

Memorandum to the City of Markham Committee of Adjustment

April 24, 2025

File: A/017/25
Address: 82 Markham Veterans Street, Markham
Agent: Lindvest Properties Limited (Frank Palombi)
Hearing Date: Wednesday April 30, 2025

The following comments are provided on behalf of Heritage Section staff ("Staff") for the property municipally known as 82 Markham Veterans Street (the "Subject Property" or the "Property"):

The applicant is requesting relief from the following requirements of By-law 177-96, R2-LA*657, as amended, to permit:

- a) **By-law 177-96, Amending By-law 2020-74, Exception 7.657.2(a):** a minimum rear yard setback of 0.6 metres, whereas the by-law requires a minimum rear yard setback of 13 metres;

as it relates to the relocation, restoration and addition to the historic Abraham Reesor House.

BACKGROUND

Property Description

The 697.78 m² (7,510.84 ft²) subject property is a newly created lot within a residential subdivision located at the southwest corner of Markham Veterans Street and Romeo De Gasperis Avenue, south of Highway 7 East and West of Donald Cousens Parkway. The property has been designated under Part IV of the Ontario Heritage Act and is subject to a Heritage Conservation Easement Agreement with the City due to it being the new location of the Abraham Reesor Farmhouse which was relocated from its original address at 7265 Highway 7 East. (Refer to Appendix B - Photograph of the Abraham Reesor House)

Proposal

The applicant has received the City's approval to relocate the Abraham Reesor House to the property addressed as 82 Markham Veterans Street, restore it and construct a 2-storey addition with a 1-storey link to an attached 2-storey garage. The relocation of the Abraham Reesor House was approved by the City through Official Plan, Zoning, Plan of Subdivision and Major Heritage Permit applications. (Refer to Appendix C - Approved Site Plan)

Official Plan and Zoning

The property is designated as "Residential Mid Rise" in the City's Official Plan.

Zoning By-Law 177-96

The subject property is zoned R2-LA*657 under By-law 177-96, as amended, and has site specific zoning permitting the relocation of, and additions to the Abraham Reesor House.

However, upon review of the Building Permit application, it was determined that the project required a further variance that was not addressed by the site-specific zoning of the property prior to the building's relocation.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the applicant has received comments from the Building Department through their permit process (24.197708 HP) to confirm the variance required for the proposed development.

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

Reduced Rear Yard Setback

The applicant is requesting a minimum rear yard setback of 0.6m (2 ft.) for the proposed new two storey attached garage, whereas the by-law requires a minimum rear yard setback of 13m (42.7 ft.). Staff have no objection to this variance as the proposed rear yard setback is functionally a side yard setback adjacent to a Lane and is only defined as a rear yard setback by the Zoning By-law which considers the shortest street frontage along Markham Veterans Street to be the front yard, despite the relocated heritage house fronting Romeo De Gasperis Avenue.

Internal Staff/Committee Comments

Heritage Markham Committee

Heritage Markham reviewed the Major Heritage Permit application and site plan for the relocation of the Abraham Reesor House on March 13, 2024 and delegated final review of any development application including variance applications to the City, (Heritage Section) staff. (Refer to Appendix D- Heritage Markham Extract of March 13, 2024).

PUBLIC INPUT SUMMARY

No written submissions were received as of April 24, 2025. 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

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. 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 "A" for conditions to be attached to any approval of this application.

PREPARED BY:

A handwritten signature in dark ink, appearing to read "Peter Wokral". The signature is fluid and cursive, with the first name "Peter" and last name "Wokral" clearly distinguishable.

Peter Wokral, Senior Heritage Planner

REVIEWED BY:

A handwritten signature in dark ink, appearing to read "Regan Hutcheson". The signature is fluid and cursive, with the first name "Regan" and last name "Hutcheson" clearly distinguishable.

Regan Hutcheson, MCIP, RPP
Manager of Heritage Planning

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APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/017/25

1. The variance applies only to the proposed development as long as it remains;
and
2. That the variances apply only to the Proposed Development, in substantial conformity with the plans attached as Appendix "C" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction.

CONDITIONS PREPARED BY:

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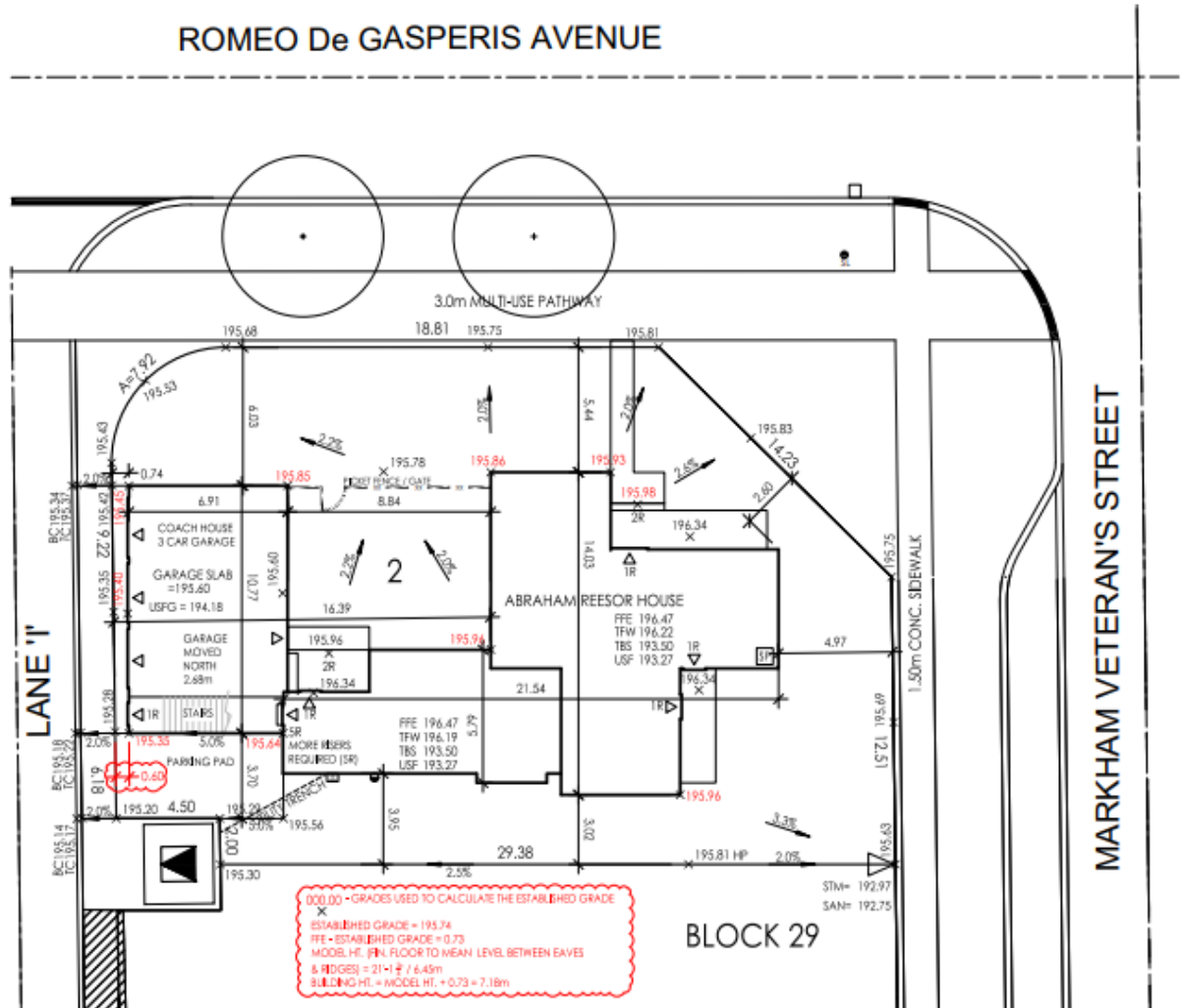
Peter Wokral, Senior Heritage Planner

Appendix B- Photograph of the Abrham Reesor House



Appendix C-

Approved Site Plan for Relocation and Addition of the Abraham Reesor House



Appendix D- Heritage Markham Extract of March 13, 2024

HERITAGE MARKHAM EXTRACT

Date: March 20, 2024

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

EXTRACT CONTAINING ITEM # 5.5 OF THE THIRD HERITAGE MARKHAM
COMMITTEE MEETING HELD ON March 13, 2024

5. PART THREE - CONSENT

5.5 MAJOR HERITAGE PERMIT APPLICATIONS

PROPOSED RESTORATION AND ADDITIONS TO THE ABRAHAM & FRANK ALBERT RESSOR HOMES 7265 & 7323 HIGHWAY 7 EAST (16.11)

File Numbers:

HE 24 160618,

HE 24 160611

Recommendation:

THAT Heritage Markham supports the Major Heritage Permit applications for the Abraham and Frank Albert Reesor and delegates final review of any application required for approval to the City, (Heritage Section) staff.

Carried