

# Memorandum to the City of Markham Committee of Adjustment

May 09, 2024

**File:** A/024/24  
**Address:** 28 Station Street, Markham  
**Applicant:** David Johnston Architect Ltd. (David Johnston)  
**Agent:** David Johnston Architect Ltd. (David Johnston)  
**Hearing Date:** Wednesday, May 15, 2024

The following comments are provided on behalf of Heritage Section staff ("Staff"):

The applicant is requesting relief from By-law 153-80, as amended, for the property municipally-known as 28 Station Street (the "Subject Property"), to permit:

**a) By-law 153-80, Section 5.7:**

a covered porch encroachment of 1.42 metres into the front yard, whereas the by-law permits a covered porch encroachment of 0.45 metres;

as it relates to a proposed alteration to the existing heritage dwelling.

## **BACKGROUND**

### **Property Description**

The Subject Property is located on the north side of Station Street between Snider Drive to the east and Cedar Valley to the west. The portion of Station Street between Snider Drive and Cedar Valley is a privately-owned right-of-way owned by 26 Station Street with 28 Station Street having an access easement.

Adjacent built form and land-use consists of single-detached residential properties that date from the 19th century along Station Street, and late 1970s/early 1980s along Snider Drive and Backus Court. This contrasting relationship is a result of the Subject Property's location at the periphery of the Markham Village Heritage Conservation District.

### **Heritage Status**

The Subject Property is located within the Markham Village Heritage Conservation District ('MVHCD' or the 'District'), which is designated under Part V of the *Ontario Heritage Act*. The Subject Property is classified as Class 'A' in the District Plan and the dwelling is identified as the Jacob and Ann Reesor House.

### **Committee of Adjustment Approvals**

At its hearing on September 21, 2022, the Committee of Adjustment approved Application Nos. A/088/22 (Minor Variance) and B/022/22 (Consent) for the Subject Property. Refer to Appendix 'F' for copies of both decisions.

### **Proposal**

The applicant has secured the necessary heritage approvals via Major Heritage Permit to construct an addition to the existing heritage dwelling. The required variances, except for the variance required for the proposed covered front porch, were secured via application A/088/22 which was approved by the Committee in 2022 in accordance with Staff recommendations. At the time of the application, the front porch, as illustrated in the appended drawings, was not contemplated, necessitating an additional variance

application for which this report has been produced. The depth and configuration of the proposed front porch was requested by Staff during review of the Major Heritage Permit application as it is more complementary to the heritage character of the dwelling than the porch that was initially proposed.

## **POLICY REVIEW**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) sets the policy foundation for regulating the development and use of land in Ontario. Decisions in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement.

Section 2.6 of the PPS addresses cultural heritage resources. The policy requires that significant built heritage resources and significant cultural heritage landscapes (a heritage conservation district) shall be conserved. The term 'conserved' is defined as "*the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained*".

### **Official Plan**

The Official Plan represents a municipality's chief planning tool to provide direction to approval authorities and the public on local planning matters. It contains land use planning objectives as well as policies in areas such as land use, land division and conservation of cultural heritage resources.

Section 10.5 of the Markham Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18), notes that it is the policy of Council that the Committee of Adjustment shall be guided by the general intent and purpose of the Plan in making decisions on minor variances applications.

### Land Use Policies

In the Official Plan, the subject property is designated "Residential - Low Rise" which provides for low rise housing forms including single detached dwellings.

Section 8.2.3.5 of the Official Plan outlines infill development criteria for the "Residential Low Rise" designation with respect to height, massing and setbacks. This criteria is established to ensure that infill development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street, while accommodating a diversity of building styles. In considering applications for development approval in a "Residential Low Rise" area, which includes variances, development is required to meet the general intent of these development criteria. Regard shall also be had for the retention of existing trees and vegetation.

The Markham Official Plan also includes applicable policies regarding **heritage conservation** (Section 4.5 – Cultural Heritage Resources).

### Heritage Conservation Policies

From a heritage conservation policy perspective, two of the overall goals of the Official Plan are "to protect established neighbourhoods, heritage conservation districts...by ensuring that new development is compatible and complementary in terms of use, built form and scale" and "to celebrate Markham's unique character by protecting cultural

heritage resources and archaeological resources...to foster interaction between people and connections to their community” (Section 2.2.2).

Section 4.5 provides policy guidance on identification/recognition, protection, and development approvals. Two key development approval policies of Council are:

- To provide for the protection and conservation of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources as a condition of minor variance and severance approval and associated agreements (Section 4.5.3.9); and
- To evaluate each variance proposal that directly affects a cultural heritage resource itself and adjacent lands on its own merits and its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan (Section 4.5.3.10)

### **Markham Village Heritage Conservation District Plan**

The key goal of the MVHCD Plan is to conserve the historical ambience and heritage of the district while at the same time fostering the change and growth necessary to enhance the quality of life for the people in the area. One of the objectives is to assist in guiding future development proposals such that their design is compatible with existing historical character.

It is extremely important to protect Type ‘A’ buildings/properties and this is reflected throughout the Plan. The District Plan provides a number of related policies that should be taken into consideration when reviewing proposals of this type including guidance on alterations to existing heritage buildings.

The District Plan notes that “in addition to heritage permit applications, all matters relating to the official plan, zoning, site plan control, severances, variances, demolitions, etc. within the boundary of the heritage conservation district will require review by Heritage Markham.

### **COMMENTS**

The Planning Act states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- a) The general intent and purpose of the Official Plan must be maintained.
- b) The variance must be minor in nature;
- c) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- d) The general intent and purpose of the Zoning By-law must be maintained;

The Subject Property is zoned (H)RSD3 under By-law 153-80 as amended, which permits one single-detached dwelling per lot. The “H” refers to a hold provision on the property which is currently subject to a removal application. The owner confirmed the applicability of the variance with City staff prior to application submission.

### **Front Yard Encroachment**

The applicant is requesting relief to permit a covered front porch to encroach 1.45 metres into the front yard. This projection is 0.97 metres greater than what is permitted in the zoning by-law. Given the small numerical deviation from existing permissions, Staff are of the opinion that the encroachment will not be visually apparent and support the proposed depth of the porch (approximately 2 metres) as it will provide for functional amenity space. Further, the porch is complementary in design/configuration with the heritage character of

the Subject Property. As such, Staff are of the opinion that the requested variance does not have an adverse impact on the cultural heritage value of the Subject Property, maintains the general intent and purpose of the Official Plan and Zoning by-law, and is minor in nature.

**Staff/Agency Comments**

Heritage Markham Committee

Heritage Markham consideration of the variance application is not required. The Committee delegated review of potential future development applications to Heritage Staff when it considered the previous MNV and CNST applications for the Subject Property in 2022. Refer to Appendix “E” for the relevant meeting extract.

Urban Design Staff

The City’s Urban Design Section has no objection to the proposed variance.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of May 9, 2024. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

**CONCLUSION**

Planning Staff have reviewed the application with respect to Section 45(1) of The Planning Act, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request meets the four tests of the Planning Act and have no objection. If applicable, Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

Please refer to Appendix “D” for conditions to be attached to any approval of this application.

PREPARED BY:



---

Evan Manning, Senior Heritage Planner

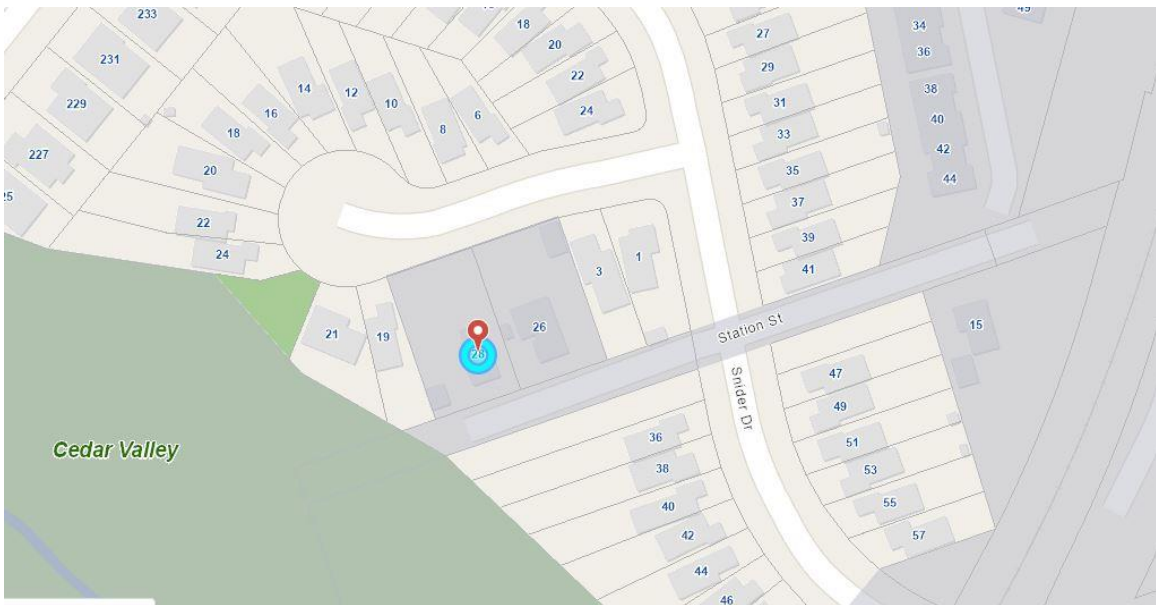
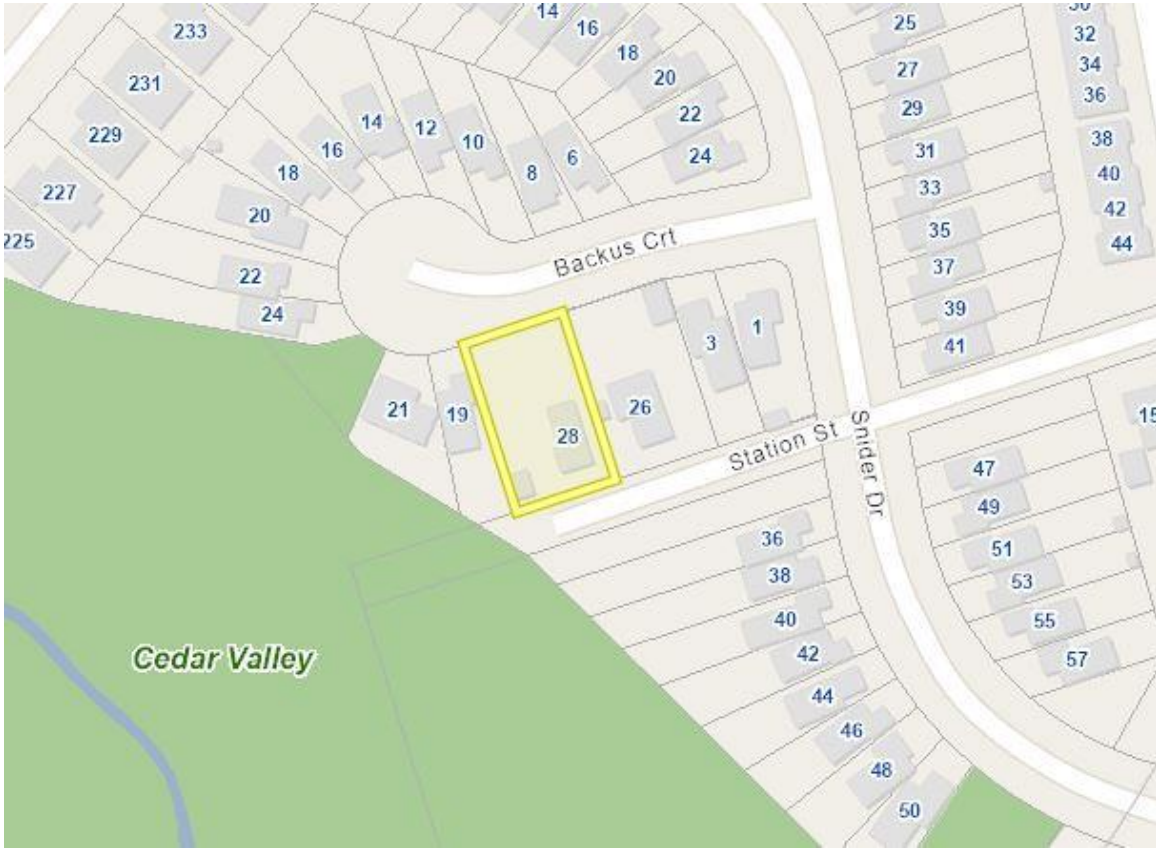
REVIEWED BY:



---

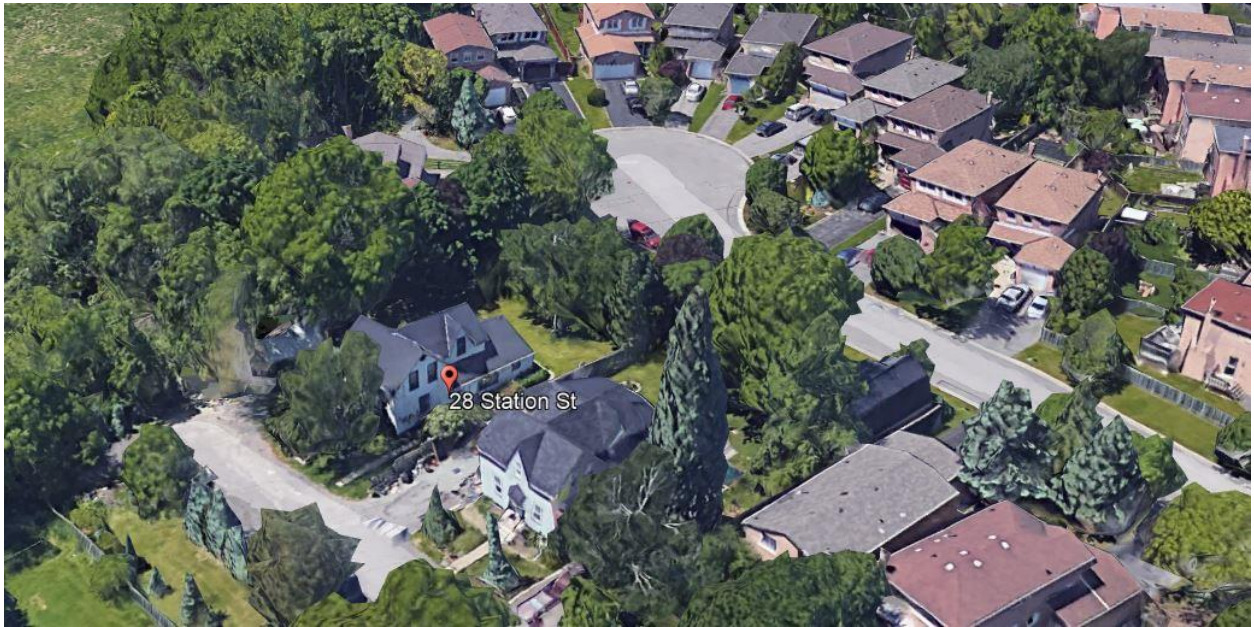
Regan Hutcheson, Manager, Heritage Planning

**APPENDIX "A"**  
**LOCATION MAPS**



The Subject Property outlined in blue [above] and the boundary of the MVHCD [below]  
(Source: City of Markham)

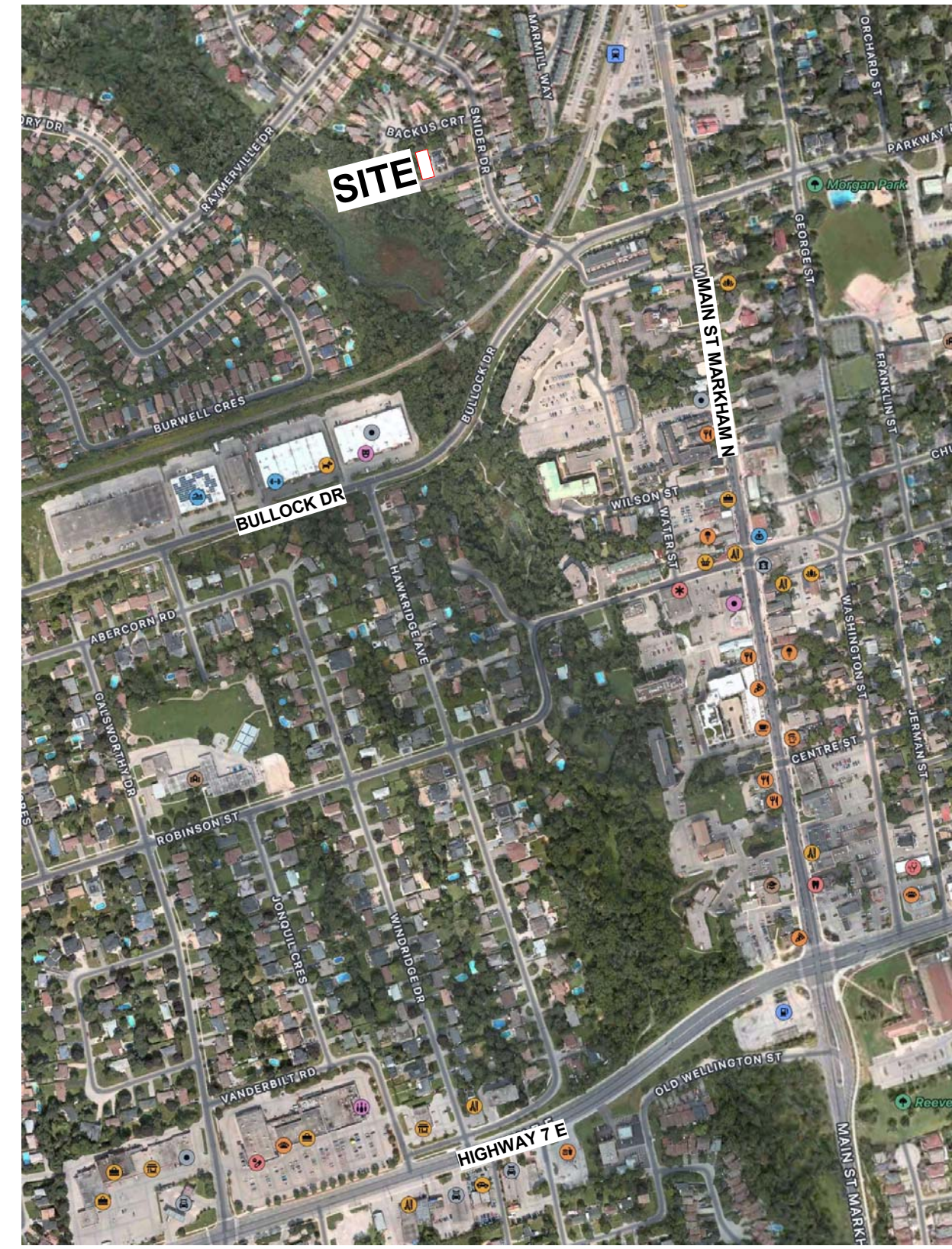
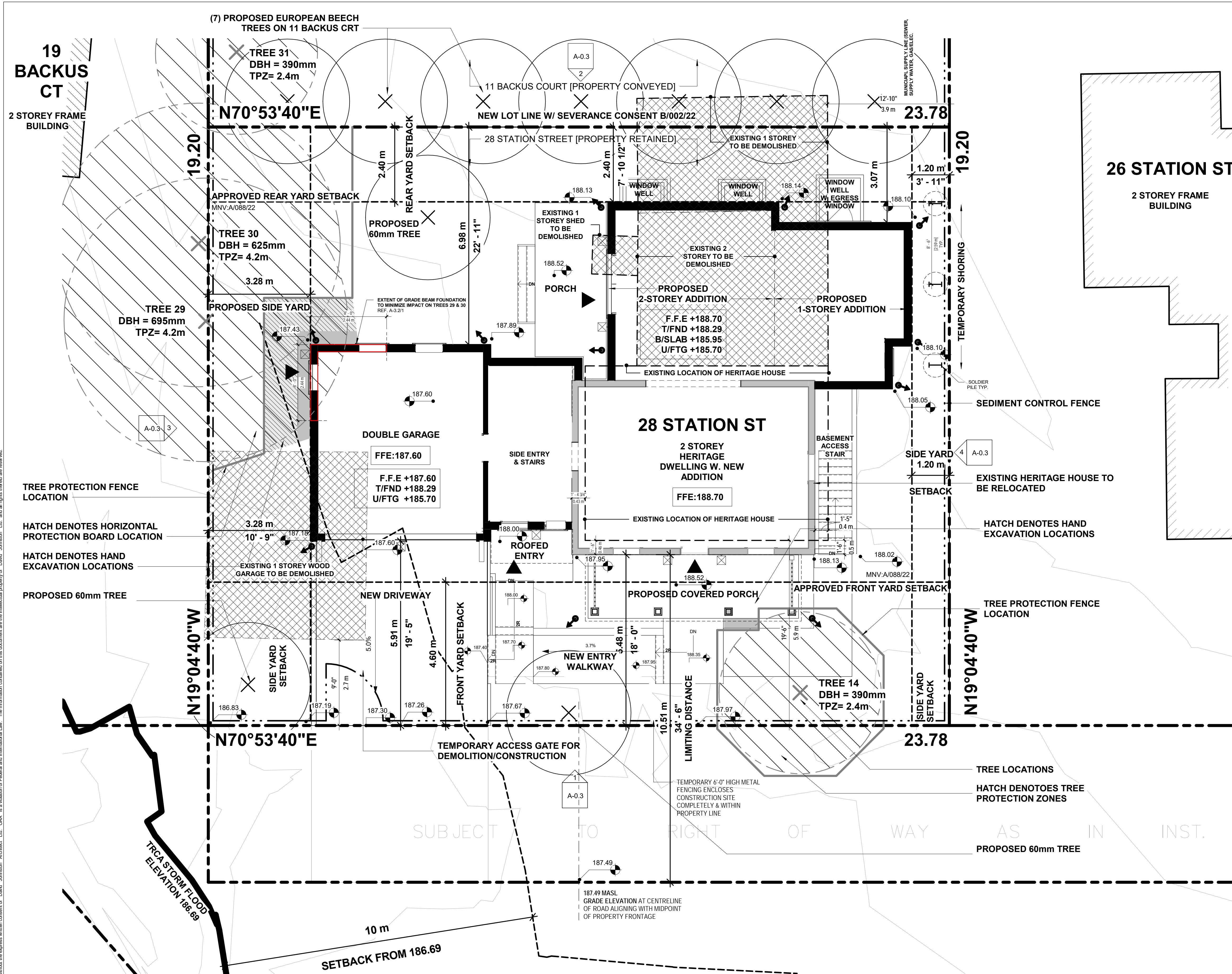
**APPENDIX "B"**  
**IMAGE OF THE SUBJECT PROPERTY**



An aerial image of the Subject Property with Backus Court visible to the rear (north)  
(Source: Google)

**APPENDIX "C"**  
**DRAWINGS**





2 CONTEXT MAP  
2 NTS

SITE STATISTICS (BY LAW 153-80, 78.86 AS AMENDED)	PERMITTED	28 STATION ST EXISTING	28 STATION ST PART A - RETAINED
MIN. LOT FRONTAGE	18 m	23.78 m	23.78 m
MIN. LOT AREA	641 sqm / 2 [6,899.7 sqft] / 2	942.11 sqm [10,140.8 sqft]	456.73 sqm [4,916.20 sqft]
MAX. LOT COVERAGE	33.33 % [1,638.00 sqft]	14.64 % [1,484.57 sqft]	36.0 % [1,771 sqft]
SOFTSCAPE AREA (FOR HERITAGE SITE PLAN)	--	81.18% [8,232.12 sqft]	51.57% [2,535.37 sqft]
MIN. FRONT YARD SETBACK	4.6 m*	5.9 m	5.48 m
MIN. SIDE YARD SETBACKS	1.2 m [1-STY] 2.6 m [2-STY]	3.9 m [EAST] 12.1 m [WEST]	1.2 m [EAST] 2.6 m [WEST]
MIN. REAR YARD SETBACK	2.4 m*	19.4 m	2.4 m
MAX. BUILDING HEIGHT	10.7 m	+ 8.2 m	8.3 m

\*MINOR VARIANCE DECISION: A/088/22

AREA TAKE OFF	EXISTING DWELLING	PROPOSED MAIN DWELLING	PROPOSED 2ND SUITE	COMMON SPACES/GARAGE	TOTAL
BASEMENT [EXCLUSION]	43.57m [469.03 sqft]	---	96.99m [1044.00 sqft]	50.69m [545.60 sqft]	147.68 m [1589.60 sqft]
FIRST FLOOR [GARAGE]	99.20m [1057.00 sqft]	98.85m [1064.00 sqft]	---	42.09m [453.03 sqft]	140.94m [1589.60 sqft]
SECOND FLOOR	53.90m [580.20 sqft]	109.16m [1174.95 sqft]	---	---	109.16m [1174.95 sqft]
TOTAL	195.68m [2106.23 sqft]	208.01m [2238.95 sqft]	96.99m [1044.00 sqft]	92.78m [998.63 sqft]	397.77m [4281.58 sqft]

1 SITE PLAN  
3/16" = 1'-0"

**NOTE: TREE PROTECTION**  
TREE PROTECTION BARRIERS TO FOLLOW MINIMUM DISTANCES FROM THE TREE TRUNK TO THE EDGE OF HOARDING AS MANDATED BY THE TOWN OF MARKHAM. REFER TO ARBORIST REPORT & TAPP. TREE PROTECTION BARRIERS TO BE INSTALLED AS PER MARKHAM ENGINEERING TREE PRESERVATION DETAILS DWG NO. MP12

**NOTE: FENCE INSTALLED ENCOMPASSING PERIMETER OF SITE, ALL FOUR SIDES OF PROPERTY**  
FENCE OR FENCING MEANS: FREE STANDING, CONSTRUCTED OF STEEL POST AND MESH, A MINIMUM OF 1800 MM AND A MAXIMUM OF 2400 MM IN HEIGHT AND FULL HEIGHT SCREENING (MINIMUM OPAQUENESS OF 90%) ATTACHED. FOR DETAILS ON FENCE REF. S-3

**DEMOLITION NOTES:**  
FENCING TO BE KEPT CLOSED AND LOCKED WHEN NO CONSTRUCTION OR DEMOLITION ACTIVITY TAKES PLACE  
FENCING NOT TO BE REMOVED UNTIL THE BUILDING INSPECTOR CONFIRMS THE SITE IS SAFE  
TREE PROTECTION CANNOT SERVE AS CONSTRUCTION FENCING  
THE FENCE MUST BE ERECTED SURROUND THE PERIMETER OF THE PROPERTY PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR DEMOLITION

City of Markham

Redevelopment of  
**28 STATION**  
28 STATION STREET, MARKHAM, ON.

**GRAHAM DEWAR & CAROLINE DEWAR**

**DAVID JOHNSTON ARCHITECT**  
No. 8 Maple Lane  
Unionville, Ontario  
L3R 1R2  
Phone: (905) 479-9992  
Fax: (905) 479-9985

**MAJOR HERITAGE PERMIT**

CONTRACTOR SHALL CHECK DIMENSIONS

Drawn by **JH, YS**  
Date **2024-03-07**  
Scale **As indicated**  
Project Number **21001**  
DRAWING NAME

**SITE PLAN**

SHEET NUMBER  
**SD-1**

C:\Users\yshi\Documents\21001 - Cedar Valley Farmhouse - 28 Station - BPA Draft - 2024-02-23 - CENTRAL\_yshi\atdavidjohnston.ca.rvt

3/7/2024 10:08:51 AM

Copyright David Johnston Architect Ltd. OVA is a violation of Federal and International Law. The information contained on this document is the intellectual property of David Johnston Architect Ltd. and all rights therein are reserved.



**EXISTING SIDING IS TONGUE AND GROOVE WOOD SIDING, TO BE RESTORED/REPAINTED. ADDITION SIDING TO BE CLAD WITH BOARD AND BATTEN SIDING TO COMPLEMENT BUT BE DIFFERENT. SIDING COLOUR: WHITE**

**ORIGINAL HERITAGE TRIM COLOUR PHOTO TAKEN DEC. 30, 2023 BLACK PAINT UNDER EXISTING GREEN COLOUR, PROPOSED RESTORATION OF HERITAGE DWELLING TO REFLECT ORIGINAL CHARCOAL BLACK TRIM**



**EXISTING WOOD GARAGE TO BE DEMOLISHED**

**EXISTING HERITAGE BUILDING TO BE RELOCATED**

**EXISTING PORCH TO BE DEMOLISHED AND REPLACED WITH NEW**

**EXISTING BASEMENT FOUNDATION TO BE DEMOLISHED**

T/O ROOF  
23' - 2 1/16"

U/S CEILING  
18' - 0 11/16"

2ND FLOOR  
10' - 0 11/16"

1ST FLOOR - EXISTING  
1' - 0 11/16"

**28 STATION - SOUTH ELEVATION - EXISTING**  
1/4" = 1'-0"

**PROPOSED EXTERIOR FINISHES:**

PROPOSED ADDITION TO BE CLAD IN WHITE TO MATCH EXISTING HERITAGE W/ BOARD AND BATTEN VERTICAL SIDING. ALL TRIMWORK ON THE ADDITION TO BE OFF-WHITE TO COMPLEMENT THE ORIGINAL COLOUR OF THE HERITAGE TRIMWORK (REFERENCE PHOTO ATTACHED A-2.1). EAVESTROUGH & DOWNSPOUT TO BE OFF-WHITE TO MATCH EXISTING WOOD SIDING TO BE RESTORED TO GOOD CONDITION.

FINAL DESIGN OF PORCH POSTS, BRACKETS, CORBELS ARE TO BE REVIEWED AND APPROVED BY THE CITY (HERITAGE SECTION) STAFF PRIOR TO ORDERING AND INSTALLATION.

**EXTERIOR LIGHTING**  
COLOUR TEMPERATURE OF PROPOSED EXTERIOR LIGHTING TO BE IN THE RANGE OF 2700-3000K AND TO BE GENERALLY CONSISTENT.

**ADDITIONAL HERITAGE NOTES:**

HISTORIC WOOD WINDOWS TO BE RETAINED, AND RESTORED.

EXISTING WOOD SOFFITS SHOULD BE RETAINED AND REPAIRED OR NEW VENTED WOOD SOFFITS INSTALLED.

THE WINDOWS IN THE NEW PORTION OF THE HOUSE SHOULD HAVE CASINGS AND PROJECTING SILLS LIKE THOSE ON THE HERITAGE PORTION OF THE HOUSE.

**NEW SHINGLES TO MATCH EXISTING HERITAGE**

**NEW WINDOWS CLADDING AND MUNTIN COLOUR TO MATCH EXISTING HERITAGE WINDOWS**

U/S CEILING R  
17' - 0"

**PRE-FINISHED MAIBEC WOOD SIDING TO BE PAINTED TO MATCH EXISTING COLOURS (OFF WHITE SIDING)**

2ND FLR R  
9' - 0"

**PREFIN. ALUMINUM GUTTER W/ VENTED SOFFIT (TYP.)**

**STRUCTURAL WOOD BRACKETS**

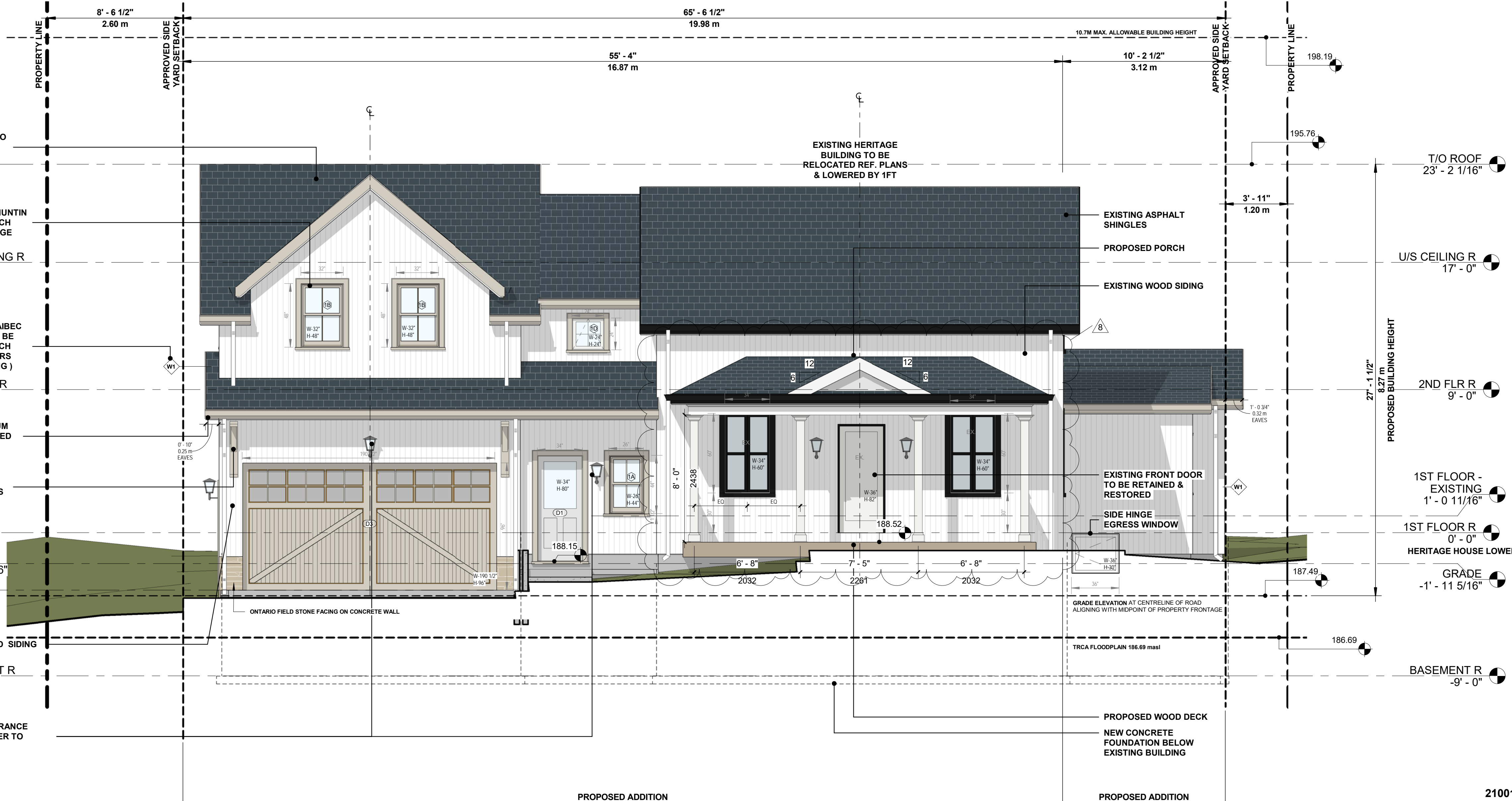
GRADE  
-1' - 11 5/16"

GARAGE  
-3' - 7 5/16"

**GENUINE WOOD SIDING**

BASEMENT R  
-9' - 0"

**EXTERIOR ENTRANCE LIGHTING, REFER TO A-1.1.2**



**28 STATION - SOUTH ELEVATION**  
1/4" = 1'-0"

City of Markham	
By:	YS
Date:	2024-03-07
Checked:	2024-03-07
HERITAGE APPLICATION 2024-15-27	
HOUSE AND LOT INFORMATION FOR RESIDENCE	
7	2024-03-07
8	2024-03-07
REFUSED PERCH	

Redevelopment of  
**28 STATION**  
28 STATION STREET, MARKHAM, ON.

**GRAHAM DEWAR & CAROLINE DEWAR**

**DAVID JOHNSTON ARCHITECT**  
No. 8 Maple Lane  
Unionville, Ontario  
L3R 1R2  
Phone: (905) 479 - 9992  
Fax: (905) 479 - 9985

**MAJOR HERITAGE PERMIT**

CONTRACTOR SHALL CHECK DIMENSIONS  
Drawn by: YS  
Date: 2024-03-07  
Scale: 1/4" = 1'-0"  
Project Number: 21001  
DRAWING NAME:

**SOUTH ELEVATION**  
SHEET NUMBER  
**A-2.1**

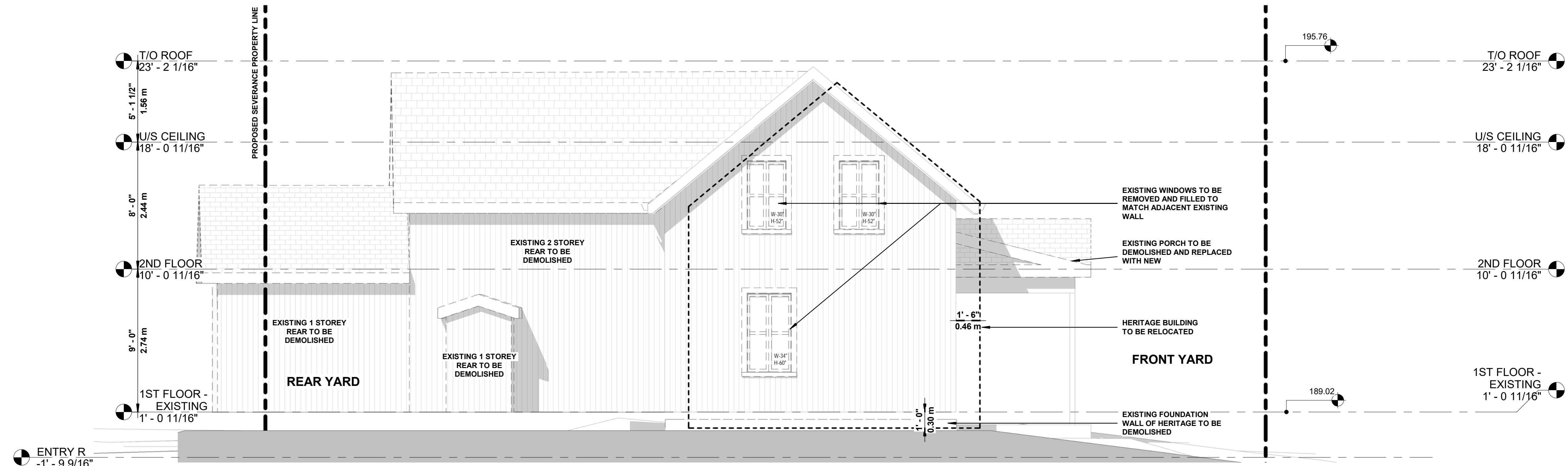
21001 - 28 STATION STREET  
MAJOR HERITAGE APPLICATION  
2024-03-07 | 10:00 AM

C:\Users\jshini\Documents\21001 - Cedar Valley Farmhouse - 28 Station - BPA Draft - 2024-02-23 - CENTRAL\_jshini@davidjohnston.ca.rvt 3/7/2024 10:09:27 AM



Copyright David Johnston Architect Ltd. OVA is a division of Federal and International Law. The information contained on this document is the intellectual property of David Johnston Architect Ltd. and all rights therein are reserved.

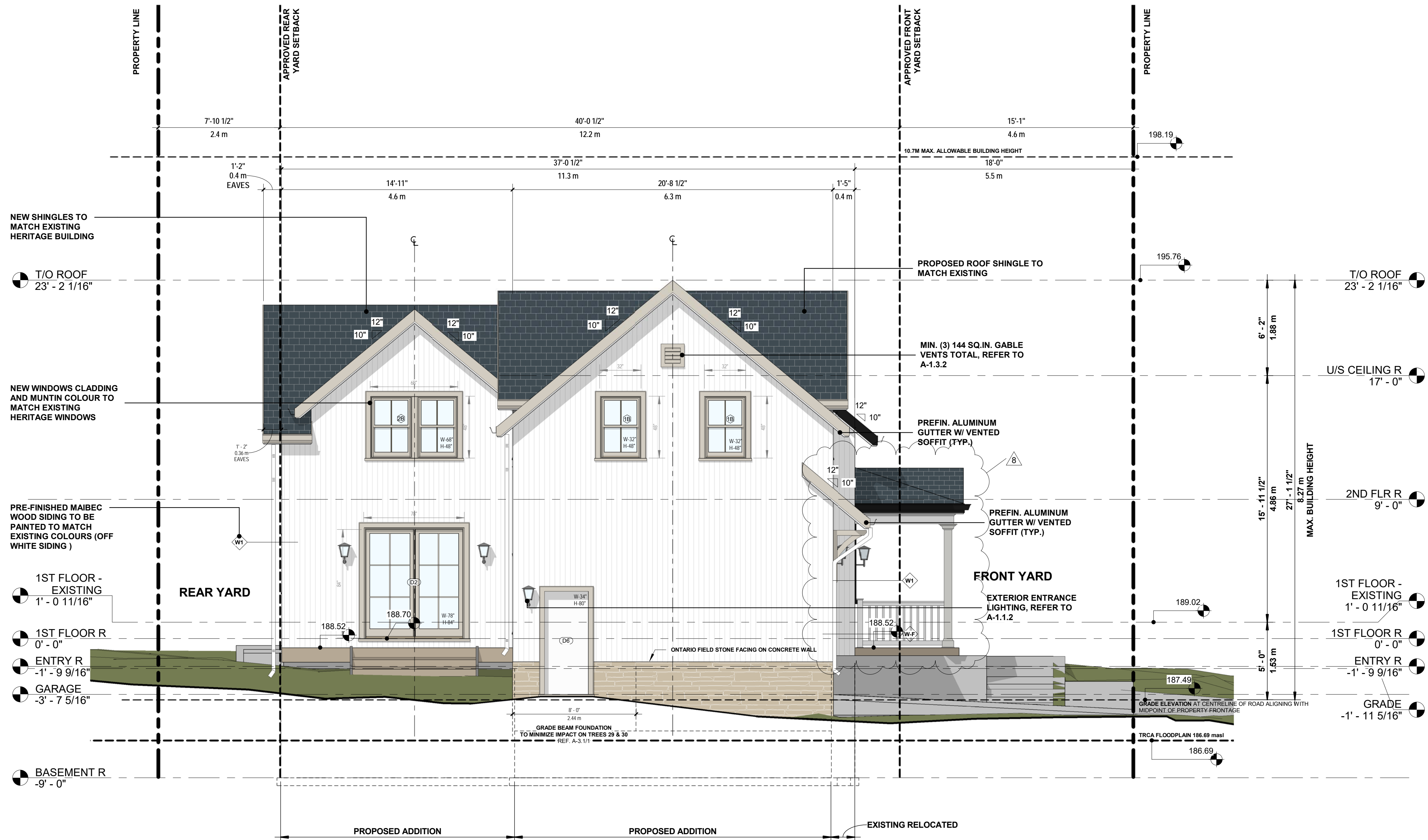
**28 STATION - WEST ELEVATION - EXISTING**  
1/4" = 1'-0"



**PROPOSED EXTERIOR FINISHES:**  
PROPOSED ADDITION TO BE CLAD IN WHITE TO MATCH EXISTING HERITAGE W/ BOARD AND BATTEN VERTICAL SIDING. ALL TRIMWORK ON THE ADDITION TO BE OFF-WHITE TO COMPLEMENT THE ORIGINAL COLOUR OF THE HERITAGE TRIMWORK (REFERENCE PHOTO ATTACHED A-2.1). EAVESTROUGH & DOWNSPOUT TO BE OFF-WHITE TO MATCH EXISTING WOOD SIDING TO BE RESTORED TO GOOD CONDITION.  
FINAL DESIGN OF PORCH POSTS, BRACKETS, CORBELS ARE TO BE REVIEWED AND APPROVED BY THE CITY (HERITAGE SECTION) STAFF PRIOR TO ORDERING AND INSTALLATION.

**EXTERIOR LIGHTING**  
COLOUR TEMPERATURE OF PROPOSED EXTERIOR LIGHTING TO BE IN THE RANGE OF 2700-3000K AND TO BE GENERALLY CONSISTENT.

**ADDITIONAL HERITAGE NOTES:**  
HISTORIC WOOD WINDOWS TO BE RETAINED, AND RESTORED.  
EXISTING WOOD SOFFITS SHOULD BE RETAINED AND REPAIRED OR NEW VENTED WOOD SOFFITS INSTALLED.  
THE WINDOWS IN THE NEW PORTION OF THE HOUSE SHOULD HAVE CASINGS AND PROJECTING SILLS LIKE THOSE ON THE HERITAGE PORTION OF THE HOUSE.



**28 STATION - WEST ELEVATION**  
1/4" = 1'-0"

21001 - 28 STATION STREET  
MAJOR HERITAGE APPLICATION  
2024-03-07 | 10:00 AM

City of Markham	
By:	YS
Date:	2024-03-07
Checklist:	YES
NO.	8

Redevelopment of  
**28 STATION**  
28 STATION STREET, MARKHAM, ON.

**GRAHAM DEWAR & CAROLINE DEWAR**

**DAVID JOHNSTON ARCHITECT**  
No. 8 Maple Lane  
Unionville, Ontario  
L3R 1R2  
Phone: (905) 479-9992  
Fax: (905) 479-9985

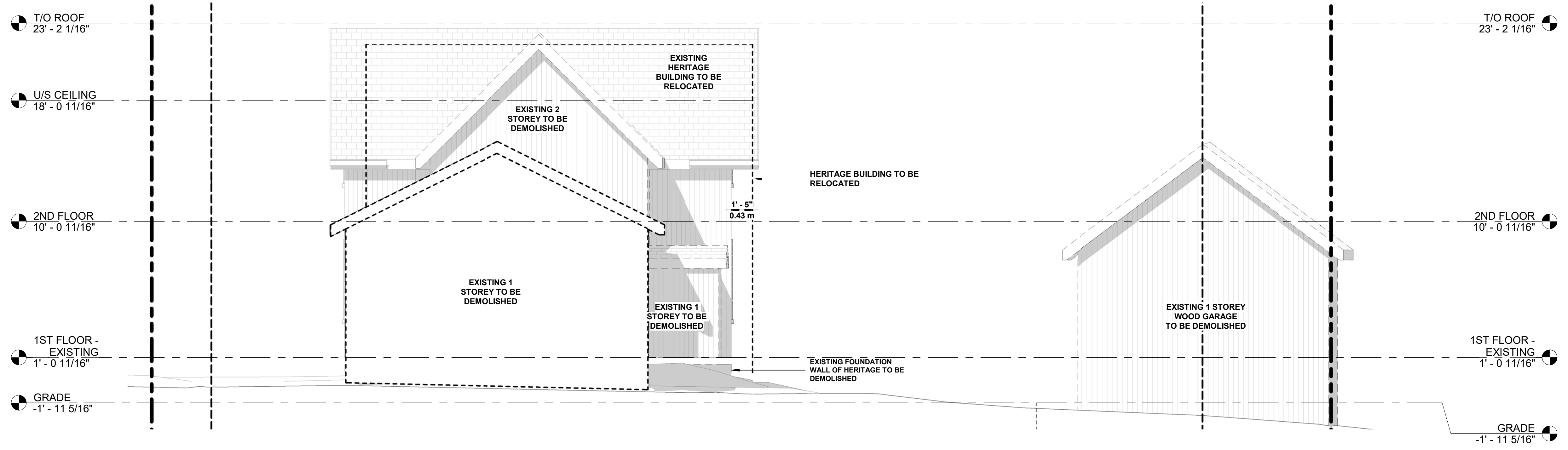
**MAJOR HERITAGE PERMIT**

CONTRACTOR SHALL CHECK DIMENSIONS  
Drawn by: **YS**  
Date: **2024-03-07**  
Scale: **1/4" = 1'-0"**  
Project Number: **21001**  
DRAWING NAME:

**WEST ELEVATION**  
SHEET NUMBER  
**A-2.2**

C:\Users\jshin\Documents\21001 - Cedar Valley Farmhouse - 28 Station - BPA Draft - 2024-02-23 - CENTRAL\_jshin@davidjohnston.ca.rvt





**28 STATION - NORTH ELEVATION - EXISTING**  
1/4" = 1'-0"

**PROPOSED EXTERIOR FINISHES:**  
PROPOSED ADDITION TO BE CLAD IN WHITE TO MATCH EXISTING HERITAGE W/ BOARD AND BATTEN VERTICAL SIDING. ALL TRIMWORK ON THE ADDITION TO BE OFF-WHITE TO COMPLEMENT THE ORIGINAL COLOUR OF THE HERITAGE TRIMWORK [REFERENCE PHOTO ATTACHED A-2.1]. EAVESTROUGH & DOWNSPOUT TO BE OFF-WHITE TO MATCH EXISTING WOOD SIDING TO BE RESTORED TO GOOD CONDITION.  
  
FINAL DESIGN OF PORCH POSTS, BRACKETS, CORBELS ARE TO BE REVIEWED AND APPROVED BY THE CITY (HERITAGE SECTION) STAFF PRIOR TO ORDERING AND INSTALLATION.

**EXTERIOR LIGHTING**  
COLOUR TEMPERATURE OF PROPOSED EXTERIOR LIGHTING TO BE IN THE RANGE OF 2700-3000K AND TO BE GENERALLY CONSISTENT.

**ADDITIONAL HERITAGE NOTES:**  
HISTORIC WOOD WINDOWS TO BE RETAINED, AND RESTORED.  
EXISTING WOOD SOFFITS SHOULD BE RETAINED AND REPAIRED OR NEW VENTED WOOD SOFFITS INSTALLED.  
THE WINDOWS IN THE NEW PORTION OF THE HOUSE SHOULD HAVE CASINGS AND PROJECTING SILLS LIKE THOSE ON THE HERITAGE PORTION OF THE HOUSE.



**28 STATION - NORTH ELEVATION**  
1/4" = 1'-0"

21001 - 28 STATION STREET  
MAJOR HERITAGE APPLICATION  
2024-03-07 | 10:00 AM

City of Markham	
By	YS VS
Date	2024-03-07
Checked	DAVID JOHNSTON ARCHITECT 2024-03-07 ADDITIONAL HERITAGE NOTES
No.	7

Redevelopment of  
**28 STATION**  
28 STATION STREET, MARKHAM, ON.

**GRAHAM DEWAR & CAROLINE DEWAR**

**DAVID JOHNSTON ARCHITECT**  
No. 8 Maple Lane  
Unionville, Ontario  
L3R 1R2  
Phone: (905) 479-9992  
Fax: (905) 479-9985

**MAJOR HERITAGE PERMIT**

CONTRACTOR SHALL CHECK DIMENSIONS  
Drawn by **YS**  
Date **2024-03-07**  
Scale **1/4" = 1'-0"**  
Project Number **21001**  
DRAWING NAME

**NORTH ELEVATION**  
SHEET NUMBER  
**A-2.3**

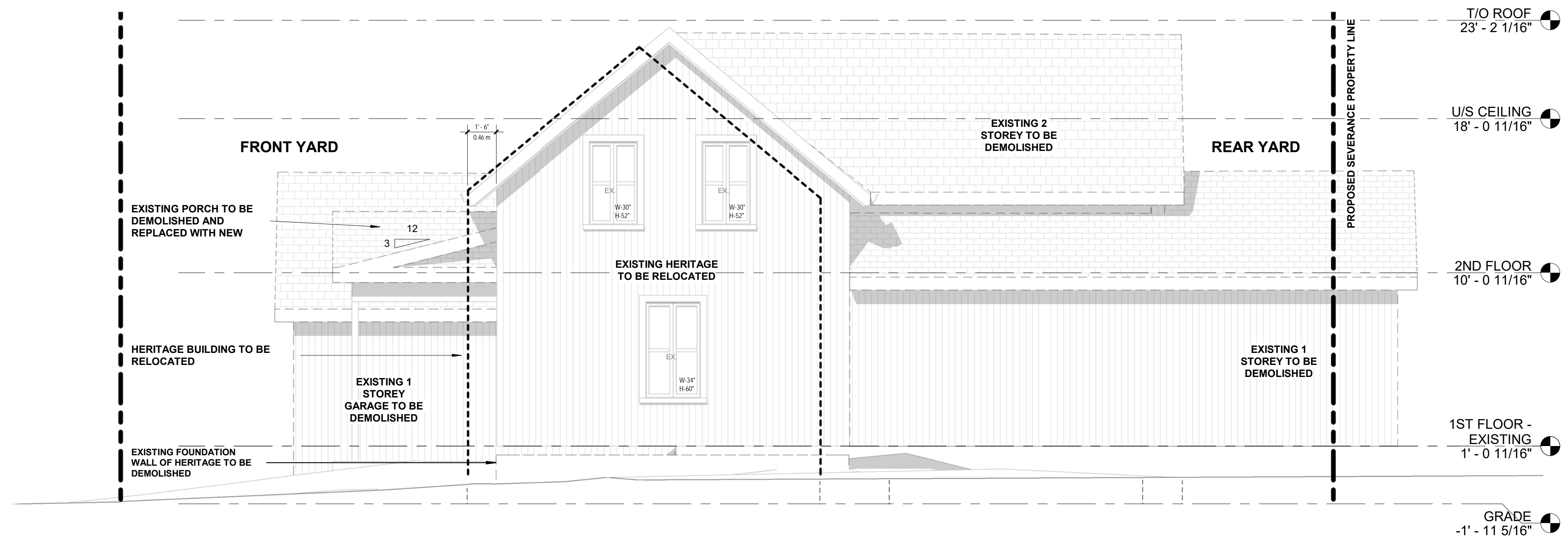
C:\Users\jshin\Documents\21001 - Cedar Valley Farmhouse - 28 Station - BPA Draft - 2024-02-23 - CENTRAL\_jshin@davidjohnston.ca.rvt 3/7/2024 10:09:41 AM

Copyright David Johnston Architect Ltd. O.A. Duplication or reproduction by any means without the express written consent of David Johnston Architect Ltd. O.A. is a violation of Federal and International Law. The information contained on this document are the intellectual property of David Johnston Architect Ltd. and all rights reserved are reserved.



Copyright David Johnston Architect Ltd. O.A.A. is a division of Federal and International Law. The information contained on this document are the intellectual property of David Johnston Architect Ltd. and all rights therein are reserved.

**28 STATION - EAST ELEVATION - EXISTING**  
1/4" = 1'-0"

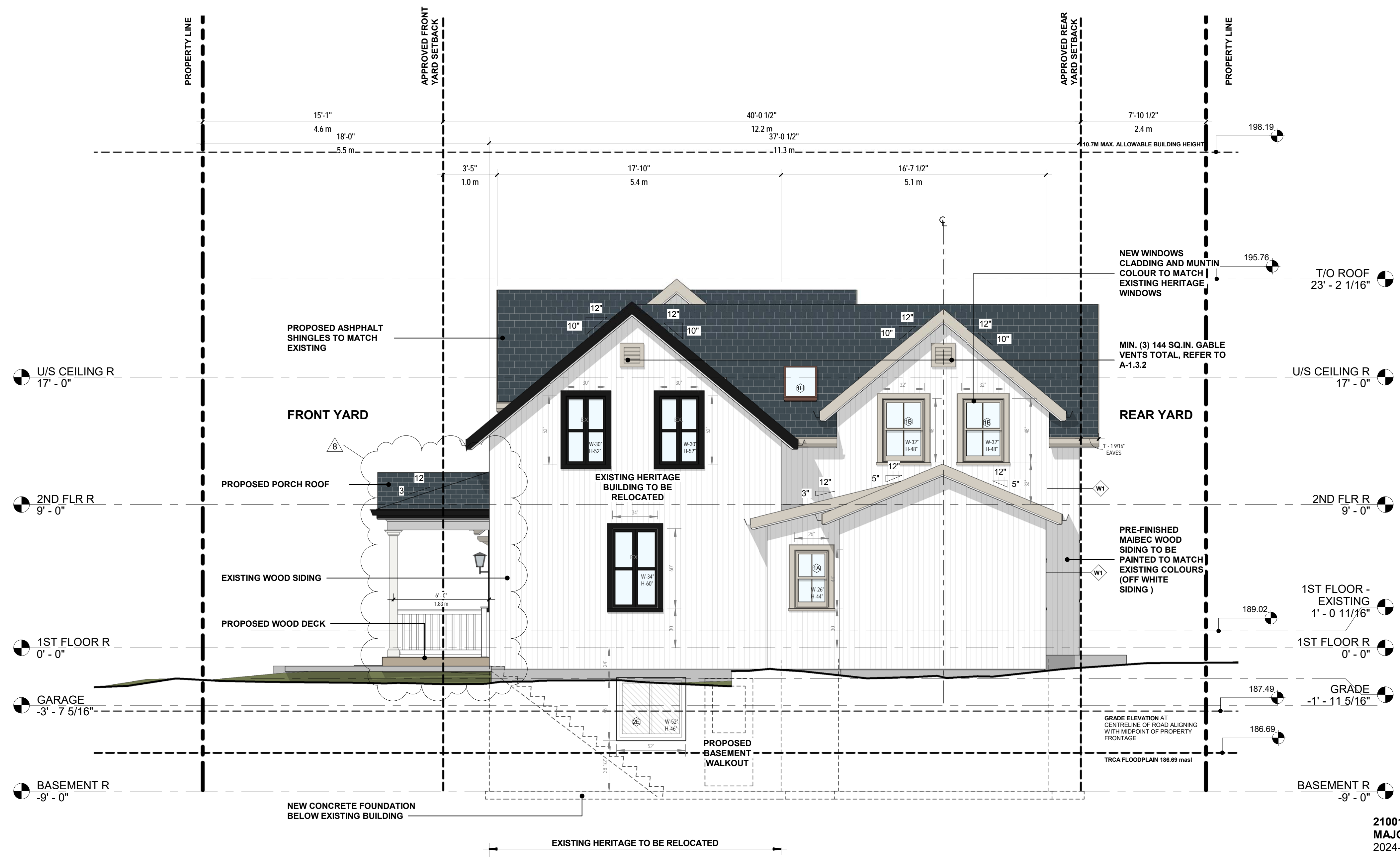


**PROPOSED EXTERIOR FINISHES:**  
PROPOSED ADDITION TO BE CLAD IN WHITE TO MATCH EXISTING HERITAGE W/ BOARD AND BATTEN VERTICAL SIDING. ALL TRIMWORK ON THE ADDITION TO BE OFF-WHITE TO COMPLEMENT THE ORIGINAL COLOUR OF THE HERITAGE TRIMWORK (REFERENCE PHOTO ATTACHED A-2.1). EAVESTROUGH & DOWNSPOUT TO BE OFF-WHITE TO MATCH EXISTING WOOD SIDING TO BE RESTORED TO GOOD CONDITION.  
  
FINAL DESIGN OF PORCH POSTS, BRACKETS, CORBELS ARE TO BE REVIEWED AND APPROVED BY THE CITY (HERITAGE SECTION) STAFF PRIOR TO ORDERING AND INSTALLATION.

**EXTERIOR LIGHTING**  
COLOUR TEMPERATURE OF PROPOSED EXTERIOR LIGHTING TO BE IN THE RANGE OF 2700-3000K AND TO BE GENERALLY CONSISTENT.

**ADDITIONAL HERITAGE NOTES:**  
HISTORIC WOOD WINDOWS TO BE RETAINED, AND RESTORED.  
EXISTING WOOD SOFFITS SHOULD BE RETAINED AND REPAIRED OR NEW VENTED WOOD SOFFITS INSTALLED.  
THE WINDOWS IN THE NEW PORTION OF THE HOUSE SHOULD HAVE CASINGS AND PROJECTING SILLS LIKE THOSE ON THE HERITAGE PORTION OF THE HOUSE.

**28 STATION - EAST ELEVATION**  
1/4" = 1'-0"



**21001 - 28 STATION STREET MAJOR HERITAGE APPLICATION**  
2024-03-07 | 10:00 AM

City of Markham	
By:	YS
Date:	2024-03-07
Checklist:	MINOR HERITAGE APPLICATION 2024-15-27 HOUSE AND OUTBUILDING PART OF RESIDENCE 2024-03-07 REVISIONS: HERITAGE NOTES 2024-03-07 REVISED PORCH
No.:	4
	7
	8

Redevelopment of  
**28 STATION**  
28 STATION STREET, MARKHAM, ON.

**GRAHAM DEWAR & CAROLINE DEWAR**

**DAVID JOHNSTON ARCHITECT**  
No. 8 Maple Lane  
Unionville, Ontario  
L3R 1R2  
Phone: (905) 479-9992  
Fax: (905) 479-9985

**MAJOR HERITAGE PERMIT**

CONTRACTOR SHALL CHECK DIMENSIONS  
Drawn by: **YS**  
Date: **2024-03-07**  
Scale: **1/4" = 1'-0"**  
Project Number: **21001**  
DRAWING NAME:

**EAST ELEVATION**  
SHEET NUMBER  
**A-2.4**

C:\Users\jshin\Documents\21001 - Cedar Valley Farmhouse - 28 Station - BPA Draft - 2024-02-23 - CENTRAL\_j.shin@davidjohnston.ca.rvt 3/7/2024 10:09:47 AM



**APPENDIX “D”**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/024/24**

1. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached appended to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction;
2. That the owner implement and maintain all of the works required in accordance with the conditions of this variance;
3. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City’s Trees for Tomorrow Streetscape Manual, to the satisfaction of the Director of Planning and Urban Design, or their designate, through the Major Heritage Permit Approval process;
4. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City’s Trees for Tomorrow Streetscape Manual and Accepted Tree Assessment and Preservation Plan, through the Major Heritage Permit Approval process;
5. That prior to the commencement of construction, demolition and/or issuance of building permit, tree protection be erected and maintained around all trees on site, including City of Markham street trees, in accordance with the City’s Trees for Tomorrow Streetscape Manual, Accepted Tree Assessment and Preservation Plan, and conditions of the Major Heritage Permit, to be inspected by City staff to the satisfaction of the Director of Planning and Urban design, or their designate;
6. That the owner remove the holding provision from the land use zone category for the Subject Property through a Hold Removal By-law.

CONDITIONS PREPARED BY:



---

Evan Manning, Senior Heritage Planner

## **HERITAGE MARKHAM EXTRACT**

Date: July 13, 2022

To: R. Hutcheson, Manager, Heritage Planning  
E. Manning, Senior Heritage Planner

EXTRACT CONTAINING ITEM # 6.4 OF THE SIXTH HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON July 13, 2022

---

### **6.4 COMMITTEE OF ADJUSTMENT APPLICATIONS**

#### **CONSENT AND MINOR VARIANCES TO PERMIT A NEW LOT AND DWELLING**

#### **28 STATION STREET AND 11 BACKUS COURT, MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)**

Evan Manning, Senior Heritage Planner reviewed the consent application to sever the rear portion of 28 Station Lane in order to create a new building lot to be municipally known as 11 Backus Court.

Mr. Manning further advised that the applicant is also seeking relief from Zoning By-law 153-80, as amended, to permit an addition to 28 Station Street, and a proposed dwelling new dwelling at 11 Backus Court. It is the opinion is Staff that there was sufficient rear yard amenity space following the proposed severance, and noted that the proposed variances permitted a building form that was supportable from a heritage perspective on both properties.

He also noted that the historic context of 28 Station Street has already been fundamentally altered with the subdivision of adjacent lands in the mid/late 1970s, and that the severance application was a continuation of this process of land division. It was also noted that the proposed dwelling on 11 Backus Court would not be accessed from the Markham Village Heritage Conservation District, and would have a minimal visual impact as seen from adjacent heritage properties.

#### **Recommendations:**

THAT Heritage Markham has no objection from a heritage



perspective to the requested consent application and variances to permit a new rear addition with integrated garage at 28 Station Street, and a new two-story dwelling with integrated garage at 11 Backus Court;

AND THAT final review of the future Site Plan Control applications for both properties, and any other development application required to approve the proposed developments, be delegated to Heritage Section staff should the design remain generally consistent with the drawings appended to this memo.

**APPENDIX "F"**  
**APPLICATION NOS. A/088/22 AND B/022/22**



**Corrected (clerical errors)**

October 04, 2022

David Johnston Architect Ltd. (David Johnston)  
8 Maple Lane  
Unionville, Ontario L3R 1R2

Dear Sir/Madam,

**RE: *Graham and Caroline Dewar***  
***28 Station Street, Markham***  
***CON 7 PT LOT 13***  
***A/088/22***

---

Attached please find a copy of the Committee of Adjustment resolution regarding the above, from the meeting of Wednesday, September 21, 2022.

Yours truly,

A handwritten signature in cursive script that reads 'Shawna Houser'.

Shawna Houser, BES, CPT  
Secretary-Treasurer  
Committee of Adjustment

Attachments

cc Regan Hutcheson, Manager Heritage District  
Lori Sperrino, Zoning and Compliance  
Evan Manning, Project Planner  
Building Inspection  
Graham and Caroline Dewar

File copy

The Corporation of the City of Markham · Committee of Adjustment  
101 Town Centre Boulevard, Markham, ON L3R 9W3 · tel. 905.475.4721 fax. 905.479.7768





## COMMITTEE OF ADJUSTMENT

---

### NOTICE OF DECISION

---

I hereby certify that the attached is a true copy of the decision of the Committee of Adjustment in the matter of Application No. A/088/22 which was **approved** at a hearing held on Wednesday, September 21, 2022. A written appeal of this decision must be received **no later than Tuesday, October 11, 2022. After this date the decision becomes final and binding and cannot be appealed.**

Appeals to the Ontario Land Tribunal may be served personally by appointment, by email to [coa@markham.ca](mailto:coa@markham.ca), or sent by registered mail to the Secretary Treasurer, Committee of Adjustment, accompanied by a cheque in the amount of **\$400.00**, payable to **the Minister of Finance**, and must give reasons for the appeal. When filing an appeal to the Ontario Land Tribunal, please note there will be an additional City of Markham administration fee of \$247.00 plus HST, the fee must be paid at the time of the appeal submission to the Committee of Adjustment. **The reasons for the appeal must be provided, or the Ontario Land Tribunal may not consider the appeal to be valid. Please note that a letter of objection filed prior to the hearing date is not considered an official notice of appeal.**

Only individuals, corporations and public bodies may appeal decisions in respect to variance or consent applications to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

A handwritten signature in cursive script that reads 'Shawna Houser'.

Shawna Houser, BES, CPT  
Secretary-Treasurer  
Committee of Adjustment



## Committee of Adjustment Resolution

File Number: A/088/22  
 Hearing Date: Wednesday, September 21, 2022  
 Owner(s): Graham and Caroline Dewar  
 Agent: David Johnston Architect Ltd. (David Johnston)  
 Property Address: 28 Station Street, Markham  
 Legal Description: CON 7 PT LOT 13  
 Zoning: By-law 153-80, as amended, (H)RSD3  
 Official Plan: Residential Low Rise  
 Ward: 4

**Last Date of Appeal: Tuesday, October 11, 2022**

---

**Moved by: Jeamie Reingold**  
**Seconded by: Sally Yan**

<input checked="" type="checkbox"/>	Arun Prasad	
<input checked="" type="checkbox"/>	Patrick Sampson	
<input checked="" type="checkbox"/>	Kelvin Kwok	
<input checked="" type="checkbox"/>	Jeamie Reingold	
<input checked="" type="checkbox"/>	Sally Yan	

THAT Application No. A/088/22, submitted by Graham and Caroline Dewar, owners of 28 Station Street, Markham, CON 7 PT LOT 13, requesting relief from the requirements of By-law No. 153-80, as amended, to permit the following:

**a) By-law 153-80, Section 7.2(b):**

A front yard setback of 4.6 meters, whereas the By-law requires a minimum of 6.0 meters;

**b) By-law 153-80, Section 7.2(b):**

A rear yard setback of 2.4 meters, whereas the By-law requires a minimum of 7.5 meters; and

**c) By-law 153-80, Section 5.4:**

a lot without frontage on a street; whereas the by-law requires a lot upon which a building or structure is erected to abut or front a public street.

as it relates to proposed detached dwelling on the retained lot. This application is related to Minor Variance Application A/089/22 and Consent Application B/002/22.

These variance requests be **approved** for the following reasons:

- (a) In the opinion of the Committee, the general intent and purpose of the By-law will be maintained;
- (b) In the opinion of the Committee, the general intent and purpose of the Official Plan will be maintained;
- (c) In the opinion of the Committee, the granting of the variance is desirable for the appropriate development of the lot;
- (d) In the opinion of the Committee, the requested variance is minor in nature.

**Subject to the following conditions:**

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached appended to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction;
3. That the owner submit to the Secretary-Treasurer a copy of the Site Plan Endorsement memo for the proposed development;
4. That the owner implement and maintain all of the works required in accordance with the conditions of this variance;
5. Submission of a Tree Assessment and Preservation Plan, prepared by a qualified arborist in accordance with the City's Trees for Tomorrow Streetscape Manual, to the satisfaction of the Director of Planning and Urban Design, or their designate, through the future Site Plan Approval process;
6. That tree replacements be provided and/or tree replacement fees be paid to the City where required, in accordance with the City's Trees for

Tomorrow Streetscape Manual and Accepted Tree Assessment and Preservation Plan, through the future Site Plan Approval process;

7. That prior to the commencement of construction, demolition and/or issuance of building permit, tree protection be erected and maintained around all trees on site, including City of Markham street trees, in accordance with the City's Trees for Tomorrow Streetscape Manual, Accepted Tree Assessment and Preservation Plan, and conditions of the site plan agreement, to be inspected by City staff to the satisfaction of the Director of Planning and Urban Design, or their designate;
8. The Owner shall enter into a Development Agreement with the City to the satisfaction of the City Solicitor, Director of Planning and Urban Design and/or the Director of Engineering, or their designates, which Development Agreement shall be registered on title to the lands in priority to all mortgages, charges, liens and other encumbrances, and the Owner shall procure and cause to be executed and registered at its own cost and expense such discharges, postponements, and subordination agreements as may be required by the City in order to provide for the priority of registration for the Development Agreement on title to the Lands. The Development Agreement shall specifically provide for matters including but not limited to:
  - I. Payment of cash-in-lieu of Parkland Dedication in accordance with By-law 195-90, as amended, upon execution of the development agreement;
  - II. Submission of an Appraisal report prepared by a member of the Appraisal Institute of Canada in accordance with the City's terms of reference respecting the proposed new lot, to be reviewed and approved by the City.
9. Submission of a detailed Siting, Lot Grading and Servicing Plan designed and stamped by a Professional Engineer/Ontario Land Surveyor/Landscape Architect satisfactory to the Director of Engineering, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the Director of Engineering or designate;
10. That the owner remove the holding provision from the land use zone category for the subject properties through a Hold Removal By-law.



Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public meeting, held under the Planning Act, have been taken into consideration by the Committee of Adjustment in its Decision on this matter.

Resolution Carried

***SPECIAL NOTE TO OWNERS AND AGENTS:*** It is the responsibility of the owner and/or agent to ensure that all conditions of approval are met through the respective departments noted therein. Failure to do so may result in additional approvals being required.



**Corrected (clerical errors)**

October 04, 2022

David Johnston Architect Ltd. (David Johnston)  
8 Maple Lane  
Unionville, Ontario L3R 1R2

Dear Sir/Madam,

**RE: *Graham and Caroline Dewar***  
***28 Station Street and 11 Backus Court, Markham***  
***CON 7 PT LOT 13***  
***B/002/22***

---

Attached please find a copy of the Committee of Adjustment resolution regarding the above, from the meeting of Wednesday, September 21, 2022.

Yours truly,

A handwritten signature in cursive script that reads 'Shawna Houser'.

Shawna Houser, BES, CPT  
Secretary-Treasurer  
Committee of Adjustment  
Attachments

cc Regan Hutcheson, Manager Heritage Districts  
Lori Sperrino, Zoning and Compliance  
Evan Manning, Project Planner  
Building Inspection  
Graham and Caroline Dewar

File copy



---

NOTICE OF DECISION

---

I hereby certify that the attached is a true copy of the decision of the Committee of Adjustment in the matter of Application No. B/002/22 which was **approved** at a hearing held on Wednesday, September 21, 2022. A written appeal of this decision must be received **no later than Thursday, October 13, 2022. After this date the decision becomes final and binding and cannot be appealed.**

Appeals to the Ontario Land Tribunal may be served personally by appointment, by email to [coa@markham.ca](mailto:coa@markham.ca), or sent by registered mail to the Secretary Treasurer, Committee of Adjustment, accompanied by a cheque in the amount of **\$400.00**, payable to **the Minister of Finance**, and must give reasons for the appeal. When filing an appeal to the Ontario Land Tribunal, please note there will be an additional City of Markham administration fee of \$247.00 plus HST, which must be paid at the time of the appeal submission to the Committee of Adjustment. **The reasons for the appeal must be provided, or the Ontario Land Tribunal may not consider the appeal to be valid. Please note that a letter of objection filed prior to the hearing date is not considered an official notice of appeal.**

Only individuals, corporations and public bodies may appeal decisions in respect to variance or consent applications to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

**Signed on September 23, 2022**

A handwritten signature in black ink that reads 'Shawna Houser'.

Shawna Houser, BES, CPT  
Secretary-Treasurer  
Committee of Adjustment



## Committee of Adjustment Resolution

File Number: B/002/22  
 Hearing Date: Wednesday, September 21, 2022  
 Owner(s): Graham and Caroline Dewar  
 Agent: David Johnston Architect Ltd. (David Johnston)  
 Property Address: 28 Station Street and 11 Backus Court, Markham  
 Legal Description: CON 7 PT LOT 13  
 Zoning: By-law 153-80, as amended, By-law (H)RSD3  
 Official Plan: Residential Low Rise  
 Ward: 4

**Last Date of Appeal: Thursday, October 13, 2022**

---

**Moved by: Jeamie Reingold**  
**Seconded by: Sally Yan**

<input checked="" type="checkbox"/>	Arun Prasad	 _____
<input checked="" type="checkbox"/>	Patrick Sampson	 _____
<input checked="" type="checkbox"/>	Kelvin Kwok	 _____
<input checked="" type="checkbox"/>	Jeamie Reingold	 _____
<input checked="" type="checkbox"/>	Sally Yan	 _____

THAT Application No. B/002/22, submitted by Graham and Caroline Dewar, owners of 28 Station Street and 11 Backus Court, Markham, CON 7 PT LOT 13, requesting provisional consent to:

- a) Sever and convey a parcel of land with an approximate lot frontage of 23.78 meters (78.01 feet) and an approximate lot area of 485.38 square meters (5224.58 square feet) (Part 1).
- b) Retain a parcel of land with an approximate lot width of 23.78 meters (78.01 feet) and an approximate lot area of 456.73 square meters (4916.20 square feet) (Part 2). The retained lot will not have frontage on a public street.

The purpose of this application is to develop the land to hold two single detached dwellings:

1. the existing heritage house fronting Station Street, and
2. the proposed dwelling fronting Backus Court.

The consent request be **approved** subject to the following conditions:

1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of the required transfers to effect the severances applied for under File B/008/22, in duplicate, conveying the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
3. Submission to the Secretary-Treasurer of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.
4. Payment of the required Conveyance Fee for the creation of residential lots per City of Markham Fee By-law 211-83, as amended.
5. Provide confirmation from an Ontario Land Surveyor that the severed and retained parcels, in their final configuration, meets all the requirements of the applicable Zoning By-law, including any development standards for building and structures, and that the Secretary-Treasurer receive written confirmation that this condition has been satisfied to the satisfaction of the Zoning Supervisor or designate.
6. That the Secretary-Treasurer receive written confirmation from the Fire Chief that a satisfactory solution has been provided regarding fire services access to 28 Station Street prior to final approval of the severance application;
7. That the applicant satisfies the requirements of the Toronto and Region Conservation Authority, Metrolinx and Electra as indicated in their communication to the Secretary-Treasurer attached as Appendices G, H and I to this Staff Report, and that the Secretary-Treasurer receive written confirmation from these bodies that this condition has been fulfilled to their satisfaction;



8. That the applicant enter into a Heritage Easement Agreement with the City of Markham for the retained parcel to further protect the cultural heritage resource;
9. Fulfillment of all of the above conditions within two years of the date that notice of the decision was given under Section 53(17) or 53(24) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

**Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public meeting, held under the Planning Act, have been taken into consideration by the Committee of Adjustment in its Decision on this matter.**

Resolution Carried

**NOTE TO OWNERS/AGENTS:** As noted in Section 53 of the Planning Act, R.S.O. 1990, as revised, all conditions of approval must be met no later than two years from the giving of the Notice of Approval. A certificate pursuant to Section 53 of the Planning Act cannot be given until **ALL** conditions have been fulfilled.