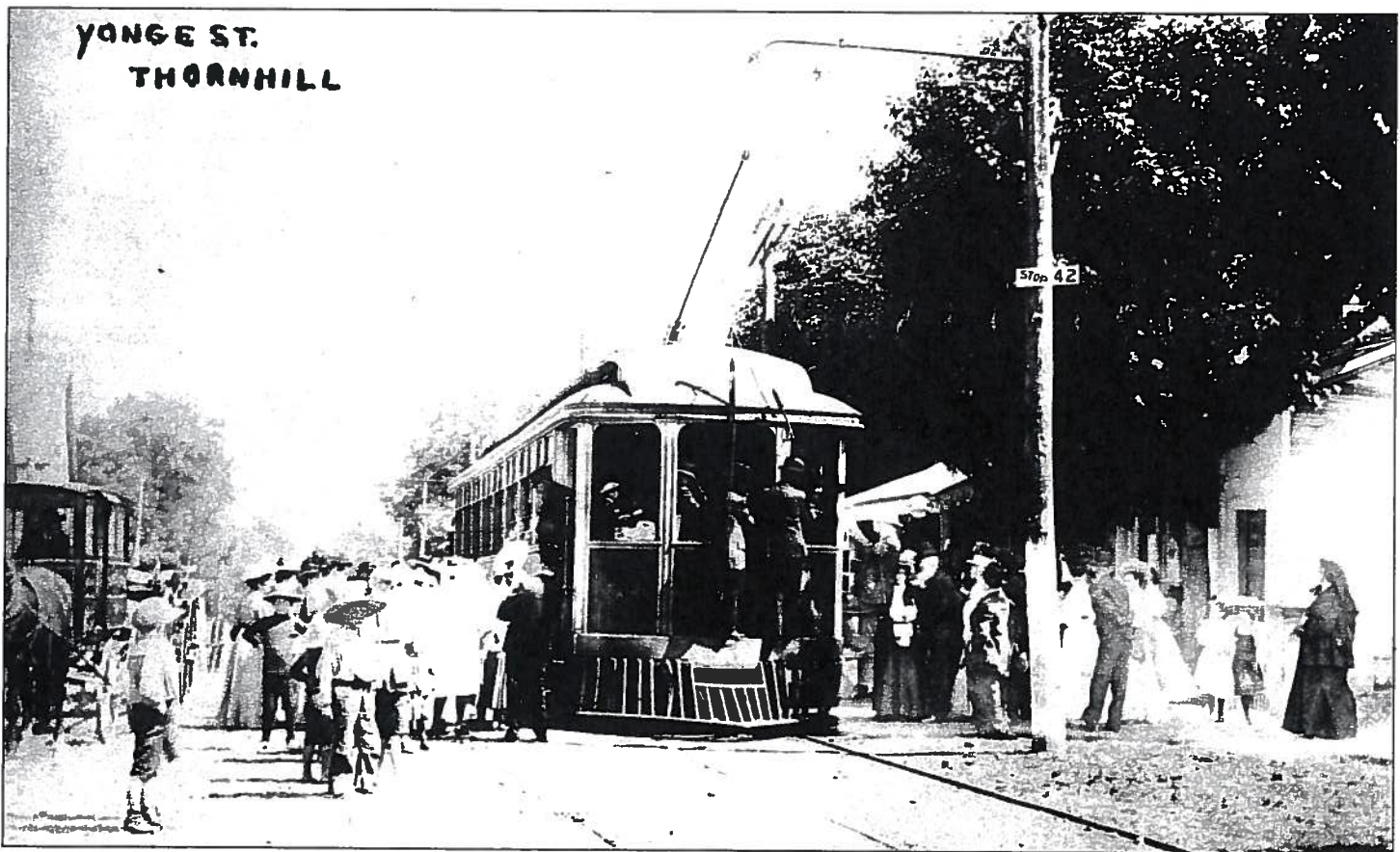
Newsletter

May 2019

Riding the Rails through Thornhill,

1896-1948; Part II

(Revised edition of the original article in the November 2002 issue of this Newsletter) By Jim Broughton



Boarding the Metropolitan Street Railway car at Stop 42 (later Stop 41, and finally Stop 16) in front of the Lindsay-Francis store, about 1900. (Photo courtesy of the Markham Museum, A.W. Weaver Collection)

The radial line carried on average between eight and nine hundred thousand passengers annually; the number peaked in 1946 at 2,348,869. Riders included commuters, salesmen, shoppers, farmers, shift workers in wartime industries (all-night service began in 1942), students en route to high schools in

Willowdale or Richmond Hill and, in the summer, vacationers travelling from the hot, crowded city to the refreshing waters of Lake Simcoe or to the 200-acre swimming and amusement park which the railway company operated at Bond Lake. The tourist traffic was particularly heavy on the weekends when

Toronto was still tightly shut down, whereas Bond Lake and the Lake Simcoe villages were not.

According to Doris FitzGerald, the fare was 25 cents return from Thornhill to the city limits, or 5 cents a zone. A 1916 Time Table lists the fare for the

same return trip at 35 cents. Freight was carried as well: bags of mail from Toronto, deliveries from Eatons, ice from Lake Simcoe, milk from farmers along the route and industrial materials and products.

Most of the original cars were

Cont'd on page 2

Future Events

Pomona Mills Park Conservationists' Wildflower Planting

Thursday, May 16, 2019,
5:00 p.m. to 7:00 p.m.

Please meet at the Thornhill Meadow, near 15 Church Lane.

For more information, please contact Naadia Ahsan, naadia.ahsan@gmail.com.



SPOHT's 16th Annual Bus Trip and Mystery Tour



Saturday, June 22, 2019

8:00 a.m. to 6:00 p.m.

The morning activity will be a visit to Lang Pioneer Museum, located between Peterborough and Rice Lake.

Lunch will be at your choice of a local restaurant.

As usual, the afternoon destinations will be the mystery element!

The tour bus leaves from the south parking lot of Holy Trinity Church, 140 Brooke Street, Thornhill. Please be there by 7:45 a.m. to ensure a prompt departure

The tour director and bus guide will be the inimitable David Rawcliffe, co-author of SideRoad Guide Books. To reserve your seats, please telephone David at 905-881-3952 and leave a message OR email him at davidrawcliffe@hotmail.com.

The cost of the tour is \$70 which includes the highway coach transportation and all admission fees. Please arrange your payment with David.

May Meeting

Tuesday, May 28, 2019

Meeting-room at Thornhill United Church, 25 Elgin Street

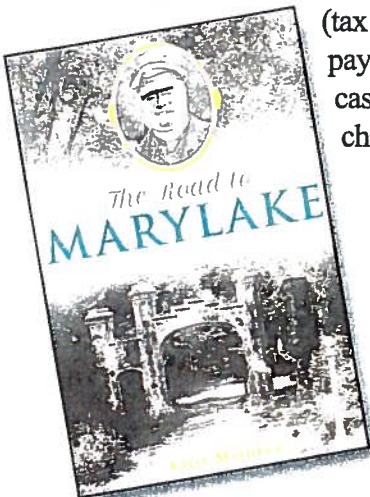
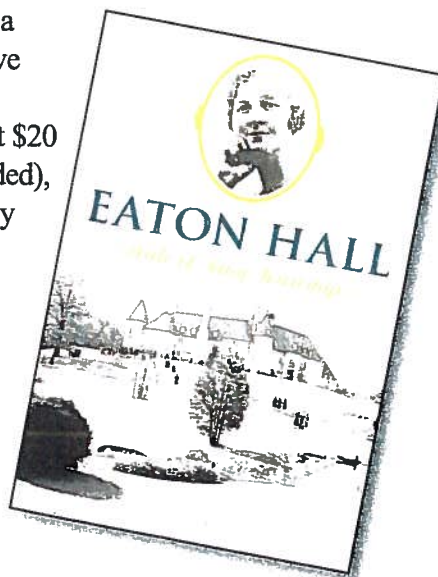
Refreshments will be available at 7:15 p.m.

Meeting begins at 7:30 p.m.

Guest Speaker: Kelly Matthews, author of *Eaton Hall: Pride of King Township* (2015) and *The Road to Marylake* (2017)

Ms Matthews is the Manager of Seneca College Sport Venue Operations & Community Recreation Programs. She has just received a commission to write the Definitive History of King Township. Her books will be available for sale at \$20

(tax included), payable by cash or cheque.



Photos of Lang Pioneer Village and Mill in Otonabee-South Monaghan Township north of Keene. Photos by Peter DeMille

Thornhill Heritage Foundation Report, May 2019

Two fundraising activities for the Robert West Heritage House (RWHH) have already taken place this year. The Indoor/Outdoor Antique & Collectibles Sale in February was a huge success. SPOHT members participated by selling a number of used books that had been donated at last year's Festival; the book sale was also considered a success.

The Darts Night at the Thornhill Pub in March was fun for all; the winner had never thrown a dart in her entire life prior to that night!

- Another **Darts Night** will be held on **Tuesday, May 14th at the Thornhill Pub, at 7 p.m.** The cost will be \$5.00. Come one, come all, and join the fun!
- Another **Indoor/Outdoor Antique & Collectibles Sale** will take place at the RWHH on **Saturday May 25, from 10 a.m. to 1 p.m.** SPOHT members will again be selling used books. Table space for those who wish to sell their collectable

items is available to rent at \$15 per table by calling Brian Ryan at 416-453-9091.

With the advent of better weather, garden improvements at the RWHH will again be undertaken by members of the Thornhill Garden and Horticultural Society. Anyone wishing to lend a hand would be welcome to work alongside them.

We will be undertaking the painting of the pine floors and more of the interior walls this summer, following advice given to us by George Duncan from Heritage Markham. He recently visited the RWHH and made recommendations which we intend to follow when funds allow.

As always, we appreciate your support for this significant heritage asset in Thornhill. Fundraising will be an ongoing and necessary activity of the Foundation in the years ahead.

Wendy Locke, Chair, Thornhill Heritage Foundation

Thornhill Heritage Conservation District Matters

By Councillor Keith Irish

An Update on 30 Colborne Street:

In January, I witnessed work being performed to the exterior of the Class A heritage home at 30 Colborne Street which appeared to be contrary to the Site Plan Agreement (approved drawings) and the Ontario Heritage Act. I asked the City of Markham's Building department and Heritage staff to investigate and a "Stop Work Order" was subsequently issued.

By replacing two historic windows and the exterior siding with new material, the owner had altered the heritage building without approval. This represented a violation of the approved drawings, as well as alterations to a designated heritage property without approval. The owner has since been charged under the Heritage Act and, if found guilty/or pleads guilty, will likely be fined when the matter comes before the Provincial Offences Court. The owner has also been charged separately under the Building Code Act by our Building Department and could incur additional fines. The city may also choose to retain a portion of the financial security deposit associated with the Site Plan Agreement.

In recent discussions that have included guidance from Heritage Markham staff, the owner has agreed to remove and replace the windows and siding with historically appropriate replica material.

Clearly what has occurred here is regrettable. In spite of all the precautions we have in the form of the Site Plan Agreement, financial securities and by-laws, sadly there are instances when projects, for any number of reasons, do not get implemented as approved.

House Fire at 45 John Street:

On the afternoon of April 4, Markham's Fire Department responded to a house fire at 45 John Street, on the south side, just east of Church Lane, in the Thornhill Heritage Conservation District.

Upon arrival, crews performed a "fast attack" to support search and rescue and fortunately found the home to be unoccupied at the time. Due to the intensity of the fire,

Message from Keith Irish, Councillor, Ward 1, Markham

I have a fond memory of my introduction to SPOHT 30 years ago when I attended a meeting at the Heintzman House. The late Vic Stecyk introduced his painstakingly-researched and thoroughly-entertaining film on the history of Thornhill. I have been a member ever since.

While much has changed over the years, the Thornhill Heritage Conservation District, thanks to the dedication of countless SPOHT volunteers and support from Markham Council, remains a shining example of thoughtful architectural preservation. However, having served on the Heritage Markham Committee 16 years ago, and later, as a member of the citizen panel responsible for rewriting the Thornhill Heritage District Guidelines in 2005, I know that preservation is not accidental; it takes effort.

To that end, in early January, I spent time with Markham's Heritage and Planning Department staff to discuss issues of architectural heritage and review instances in Thornhill and throughout Markham where we've got it right and others where sadly we've fallen short. As a Heritage Markham

committee member once again, I am looking forward to seeing our city fulfill its motto of "Leading While Remembering".

I would like to take this opportunity to introduce you to my Executive Assistant, Joanne Martire. Joanne is a Markham resident and a graduate of the University of Toronto, where she won the *Oxford University Press Essay Award* for the best essay written in an academic year. We have worked closely together for the past five years, and I am fortunate to have her join me at the City of Markham. She can be reached at jmartire@markham.ca or 905-415-7512.

I value my association with SPOHT and the friendships forged in common cause over the years as we've made a little history of our own by working to fulfill our Society's Goals and Objectives.

Keith Irish
Councillor, Ward 1
City of Markham
karish@markham.ca
905-948-5101



MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: HERITAGE PERMIT APPLICATION HE 19 120824
 Millennium Bandstand Landscaping
 146 Main Street
 Unionville Heritage Conservation District

Property/Building Description:

- The Millennium Bandstand was constructed to commemorate the arrival of the 2000s. It is surrounded by a paved and landscaped plaza.

Use:

- Public event space.

Heritage Status:

- Located within the Unionville Heritage Conservation District.

Application/Proposal

- The City's Operations Department has applied for a Heritage Permit to alter the landscaping around the plaza/public square at the Millennium Bandstand in Unionville.
- The work includes: tree planting on the south side property boundary, installation of planter boxes on top of existing masonry screening walls, installation of tree grates and tree rings around existing trees to protect the public and the trees, removal of selected areas of soft landscaping to increase the area of the public square, and installation of a flagpole.
- A site plan showing the proposed work is attached.

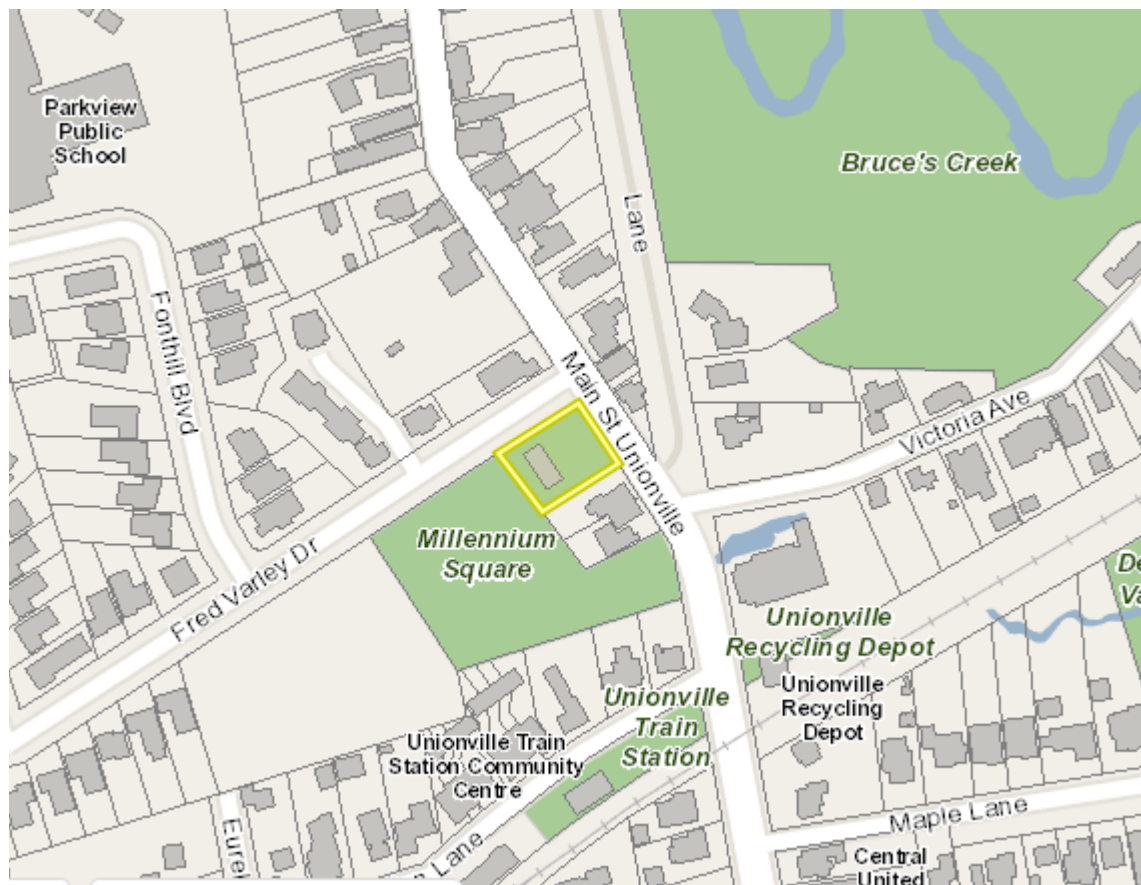
Staff Comment

- This project is funded through a provincial grant program for the beautification of Ontario main streets.
- Staff has no concerns with the proposed alterations to the existing landscaping around the Millennium Bandstand.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham supports the Heritage Permit for the proposed alterations to the landscaping at the Millennium Bandstand in Unionville.

File: Q:\Development\Heritage\SUBJECT\Unionville Main Street\HM June 12 2019.doc



Location Map

Unionville Bandshell
Landscape Proposal - 2019



Honey Locust: To be planted.



Planter Boxes: To be mounted on top of existing retaining wall.



Diseased Spruce – To be removed.



Brussel Block: Installed to match existing stone type and color.



Grates & Tree Rings: To be installed around existing Pear trees.



MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: HERITAGE PERMIT APPLICATION HE 19 120825
Traffic Island Landscaping
Main Street South
Markham Village Heritage Conservation District

Property/Building Description:

- A traffic island has been created as part of the reconstruction of Main Street South in Markham Village.

Use:

- Public road.

Heritage Status:

- Located within the Markham Village Heritage Conservation District.

Application/Proposal

- The City's Operations Dept. has applied for a Heritage Permit to install a double-sided clock on a metal column within the traffic island south of the intersection of Main Street Markham and Highway 7. An illustration of the heritage-style clock is attached.
- The clock is solar-powered.

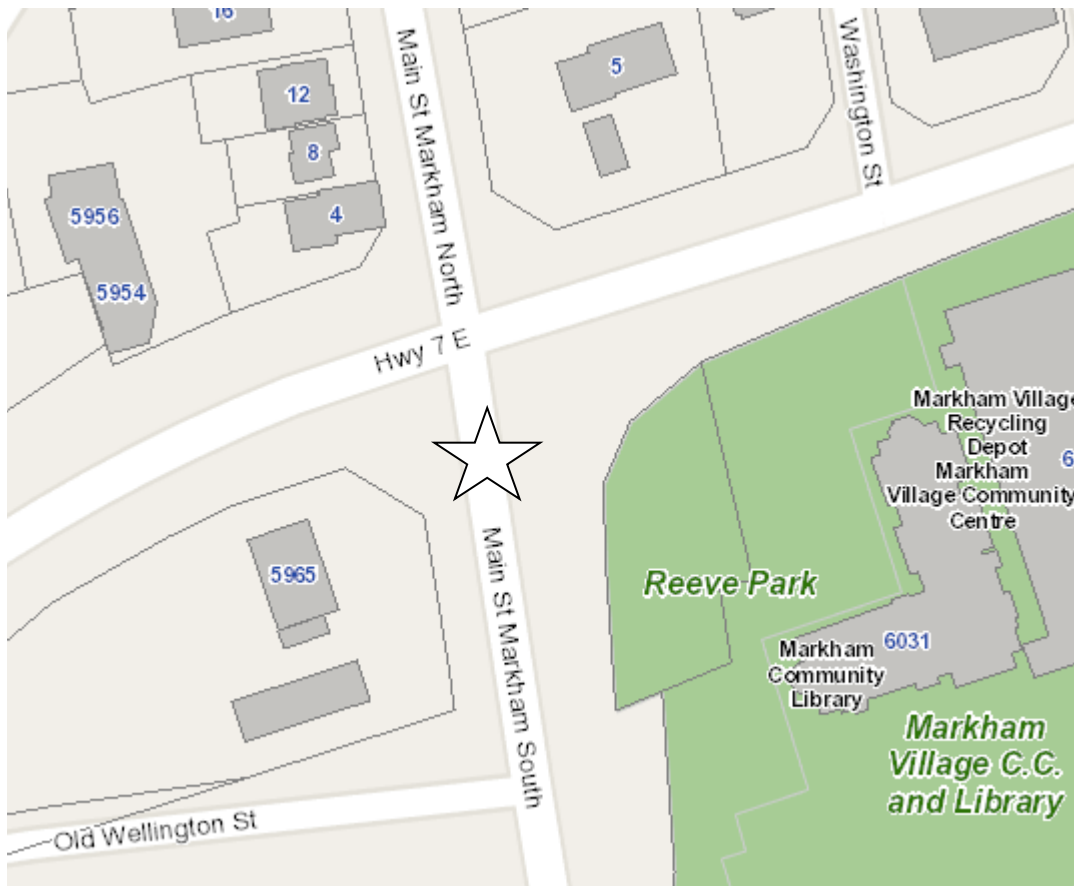
Staff Comment

- This project is funded through a provincial grant program for the beautification of Ontario main streets.
- The proposed clock is intended to serve as an entry feature into old Markham Village.
- Staff recommend that the metalwork be black to tie in with other street furniture in the Markham Village Heritage Conservation District.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham supports the Heritage Permit for the proposed clock feature on Main Street South and recommends that the metalwork be painted black to tie in with other street furniture within the Markham Village Heritage Conservation District.

File: Q:\Development\Heritage\SUBJECT\Markham Village Streetscape\Heritage Permit Clock.doc



Location Map

2'-10³/₄" [0.88M]

FQRT-HH
(A-4710)

HEADER

3" [0.08M]
LETTERING

FACE: "AI"
HANDS: "WS-30"

61A30
BEZEL

FQRT-SDL
(CAST ALUM.)

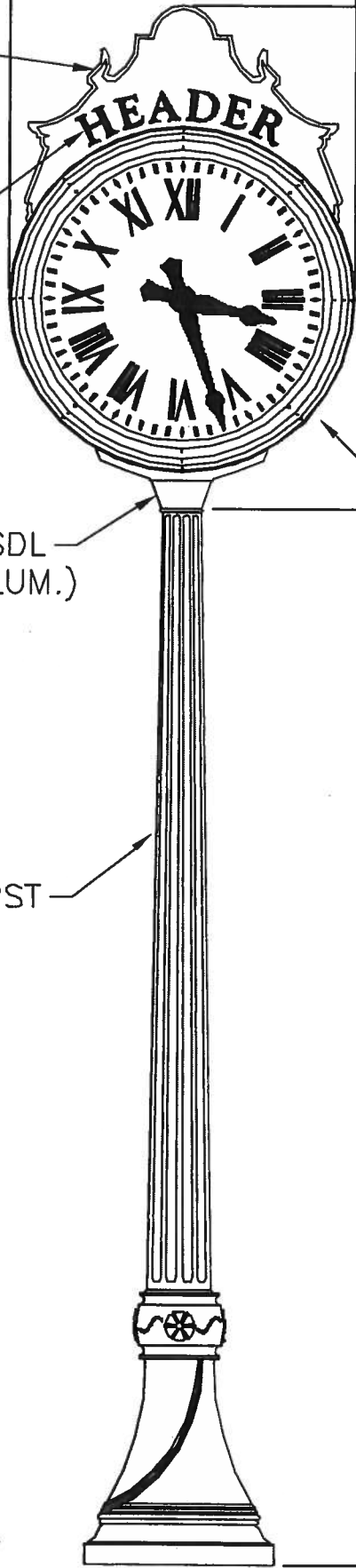
FQRT-PST

8'-9¹/₄" [2.67M]

12'-11⁷/₈" [3.96M]

FOUNDATION: A-4336

VIEW LASER	PATH M:\ACAD10\A-5588.DWG
DRAWING A-5588	TITLE French Quarter Post Clock
REVISIONS Rev A 12-3-98 WOR Rev B 09-11-03 DGC	SCALE 3/4" = 1'
	DATE 10-27-95
	DRAWN WOR
	APP'V TDE





MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: HERITAGE PERMIT APPLICATION HE 19 120826
Municipal Laneway Walkway and Bollards
142 Main Street
Unionville Heritage Conservation District

Property/Building Description:

- A municipal laneway runs along the south property boundary of 142 Main Street, a privately-owned commercial property. It is an asphalt-paved area that forms a continuation of rear yard parking lot serving 142 and 146 Main Street.

Use:

- Municipally-owned laneway – not a public street.

Heritage Status:

- Located within the Unionville Heritage Conservation District.

Application/Proposal

- The City's Operations Department has applied for a Heritage Permit to remove asphalt paving on a laneway and replace it with granular material and landscaping, and to install bollards to prevent vehicles from accessing the laneway, which will become a pedestrian path to the parkland to the west.
- No drawings were submitted with the application.

Staff Comment

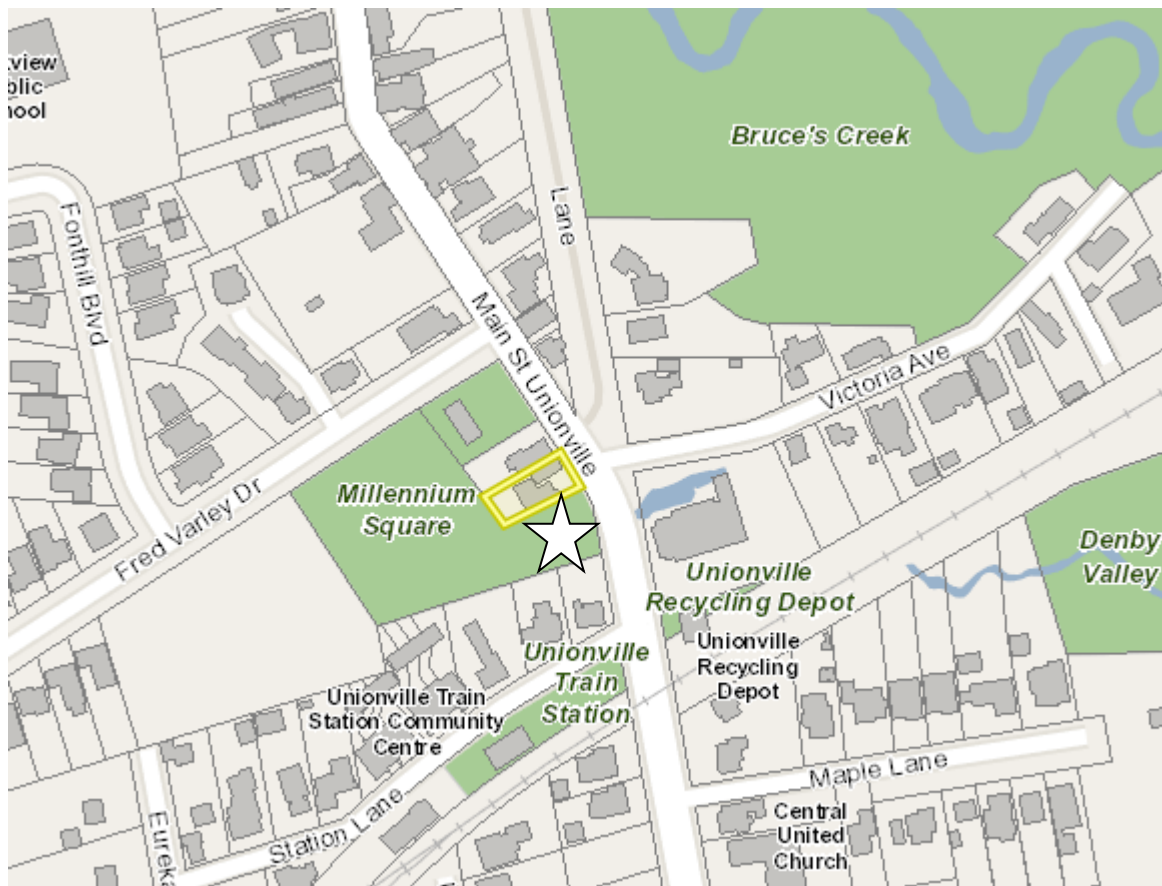
- The project is funded through a provincial grand program for the beautification of Ontario main streets.
- The conversion of the paved laneway to become a pedestrian path will enhance the pedestrian experience in Unionville and create a connection to parkland to the east.
- The proposed work will remove the ability of the adjoining commercial properties to have a secondary access to their rear yard parking lot.

- Staff recommend that the bollards be painted black to coordinate with other street furniture within the Unionville Heritage Conservation District.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham supports the Heritage Permit for the alterations to the municipal laneway south of 142 Main Street and recommends that the bollards be painted black to coordinate with other street furniture within the Unionville Heritage Conservation District.

File: Q:\Development\Heritage\SUBJECT\Unionville Main Street\Heritage Permit Laneway s of 142 Main.doc



Location Map



MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: HERITAGE PERMIT APPLICATION HE 19 120827
Civic Square Landscaping
98 Main Street North
Markham Village Heritage Conservation District

Property/Building Description:

- A landscaped area at the south-west corner of Main Street North and Robinson Street, screening a commercial parking lot. This was once the site of the Franklin House Hotel.

Use:

- A civic square located on privately-owned property, next to the public road allowance.

Heritage Status:

- Located within the Markham Village Heritage Conservation District.

Application/Proposal

- The City's Operations Department has applied for a Heritage Permit to rebuild the planter boxes in armourstone, replace the coniferous tree used for seasonal lighting, and reconfigure the space to enhance the civic square/gathering space.
- A diagram showing the proposed site layout is attached.

Staff Comment

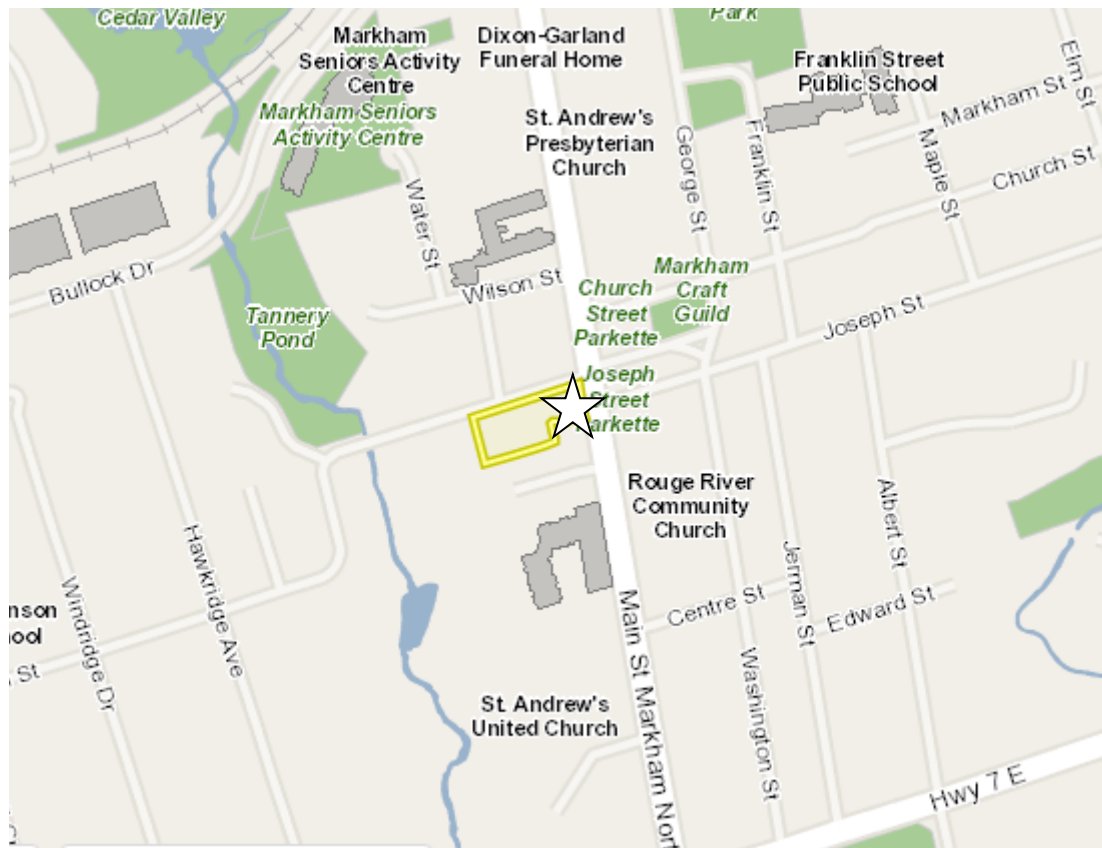
- The project is funded through a provincial grant program for the beautification of Ontario main streets.
- Staff recommend that the stone used for the planter box replacements be similar material to the stone used in existing entry feature walls within the Markham Village Heritage Conservation District.
- It is not clear from the diagram where the existing interpretive panel will be located. This is the introductory panel to the Markham Village Interpretive Plaque project and it is important to remain in this central location, maintaining its existing orientation.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham recommends that the planter box replacements be faced with stone that matches the stone used in existing entry feature walls within the Markham Village Heritage Conservation District, for consistency;

AND THAT the introductory panel to the Markham Village Interpretive Plaque project be shown on the site layout diagram and that it maintain its current orientation.

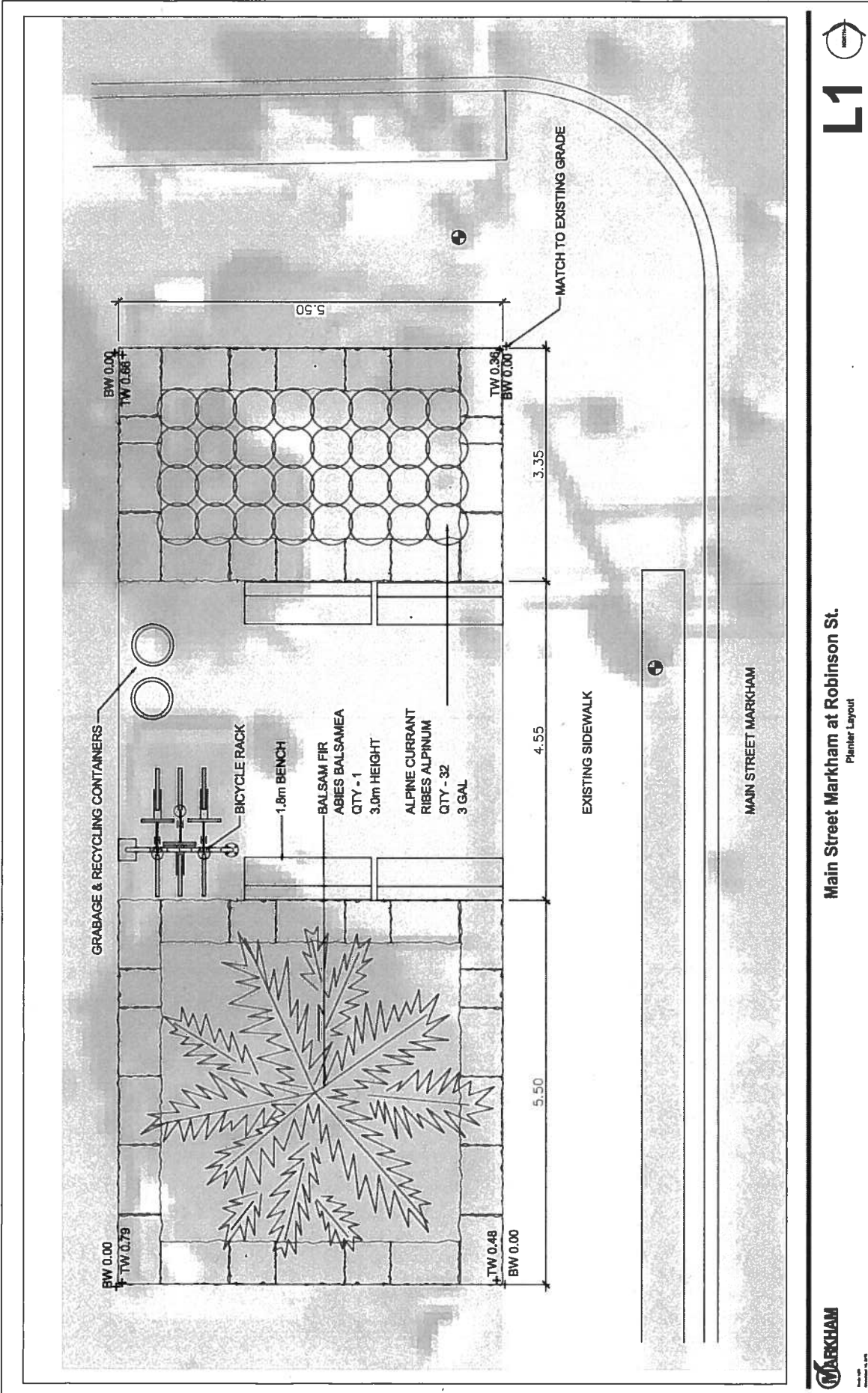
File: Q:\Development\Heritage\SUBJECT\Markham Village Streetscape\Heritage Permit Civic Square.doc



Location Map



Existing Interpretive Panel

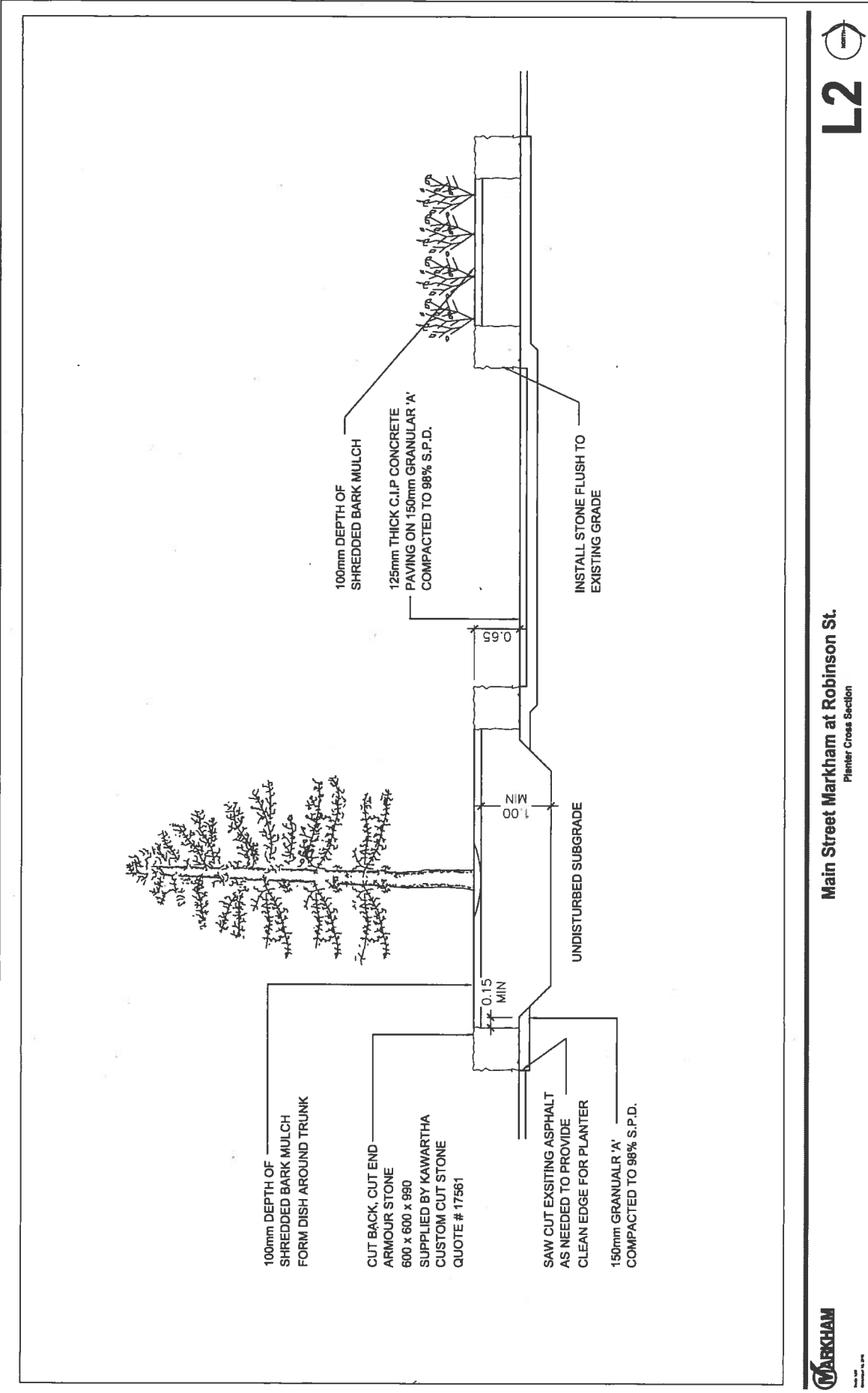


L1

Main Street Markham at Robinson St.
Planter Layout



1000 1000



L2

Main Street Markham at Robinson St.
Planter Cross Section





MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: REQUEST FOR DEMOLITION
14 Wales Avenue
Listed on the Register of Property of Cultural Heritage Value or Interest
Mount Joy Community

Property/Building Description:

- Brick and stone bungalow, c.1947, built by George H. Maynard, carpenter, builder and operator of the Markham Planing Mill.

Use:

- Residence.

Heritage Status:

- Listed on the *Markham Register of Property of Cultural Heritage Value or Interest*.

Application/Proposal:

- The property owner has submitted an email communication to Heritage Section staff advising of their intention to demolish the existing dwelling on the property and replace it with a new dwelling.
- At present, no planning or building applications have been submitted by the applicants.
- The owners of 14 Wales Avenue are also the owners of 15 Wales Avenue.

Background:

- At Heritage Markham's meeting of May 8, 2019, the applicants indicated that they plan to work with the Gregory Design Group on a design for a replacement dwelling on the subject property. At that time, they did not have any drawings to show to staff or to the committee.

- Options including a compatible addition to the existing dwelling, or a complete new dwelling in a style appropriate to the neighbourhood context, were discussed at the meeting.
- Based on the discussion at Heritage Markham, it appears that the committee is open to the potential replacement of the existing late 1940s dwelling on the property with a new dwelling, provided the design is a good fit with the area.

Staff Comment:

- As of the date of writing of this memorandum, no design has been submitted for the proposed replacement dwelling, or for an addition to the existing dwelling. However, staff has recently contacted the applicants, and they have re-stated their intention to work with the Gregory Design Group, and hope to have a design ready for Heritage Markham's consideration.
- Because the property is not within the Markham Village Heritage Conservation District or individually designated, a Site Plan Control application is not required in order to develop the property.
- In either case, staff will bring the applications back to Heritage Markham for review and comment when they are submitted.
- In the event that Heritage Markham decides to not support demolition, and recommends designation under the Ontario Heritage Act, only 9 days will remain to bring forward an Intention to Designate. The June 24, 2019 meeting of Development Services Committee will be too late to meet the 60 time limit for a municipal council to consider designation under the Act.

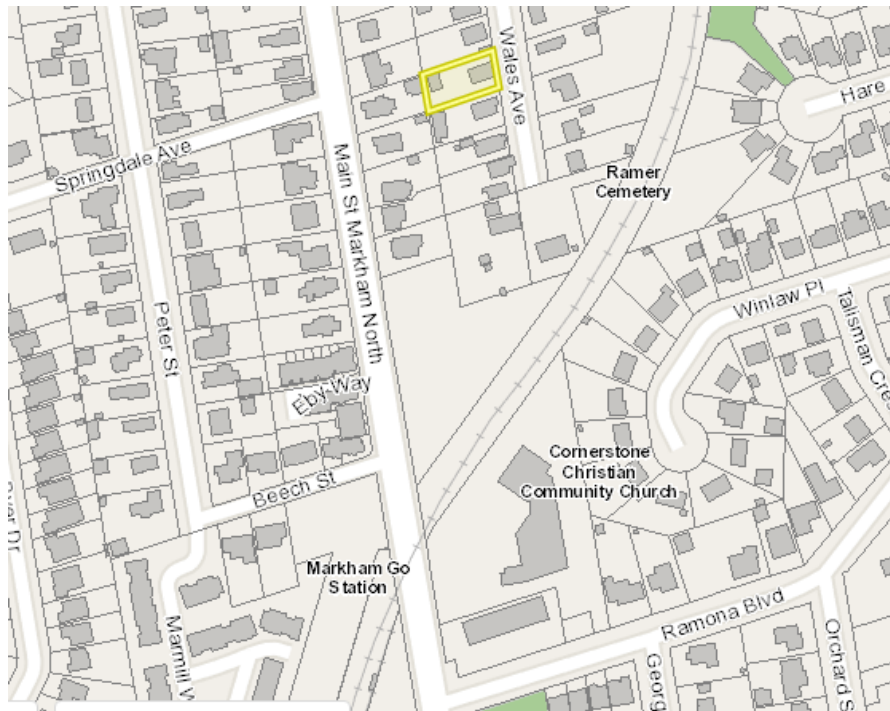
Suggested Heritage Markham Recommendation:

THAT Heritage Markham has the following comments on the design for a new dwelling at 14 Wales Avenue: _____



12 Wales (age: 1949)

Location Map





MEMORANDUM

TO: Heritage Markham Committee

FROM: Peter Wokral, Heritage Planner

DATE: June 12, 2019

SUBJECT: Revised Site Plan Control and Minor Variance Application
40 Albert Street, Markham Village Heritage Conservation District
SC 19 121293 & A/48/19

Property/Building Description: 1 storey single detached dwelling constructed in 1856

Use: Residential

Heritage Status: Designated under Part V of the Ontario Heritage Act and identified as a Type 'A' building or buildings that define the heritage character of the district.

Application/Proposal

- The applicant has revised their earlier site plan application, which was to construct a 313.5m² (3,375 ft²) two storey addition to the existing heritage house, with an attached drive-through carport, as well as a 60.9m² (656 ft²) 1-1/2 storey detached garage/accessory building. The current proposal is for a semi-detached dwelling with a one storey 27.2 m² (292 ft²) detached garage at the rear of the lot;
- The applicant also proposes to reposition the existing house to provide more space for the proposed semi-detached dwelling and to create a new basement;
- The proposed semi-detached dwelling and detached garage requires the following variances (as per the applicant's submission):
 - a) a minimum front yard setback of 3.5m, whereas the By-law requires a minimum front yard setback of 7.5m;
 - b) a minimum south side yard setback of 1.22m, whereas the By-law requires a minimum side yard setback of 1.83m;
 - c) a minimum property line setback for an accessory building of 0.91m, whereas the By-law requires a minimum property line setback of 1.22m;
 - d) A minimum driveway setback of 20 inches from the property line, whereas the By-law requires a minimum driveway setback of 24 inches from the property line.

- Staff also believe that a maximum lot coverage variance of 59% is required whereas the By-law permits a maximum lot coverage of 40% for a semi-detached dwelling.

Background

- The zoning designation of the subject property permits semi-detached dwellings and there is an existing townhouse development immediately to the south and another semi-detached dwelling immediately to the north;
- The City's Official Plan contains the following policy regarding the relocation of heritage buildings:
 - “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 or viable:
 - a) with 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.
- The Markham Village Heritage Conservation District Plan contains the following policies related to additions to heritage buildings:
 - “Any addition or new building must be compatible and in scale with the heritage buildings in the area. It must respect the significance of the existing historical buildings and thereby further strengthen the visual character of the Historic District”, and
 - “Such a design must therefore be compatible in terms of scale, rhythm, massing, colours, materials and proportions with the original heritage buildings either abutting, if that is the case, or in the surrounding area.”

Staff Comment

- Although Staff has no objection to the development of a semi-detached building on the property, there are concerns with the proposed lot coverage which has increased from the 36.6% originally proposed by the applicants when they planned to construct an addition to the existing single detached dwelling, to the 59% lot coverage proposed in support of the current semi-detached dwellings;
- Staff would prefer that the heritage building remain on its original foundation/location, but acknowledge that a new basement is needed and that the committee has supported minor relocations of heritage homes in our heritage conservation districts;
- Staff also feels that the proposed architectural style of the addition to the existing heritage dwelling and proposed semi-detached dwelling could be more sympathetic to the architectural style of the existing heritage dwelling in terms of its scale, massing, windows and architectural detailing;
- Therefore staff recommends the following revisions:

- That the front yard setback of the proposed new semi-detached building be significantly increased to maintain the prominence of the existing heritage dwelling and the existing greenspace to the south;
- That the new semi-detached dwelling comply with 6 ft. side yard setback prescribed by the By-law, as this will help reduce the proposed lot coverage, and preserve the space between adjacent dwellings, which is a character defining aspect of historic neighbourhoods;
- That the roof line of the addition to the heritage dwelling and new semi-detached dwelling be simplified to reflect the hipped roof of the heritage dwelling
- That the massing of the proposed addition to the heritage dwelling and proposed new dwelling be simplified to reflect the massing of the heritage dwelling;
- That the windows of the proposed new dwelling and addition be more reflective of the proportions and pane divisions of the existing heritage dwelling; and
- That appropriately designed brick chimneys be re-introduced to the roof line of the heritage dwelling.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no objection to the development of a semi-detached dwelling provided that the following revisions are made to the proposed plans:

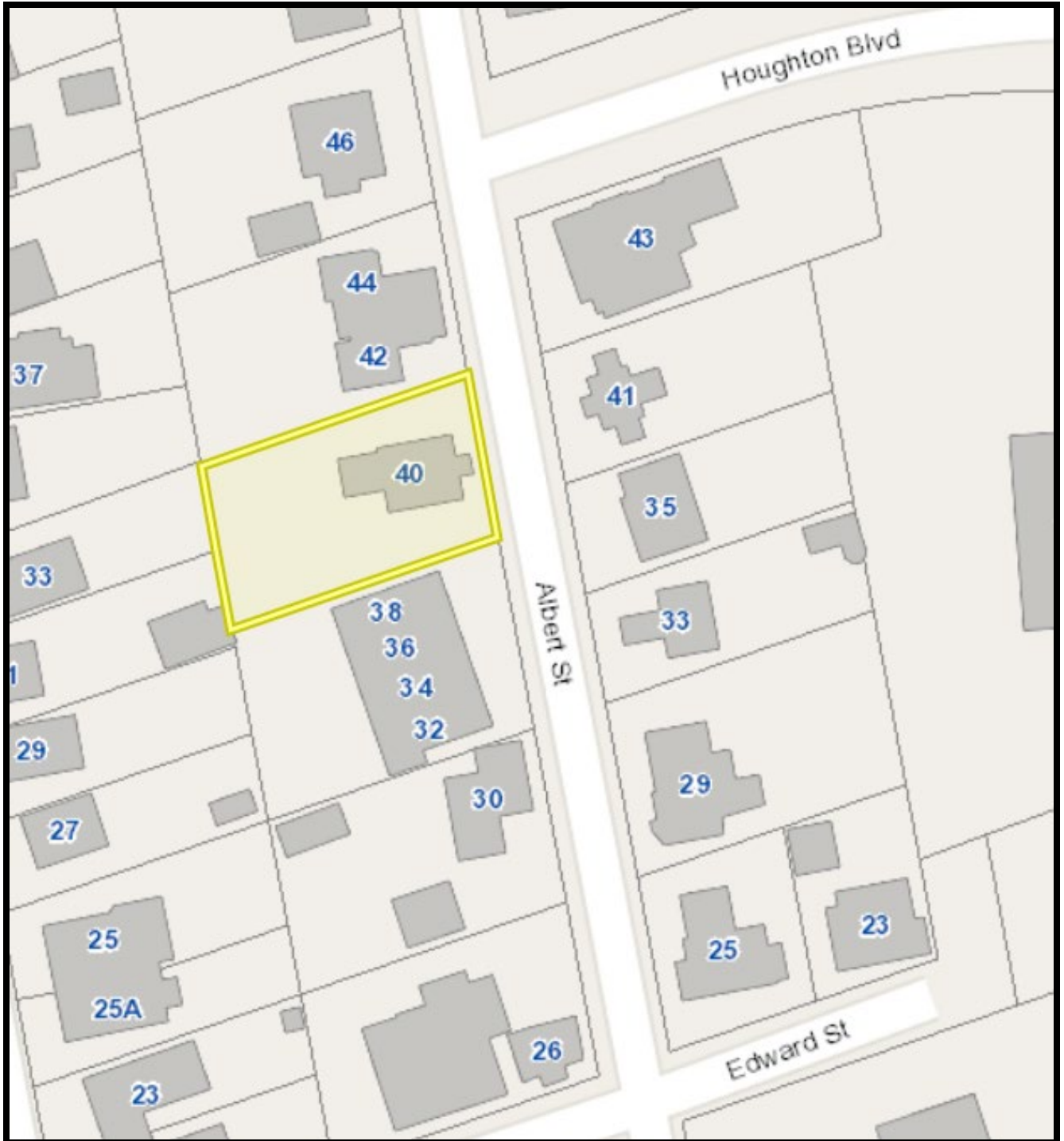
- That the front yard setback of the proposed new semi-detached building be significantly increased to maintain the prominence of the existing heritage dwelling and the existing greenspace to the south;
- That the new semi-detached dwelling comply with 6 ft. side yard setback prescribed by the By-law, as this will help reduce the proposed lot coverage, and preserve the space between adjacent dwellings, which is a character defining aspect of historic neighbourhoods;
- That the roof line of the addition to the heritage dwelling and new semi-detached dwelling be simplified to reflect the hipped roof of the heritage dwelling
- That the massing of the proposed addition to the heritage dwelling and proposed new dwelling be simplified and reduced to reflect the massing of the heritage dwelling;
- That the windows of the proposed new dwelling and addition be more reflective of the proportions and pane divisions of the existing heritage dwelling;
- That brick chimneys be re-introduced to the roof line of the heritage dwelling.

That Heritage Markham does not support the proposed south side yard setback and maximum lot coverage in support of the proposed semi-detached dwelling and addition to the existing heritage dwelling at 40 Albert Street.

File: 40 Albert Street

Q:\Development\Heritage\PROPERTY\ALBERT\40\Heritage Markham Memo October 2018.doc

40 Albert Street, Markham Village Heritage Conservation District



40 Albert Street, Markham Village Heritage Conservation District



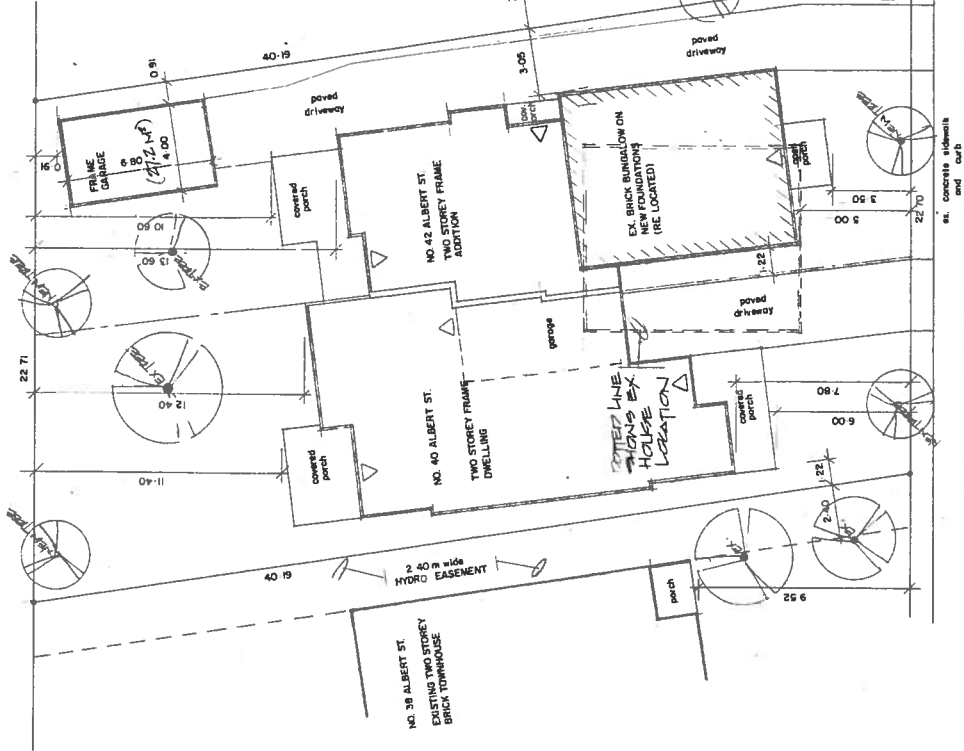
40 Albert Street, Markham Village Heritage Conservation District



SITE PLAN

SCALE - 1:100 (METRIC)
SITE INFORMATION & DATA

- AREA OF LOT • 901.7 m²
- AREA OF BUILDINGS • 456.0 m²
- AREA OF COV PORCHES • 48.50 m²
- AREA OF GARAGE (DET.) • 27.20 m²
- TOTAL BUILDING AREA • 531.7 m²
- COVERAGE • 59.07%



PROJECT	SITE PLAN SHOWING PROPOSED NEW DEVELOPMENT 40 ALBERT ST. CITY OF MARKHAM
CLIENT	THE GREGORY DESIGN GROUP
DATE	APR 21/09
SCALE	1:100
PROJECT NO.	67 SUMMERFELDT CRES. UNIONVILLE, ONTARIO, L3R 2B1
DRAWING TITLE	OFFICE (905) 479-4787 FAX (905) 479-8488
S.P.	

ALBERT STREET

etc. concrete sidewalks and curbs

DOTTED LINE SHOWS EX HOUSE LOCATION

EXISTING TWO STOREY SEMI-DETACHED DWELLING

NO. 38 ALBERT ST. EXISTING TWO STOREY BRICK TOWNHOUSE

NO. 40 ALBERT ST. TWO STOREY FRAME DWELLING

NO. 42 ALBERT ST. TWO STOREY FRAME ADDITION

NO. 44 ALBERT ST.

FRAME GARAGE

EX. BRICK BUILDING ON HERE INDICATIONS (RE LOCATED)

2.40 m wide HYDRO EASEMENT

paved driveway

covered porch

covered porch

covered porch

covered porch

covered porch

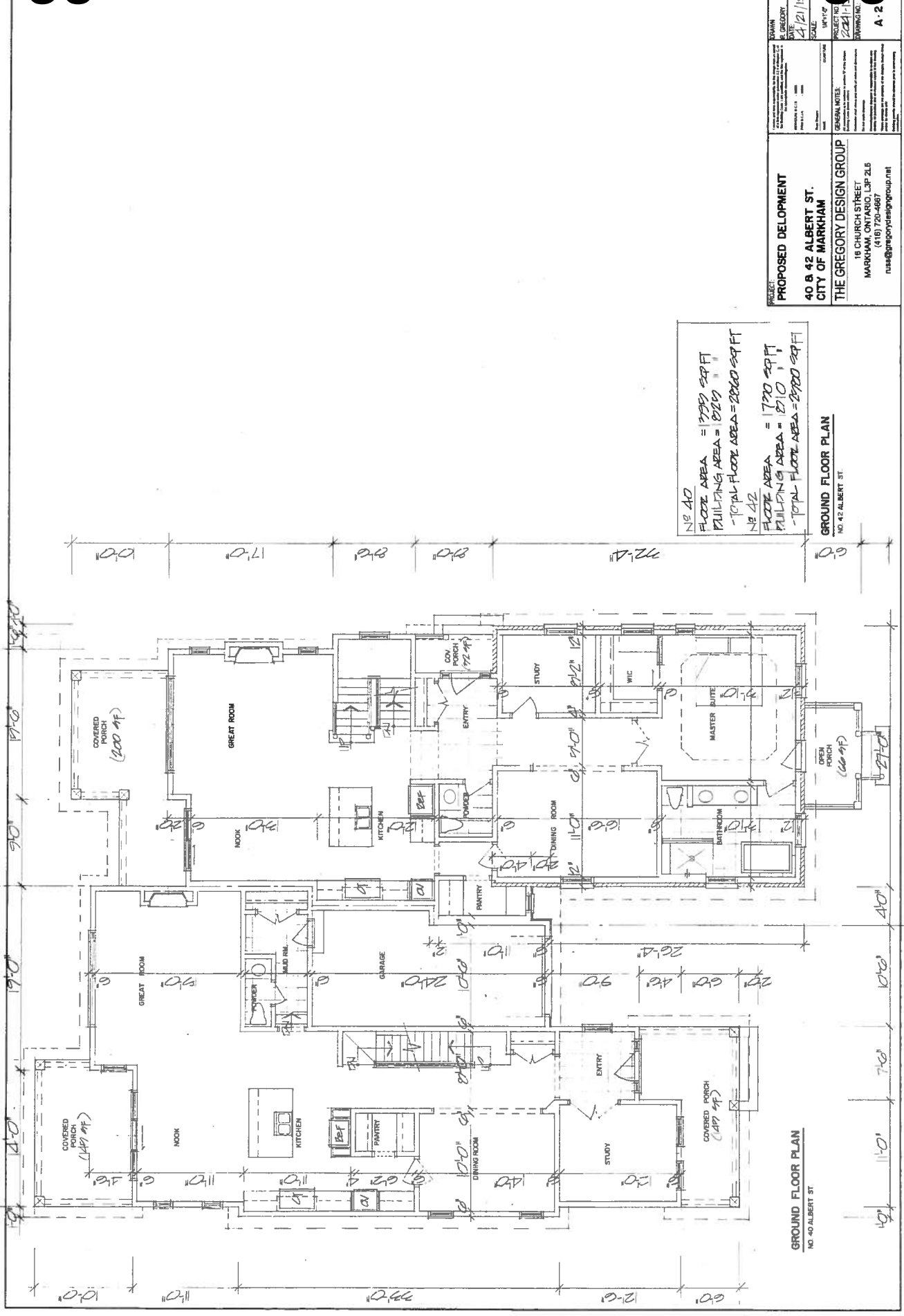
covered porch

covered porch

covered porch

covered porch

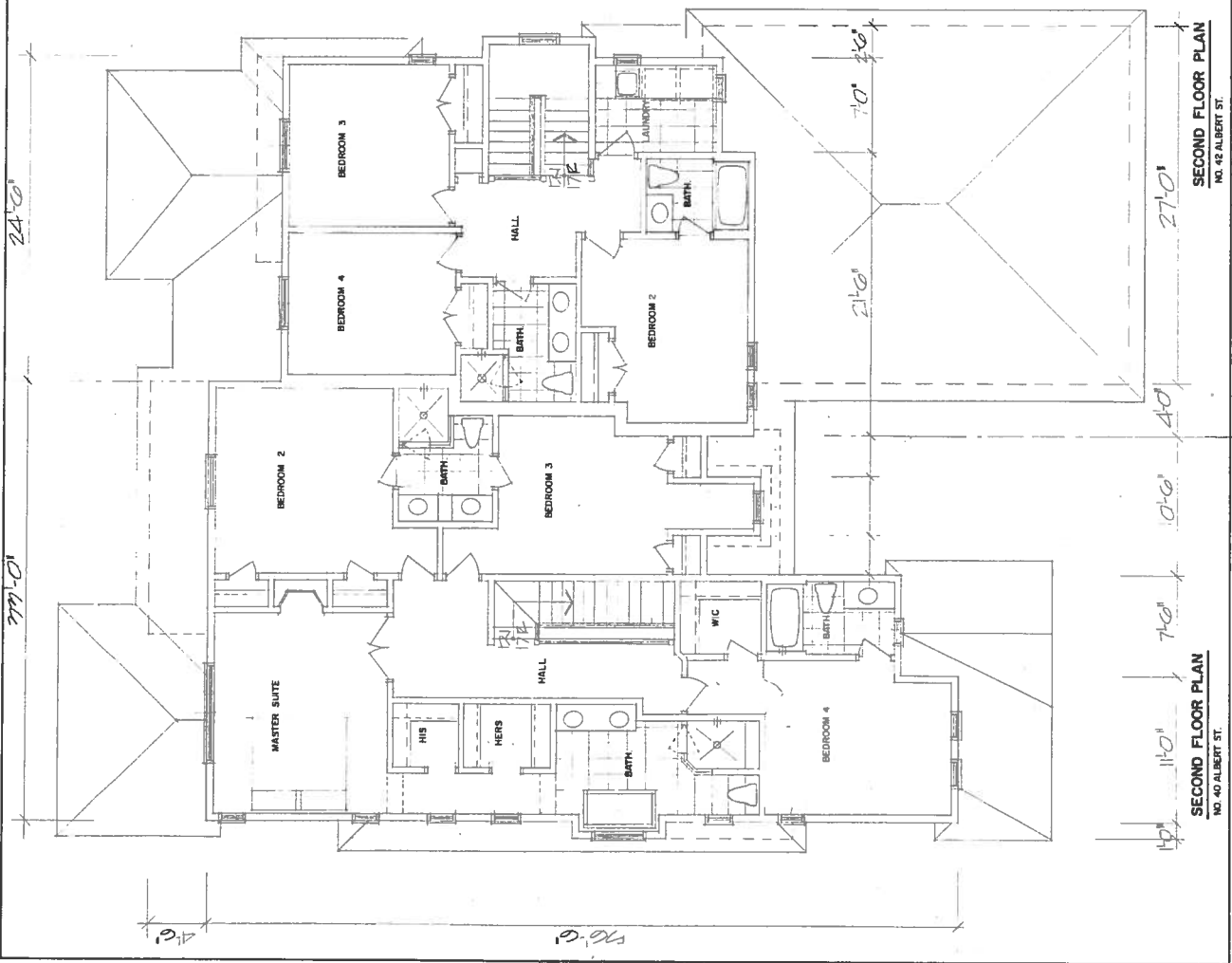
covered porch



No 40
 FLOOR AREA = 1799 SQ FT
 BUILDING AREA = 1820
 TOTAL FLOOR AREA = 2000 SQ FT
 No 42
 FLOOR AREA = 1790 SQ FT
 BUILDING AREA = 1810
 TOTAL FLOOR AREA = 1990 SQ FT

GROUND FLOOR PLAN
 NO 42 ALBERT ST.

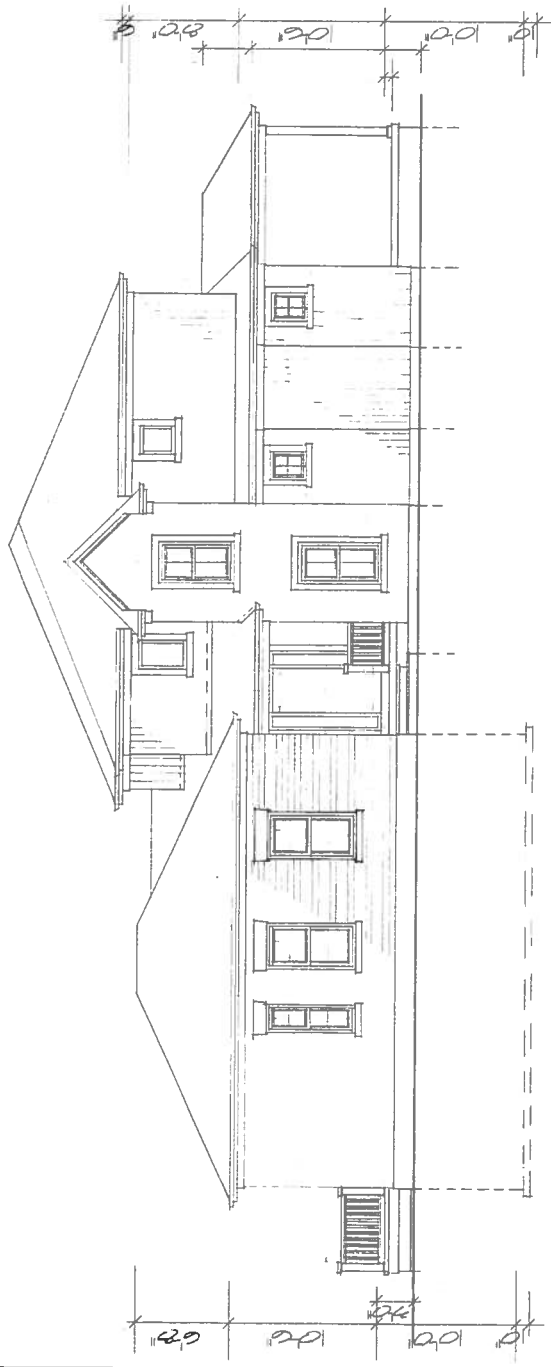
PROJECT: PROPOSED DEVELOPMENT 40 & 42 ALBERT ST. CITY OF MARKHAM	CLIENT: THE GREGORY DESIGN GROUP 16 CHURCH STREET MARKHAM ONTARIO L3R 2L5 (416) 720-4867 nuse@gregorydesigngroup.com
DATE: 4/21/19	SCALE: 1/8" = 1'-0"
GENERAL NOTES: 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 2. ALL WALLS ARE 12" THICK UNLESS NOTED OTHERWISE. 3. ALL DOORS AND WINDOWS ARE TO BE INSTALLED AS SHOWN. 4. ALL FINISHES ARE TO BE AS SHOWN. 5. ALL MATERIALS ARE TO BE AS SHOWN. 6. ALL WORK IS TO BE IN ACCORDANCE WITH THE CITY OF MARKHAM ZONING BY-LAW AND THE MARKHAM ACT.	DRAWN BY: G. GREGORY



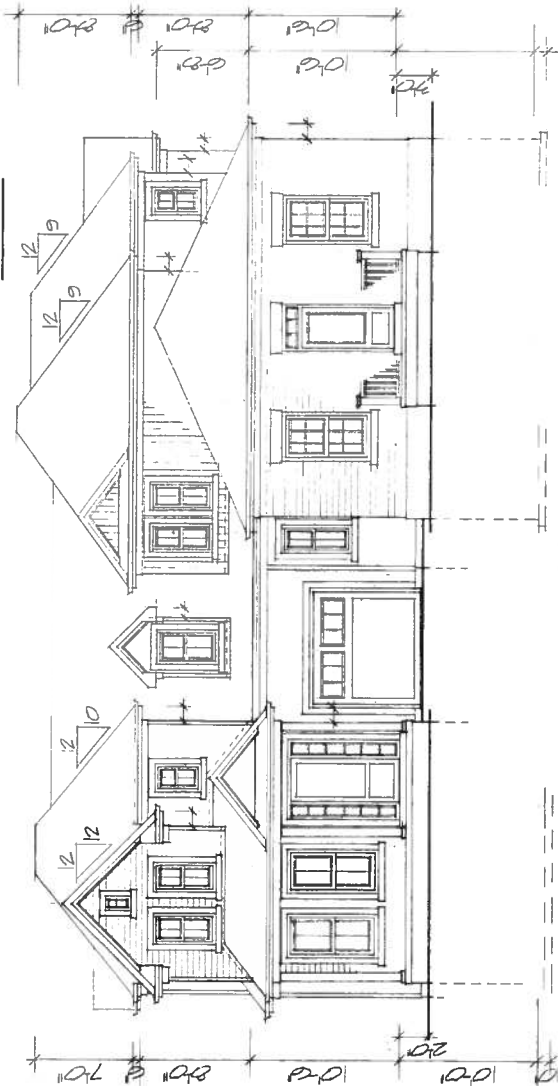
NO. 40
 FLOOR AREA = 1929 sqft
 OPEN SPACE = 60 !!
 TOTAL = 1989 !!

 NO. 42
 FLOOR AREA = 929 sqft
 OPEN SPACE = 70 !!
 TOTAL = 1000 !!

DRAWN R. GREGORY	DATE	10/17/27
	SCALE	1/4" = 1'-0"
PROJECT NO. 22211	PROJECT	PROPOSED DEVELOPMENT
	DRAWING NO.	A-3
GENERAL NOTES: 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. 2. FINISHES TO BE DETERMINED BY THE ARCHITECT. 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2024 IBC. 4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE. 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS. 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES. 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SPECIFICATIONS. 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY DETAILS. 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY NOTES.		
THE GREGORY DESIGN GROUP 18 CHURCH STREET MARKHAM, ONTARIO, L3P 2L6 (416) 720-4887 russ@gregorydesigngroup.net		



NORTH SIDE



FRONT ELEVATION

PROJECT PROPOSED DEVELOPMENT	DATE 2/24/11
	SCALE 1/4" = 1'-0"
PROJECT NO. 202411	DRAWING NO. A-5
GENERAL NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL ORDINANCES. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. 3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE APPLICABLE AGENCIES. 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES. 5. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. 7. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES. 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. 9. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE APPLICABLE AGENCIES. 10. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES.	
THE GREGORY DESIGN GROUP 18 CHURCH STREET MARKHAM, ONTARIO, L3P 2L6 (416) 720-4867 rusa@gregorydesigngroup.net	





MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: MINOR VARIANCE APPLICATION A/53/19
Proposed New Dwelling
11 Princess Street
Markham Village Heritage Conservation District

Property/Building Description:

- Modern-era brick bungalow, 1956.

Use:

- Residential.

Heritage Status:

- A Type C building within the Vinegar Hill area of the Markham Village Heritage Conservation District.

Application/Proposal

- A Minor Variance application has been submitted in connection with a proposed new dwelling to be constructed on the subject property, to replace the existing 1956 bungalow. The proposed site plan and elevations are attached.
- A Site Plan Control application has been submitted for the project but has not yet been circulated to City departments for comment as of the time of writing of this memorandum.
- The requested variances include:
 - a) A minimum front yard setback to porch of 5.51m, whereas the By-law requires a minimum front yard setback of 7.62m;
 - b) A minimum rear yard setback to porch of 3.88m, whereas the By-law requires a minimum rear yard setback of 7.62m;
 - c) A Net Floor Area (NFA) of 50.7%, whereas the By-law permits a maximum NFA of 45%;
 - d) A maximum building height of 10.9m, whereas the By-law permits a maximum building height of 9.8m; and

- e) A maximum building depth of 16.91m, whereas the By-law permits a maximum building depth of 16.76m.

Staff Comment

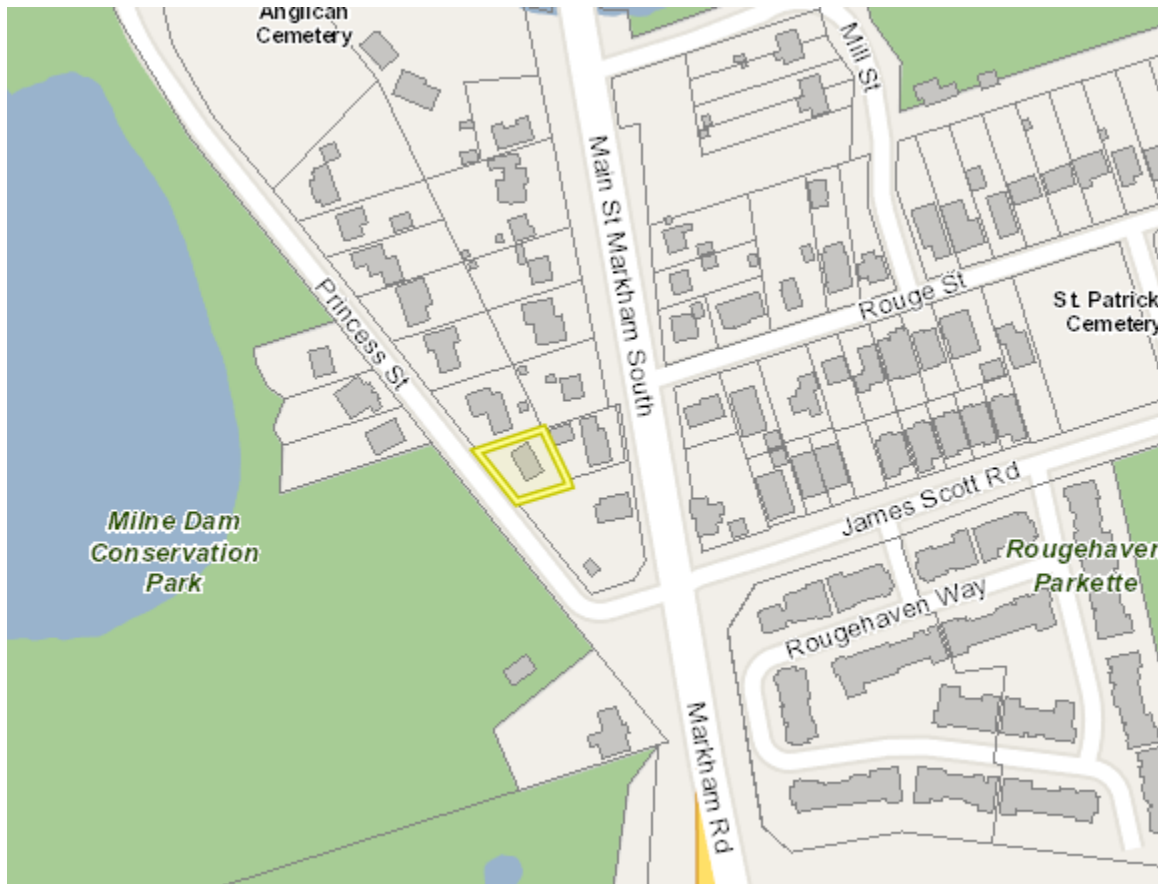
- Princess Street does not contain any buildings of cultural heritage value or interest. The street is a mix of modestly-scaled older dwellings dating from the late 1940s to 1960s, intermixed with larger, more recent two storey dwellings. Most existing buildings are Type C.
- The emerging character of the street is large, custom dwellings in various interpretations of the neo-traditional style.
- The proposed house, 3,590 at square feet, is smaller in gross floor area than recent projects at 23 Princess Street (4,701 square feet) and 27 Princess Street (5,100 square feet). The project at 23 Princess Street was approved with a Net Floor Area of 53%. The proposed new dwelling at 11 Princess Street is requesting Net Floor Area of 50.7%, a smaller variance.
- Staff has no objection to the requested variances on the basis that the proposed development is in keeping with the emerging character of Princess Street, and does not exceed previous approvals for other dwellings in the immediate vicinity.
- The Site Plan Control application will be before Heritage Markham at the July 10 meeting, at which time the committee may wish to comment on the architectural details.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham has no comment on the requested variances for 11 Princess Street from a heritage perspective, subject to the owner obtaining site plan endorsement for the new dwelling.



Existing Bungalow at 11 Princess Street



Location Map



MEMORANDUM

TO: Heritage Markham Committee

FROM: George Duncan, Senior Heritage Planner

DATE: June 12, 2019

SUBJECT: REQUEST FOR DEMOLITION
Barn Complex
10988 Warden Avenue
North Markham Planning District

Property/Building Description:

- Barn complex, gambrel style main barn, Brumwell farm, c.1900. Please refer to the research report, attached.

Use:

- Vacant rural property purchased by the Region of York for a future Southeast District Road Maintenance and Snow Management Facility.

Heritage Status:

- Listed on the *Markham Register of Property of Cultural Heritage Value or Interest*.
- Evaluated as a Group 2 Heritage Building.

Application/Proposal

- The Region of York has submitted a letter indicating their intention to demolish the barn complex on the property (attached) . They have commissioned a Heritage Impact Assessment. The analysis of the building using the Ontario Regulation 9/06 to establish if the building is worthy of designation under the Ontario Heritage Act, and the conclusions of the consultant, have been excerpted from the report and are attached.
- The Region is at the preliminary stage of preparing to submit the required planning applications to facilitate the proposed development.

Background

- The Brumwell Barn is one of a group of cultural heritage resources that were researched and evaluated in connection with planning for the Future Urban Area, now called the

North Markham Planning District. There is no historic farmhouse remaining on the property, as it was replaced with a modern dwelling decades ago.

- Heritage Section staff have visited the property to assess its condition and more closely examine its architectural features.
- As part of the Pre-consultation process, the applicant was asked to engage a qualified cultural heritage resource consultant to provide a Heritage Impact Assessment.

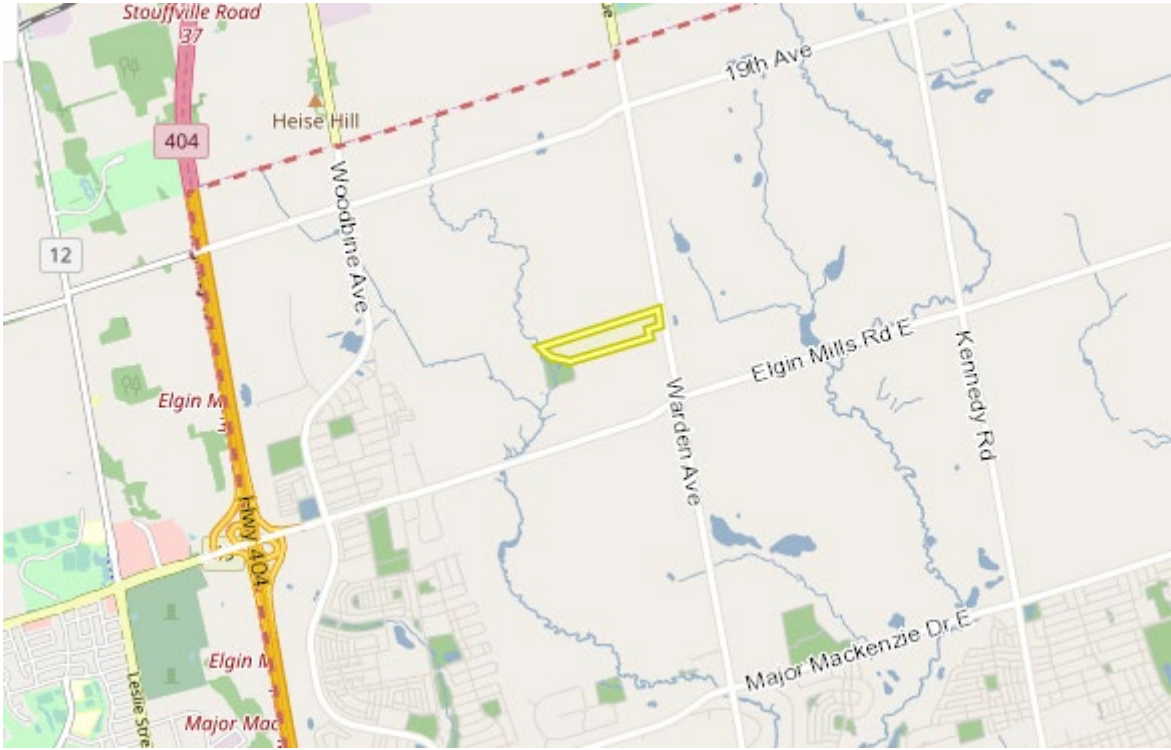
Staff Comment:

- The Brumwell Barn, in the opinion of staff, is a typical example of its type, in average physical condition for a disused structure. The applicant's consultant has concluded that it does not meet any of the O. Reg. 9/06 criteria to warrant designation under the Ontario Heritage Act.
- In staff's opinion, the Brumwell Barn is a representative example of an early 20th century gambrel-roofed barn and would therefore meet at least one of the O. Reg 9/06 criteria, however, without the context of a farmstead with an adjoining farmhouse, its contextual significance is lessened. As representative examples go, the barn complex is an average example. On this basis, staff do not recommend that the property be designated under the Ontario Heritage Act.
- The consultant's recommendations on pages 38 and 39, shown in the attached excerpts from the Heritage Impact Assessment, include the production of a documentary record of the property to be placed in local archival collections, and that requirements for salvaging of materials should be included in the tendering document for the demolition.
- Staff recommends that the request for demolition not be opposed, and that the applicant be requested through the Site Plan Control application process to salvage elements such as some of the timber frame and foundation to incorporate these into part of the new office building to be constructed on the property. Additionally, this would be an excellent candidate for a Markham Remembered plaque telling the story of the farm and showing an image of the Brumwell Barn.

Suggested Recommendation for Heritage Markham

THAT Heritage Markham does not oppose the demolition of the barn complex at 10988 Warden Avenue subject to the applicant's agreement to salvage selected elements to incorporate into one of the proposed new buildings on the property (such as the office) and to the applicant agreeing, through the Site Plan Control application process, to provide a Markham Remembered interpretive plaque describing the history of the site, to be installed in a visible location on the property;

AND THAT a copy of the Heritage Impact Assessment be provided to the Markham Museum for their archives.



Location Map

RESEARCH REPORT



Brumwell Barn
East ½ Lot 27, Concession 4
10988 Warden Avenue
c.1900

Historical Background:

This early 20th century barn is located on the east half of Markham Township Lot 27, Concession 4. There is no farmhouse associated with the barn remaining on the property.

Lot 27, Concession 4 was a Crown Reserve lot of 200 acres. In the early 19th century, Crown Reserve lands were set aside to generate revenue for the government and were not available for purchase. Christian Steckley, a member of Markham's Pennsylvania German community, leased the property in 1816. In 1828 the Crown Patent was issued to King's College (later to become the University of Toronto) as a beneficiary of the revenue generated by the Crown Reserve system.

King's College sold the east 100 acres, where the barn stands today, to Henry Trudgeon. Henry Trudgeon (1783-1855) was born in Cornwall, England. His wife was Mary Oates (1785-1851). They emigrated to Canada with their six English-born children and settled in Markham Township. Their son, William, was born in Markham in 1830, which provides an indication of the family's arrival in Canada. Walton's directory of 1837 places Henry Trudgeon on Lot 24,

Concession 4 several years before he purchased the property. Richard Trudgeon, their eldest son, settled on Lot 24, Concession 4.

William Trudgeon (1830-1894) inherited the property on Lot 27, Concession 4, and an additional 50 acres next door to the north on Lot 28, Concession 4, from his father in 1855 (this William Trudgeon should not be confused with William Trudgeon, his nephew, who resided on Lot 24, Concession 4). William Trudgeon did not pursue farming as an occupation. He started the first newspaper in the village of Richmond Hill in 1857. The paper was first known as the *York Ridings Gazette and Richmond Hill Advertiser*. It then became the *British Tribune* under the same ownership. The newspaper venture was short-lived and in 1860, William Trudgeon put the farm up for auction and relocated to St. James Ward in Toronto. His wife was Harriet Hotson (1832-1915). The family moved several times and eventually ended up in Goderich, Ontario.

In 1869, John Boyd, who had acquired the 150 acre Trudgeon property in a manner that does not appear in the abstract of deeds for either Lot 27 or Lot 28, sold to James Klinck. In 1874, Klinck sold to Isaac Brumwell (1841-1918), an English immigrant that came to Canada in 1842. The Brumwell name is historically well-known in association with Victoria Square and vicinity. The family lived in the eastern part of Scarborough Township before moving to Markham, and remained there well after their purchase of the former Trudgeon farm. They were still living in Scarborough at the time of the 1881 census, but were in Markham by 1891, according to the census of that year.

According to the 1891 census, farmer Isaac Brumwell, his wife Mary Jane Chester (1844-1928), and their children lived in a two storey frame dwelling containing 8 rooms. The farmhouse was demolished under a later ownership and replaced by a new dwelling that in turn was demolished in 2017. Only the barn remains from the Brumwell farmstead. Based on its gambrel-roofed design, it is likely that barn on the property was built for Isaac Brumwell. A date of c.1900 is proposed.

Isaac Chester Brumwell (1887-1977) inherited the farm from his father in 1918. He married Velma Grace Burnett (1888-1971). By 1921, the family had relocated to Whitchurch Township. They sold their Markham farm to Charles Brodie in 1938 and from that point, the property passed through a series of 20th century owners. The 2017 owner is the Region of York.

Architectural Description and Stylistic Analysis:

The Brumwell barn is a representative example of an early 20th century gambrel-roofed raised barn. Barns of this period typically have traditional heavy timber frame construction (a site inspection would be necessary to confirm this). The barn rests on a fieldstone rubble foundation. Siding is painted vertical boards. The gable end faces the road, and the main entrance is centred on the south wall. An addition constructed of plain concrete block, possibly containing a milk house, is located at the south-east corner of the building. A frame wing is located on the south wall of the main barn, to the west. These additions create a sheltered barnyard facing south, a common layout on old Ontario farms.



Foundation detail, Brumwell Barn

The gambrel-roofed barn became popular in the 1890s and locally, barns of this style were built up to the 1920s. They replaced the older style of gable-roofed barns that were typically smaller in size and shorter in depth. Barns of this time period reflect the mixed farming and dairy farming being done in this part of the province in the late 19th and early 20th centuries. The lower level, within the foundation, was used for stabling and feeding of livestock, and the main floor contained storage for grain and feed on either side of a threshing floor. Some barns were built into a natural slope so that the stables could be accessed at grade at the bottom of the slope, and the threshing floor at the top. Where sloping topography did not exist, as in this case, earthen ramps were constructed to reach the doors at the level of the threshing floor.

On established farms, old-style barns were commonly dismantled, combined and re-built into the gambrel-roofed form. Barn frames often incorporate a great deal of salvaged material, evidenced by odd mortices, hewn beams mixed with sawn beams, and differences in colour and finish.

Context:

The Brumwell barn is a remnant of a former farmstead which has long ago lost the farmhouse that accompanied it. The barn represents the agricultural community that has surrounded the hamlet of Victoria Square for generations but is now in the process of being transformed from rural to urban. The building is associated with a prominent farming family that has lived in Victoria Square and vicinity from the late 19th century into the present day.

G. Duncan, February 2018, with historical research by Su Murdoch Historical Consulting (see the report, attached).



Corporate Services Department
Property Services

May 28, 2019

Heritage Markham
101 Town Centre Boulevard
Markham Ontario L3R 9W3

**Re: REQUEST TO DEMOLISH A LISTED PROPERTY
Located at 10988 Warden Avenue in the City of Markham**

This letter is to seek the input and approval of Heritage Markham on York Region's proposal to demolish a vacant barn located at 10988 Warden Avenue (Subject Property), which is currently listed on the City of Markham Heritage Register as a non-designated property under Section 27, Part IV of the Ontario Heritage Act (OHA).

The Regional Municipality of York (the Region) acquired the 55 acre of property at 10988-10990 Warden Avenue in the City of Markham to establish a new Southeast District Road Maintenance and Snow Management Facility to modernize the functions of the road maintenance facility to accommodate the Region's growth and make the operations more efficient. The proposed road maintenance facility includes an office building, garages, sand/salt and brine storage sheds, an above-ground fuel station, a weight scale, contractor's camps, parking, etc. The Region has retained a planning consultant to develop a master plan concept based on Region's program and process requirements. Apparently the barn does not fit Region's program needs. The Region has explored options (e.g. alteration) to conserve the barn; However it is neither financially nor environmentally feasible to alter the barn to an office building.

The Region has retained Letourneau Heritage Consulting Inc. (LHC) to assess the cultural heritage value /interest for the Subject Property and prepare a Heritage Impact Assessment (HIA) report, which recommends that the Subject Property does not satisfy O.Reg.9/06 criteria and is not a good candidate for designation under Part IV of the OHA. Please see the attached HIA report for your review.

Therefore the Region is proposing to demolish the vacant barn to support the development of the new Southeast District Road Maintenance and Snow Management Facility. The Region intends to apply for a demolition permit as part of the development application process (Official Plan Amendment, Zoning By-law amendment, Site Plan and building permit applications) and will appreciate your consideration and approval of the demolition request of the Subject Property.

Should you have any questions or concerns regarding this request do not hesitate to contact me at 1-877-464-9675 ext. 75486.

Yours truly,



Fang Li
Project Manager, Property Services
The Regional Municipality of York
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Newmarket, ON L3Y 6Z1

Copy to:

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DRAFT REPORT:

Heritage Impact Assessment

**10988 Warden Avenue, Markham,
Ontario**



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May 2019

Project # LHC0149

LHC
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Report prepared for: Fang Li, M.Eng., P.Eng.
Project Manager, Capital Delivery & Engineering,
Property Services Branch, Corporate Services
Regional Municipality of York

Report prepared by: Christienne Uchiyama, M.A., CAHP

Reviewed by: Marcus Létourneau, PhD, MCIP, RPP, CAHP

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Appendices

Appendix A: Research Report, City of Markham (2018)

1 STATEMENT OF PROJECT

Letourneau Heritage Consulting Inc. (LHC) was retained by the Regional Municipality of York (York Region) to prepare a Heritage Impact Assessment (HIA) for the property located at 10988 Warden Avenue in Markham, Ontario. The property is currently listed on the City of Markham Heritage Register as a non-designated property under Section 27, Part IV of the *Ontario Heritage Act* (OHA). The property is currently owned by York Region.

The purpose of this document is to: understand the potential cultural heritage value or interest of the property and its key resource; significance and heritage attributes of the cultural heritage resource(s); identify potential impacts from the proposed development or alteration; and, consider alternatives and mitigation options, and recommend a preferred conservation strategy.

This HIA was prepared by Christienne Uchiyama MA, CAHP (see Section 14 for Author Qualifications). A site visit was conducted on April 10, 2019 by Ms. Uchiyama. Fang Li, Project Manager, Capital Delivery & Engineering, Property Services Branch, Corporate Services at York Region was present for the site visit. The purpose of this site visit was to document the current conditions of the property, its key resource, and its surroundings.

1.1 Report Limitations

The key authors of this report are members in good standing with the Canadian Association of Heritage Professionals. The qualifications of the heritage consultants who authored this report are provided at the end of this report. All comments regarding the condition of any buildings on the property relate only to observed materials and structural components that are documented in photographs and other studies.

This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

4.5 Evaluation of Cultural Heritage Value or Interest

The property at 10988 Warden Avenue was evaluated against criteria outlined under *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act*.

A summary of the evaluation is provided in Table 1.

Table 1: Evaluation of Property, Ontario Regulation 9/06 Criteria

O.Reg.9/06 Criteria	Criteria Met (Y/N)	Justification
The property has design value or physical value because it,		
i. is a rare, unique, representative or early example of a style, type, expression, material, or construction method,	N	<p>The early 20th century (c.1900) timber frame barn at 10988 Warden Avenue is typical of its estimated age of construction in its style, form, massing, and construction materials and methods. Similar to other barns of this age, the barn (and tail) have been constructed through the reuse of available materials from earlier outbuildings. As such, the barn includes a mixture of sawn and hewn (and re-hewn) timbers, nails, dowels, flooring, cladding, and foundations from a variety of vintages. It has also been subject to multiple interventions, including a c.1970s concrete block addition.</p>
<p>Although the structure is relatively well-maintained and the reuse of materials throughout the structure is consistent with vernacular barn design and construction around its age of construction, it does not necessarily serve as a representative example (serving as a portrayal or symbol³⁸).</p>		
ii. displays a high degree of craftsmanship or artistic merit, or	N	<p>Other examples of late 19th and 20th century barn construction, within intact farmstead groupings, are present in the surrounding area (e.g., 11091 Warden Avenue, 3490, 3565 and 3812 19th Avenue, 3575 Elgin Mills Road East).</p> <p>The subject property does not display a high degree of craftsmanship or artistic merit.</p>

³⁸ MTCS, Standards and Guidelines for Conservation of Provincial Heritage Properties, Identification and Evaluation Process. 2014: 15.

O.Reg.9/06 Criteria	Criteria Met (Y/N)	Justification
iii. demonstrates a high degree of technical or scientific achievement.	N	The modest design and methods of construction are consistent its date of construction. The property does not meet this criterion.
The property has historical value or associative value because it,		
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	N	The remaining features on the subject property might best attributed to Isaac Brumwell Sr., a farmer who owned the property from 1874 to 1918. Although the Brumwell family name is historically well-known in the vicinity, there is no information to indicate that Isaac Brumwell Sr. satisfies this criterion.
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	N	There is no evidence to indicate that this structure has the potential to yield information that would satisfy this criterion.
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	N	The builder/designer is unknown; although it is likely that the barn was constructed by family or community members at various stages of its history. The property does not meet this criterion.
The property has contextual value because it,		
i. is important in defining, maintaining or supporting the character of an area,	N	Views of the barn have been shielded from the surrounding area by tree plantings for decades. Visually, the barn does not appear to meet this criterion.
ii. is physically, functionally, visually or historically linked to its surroundings, or	N	As a result of previous demolitions and the reconfiguration of access and circulation paths, the barn (and silo) no links remain.
iii. is a landmark.	N	10988 Warden Avenue is not a landmark and does not meet this criterion.

4.6 Summary of Analysis

Based on the foregoing analysis, it is the author's opinion that the subject property does not satisfy O.Reg.9/06 criteria and is not a good candidate for designation under Part IV of the OHA.

Notwithstanding this finding, it is recommended that the barn represents an opportunity for documentation of the area's existing agricultural building stock and salvage of high-quality, well-weathered construction materials.

5 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Based on the foregoing research and analysis, it is the author's opinion that the subject property does not satisfy the criteria outlined under O.Reg.9/06.

As such, no Statement of Cultural Heritage Value or Interest has been prepared.

6 ASSESSMENT OF EXISTING CONDITIONS

A site visit was conducted on April 10, 2019 by Ms. Uchiyama. Fang Li, Project Manager, Capital Delivery & Engineering, Property Services Branch, Corporate Services at York Region was present for the site visit. The purpose of this site visit was to document the current conditions of the property, its key resource, and its surroundings.

During the site visit, the structure and its components were generally observed to be in good condition. (see Section 4.3 for photographs)

7 DESCRIPTION OF PROPOSED DEVELOPMENT

York Region is proposing to demolish the vacant barn in order to develop the property as a road maintenance facility. The proposal would result in the complete removal of the structure.

8 IMPACT OF DEVELOPMENT ON HERITAGE ATTRIBUTES

Identification of potential Project-related adverse impacts has taken into account all potential impacts outlined in the Ministry of Tourism, Culture, and Sport's *InfoSheet #5: Heritage Impact Assessments and Conservation Plans from Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005*, as follows:

Destruction of any part of any significant heritage attribute or features;

Alteration that is not sympathetic or is incompatible, with the historic fabric and appearance;

Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;

Isolation of a heritage attribute from its surrounding environment, context, or a significant relationship;

Direct or indirect obstruction of significant views or vistas within, from, or built and natural features;

A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and

Land disturbances such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource. With respect to potential impacts on the cultural heritage value or interest of the property, as the property has been determined to not satisfy O.Reg.9/06 criteria, no negative impacts have been identified.

Given that the property was determined to not retain cultural heritage value or interest (CVHI), per O.Reg.9/06, no negative impacts on CHVI or heritage attributes have been identified.

9 ALTERNATIVES, MITIGATION MEASURES AND CONSERVATION STRATEGIES

Although the property has been determined to not be a good candidate for designation under Part IV of the OHA, mitigation measures are recommended given that the barn represents an opportunity for documentation of the area's existing agricultural building stock and salvage of high-quality, well-weathered construction materials.

Markham's OP identifies the following requirements where a significant cultural heritage resource is to be demolished (one or more may be required, where appropriate):

- a) documentation of the features that will be lost in the form of a photographic record and/or measured drawings;
- b) advertising the availability of the resource for salvage or relocation;
- c) preservation and display of components or fragments of the former resource's features or landscaping;
- d) marking the traces of former locations, shapes and circulation lines; and
- e) displaying graphic and textual descriptions of the site's history and former use, buildings and structures.

It is recommended that York Region prepare a Documentary record for the property. This record should include digital copies of available archival materials and reports and a set of photographs of the structure. This documentary record should be held on file by the Regional Municipality of York and provided to the City of Markham and local archives and/or Markham Museum.

Requirements for salvage of building materials should be included in the tendering document for the demolition. Salvaged materials should be advertised as available, per the City of Markham's OP policies.

10 IMPLEMENTATION AND MONITORING

No implementation and monitoring have been recommended.

11 SUMMARY STATEMENT AND RECOMMENDATIONS

Based on the foregoing analysis, it is the author's opinion that the subject property does not satisfy O.Reg.9/06 criteria and is not a good candidate for designation under Part IV of the OHA.

Notwithstanding this finding, it is recommended that the barn represents an opportunity for documentation of the area's existing agricultural building stock and salvage of high-quality, well-weathered construction materials. The following recommendations have been made:

- A documentary record of the property should be compiled. This record should include digital copies of available archival materials and reports and a set of photographs of the structure. This documentary record should be held on file by the Regional Municipality of York and provided to the City of Markham and local archives and/or museum; and,

- Requirements for salvage of building materials should be included in the tendering document for the demolition.

12 RIGHT OF USE

The information, recommendations and opinions expressed in this report are for the sole benefit of the Regional Municipality of York. Any other use of this report by others without permission is prohibited and is without responsibility to LHC. The report, all plans, data, drawings and other documents as well as all electronic media prepared by LHC are considered its professional work product and shall remain the copyright property of LHC, who authorizes only the Regional Municipality of York and approved users (including municipal review and approval bodies) to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. Unless otherwise stated, the suggestions, recommendations and opinions given in this report are intended only for the guidance of the Regional Municipality of York and approved users.

In addition, this assessment is subject to the following limitations and understandings:

- The review of the policy/legislation was limited to that information directly related to cultural heritage management; it is not a comprehensive planning review.
- Soundscapes, cultural identity, and sense of place analysis were not integrated into this report.

13 SIGNATURES



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