

SUBJECT: **Recommendation Report**
Demolition Permit Application 19 110922 DP
Single Detached Dwelling
29 Sumner Lane, Thornhill Heritage Conservation District
Ward 1

PREPARED BY: George Duncan, CAHP, Senior Heritage Planner ext. 2296

REVIEWED BY: Regan Hutcheson, MCIP, RPP, CAHP,
Manager of Heritage Planning ext. 2080

RECOMMENDATION:

- 1) THAT the report entitled “Demolition Permit Application 19 110922 DP, Single Detached Dwelling, 29 Sumner Lane, Thornhill Heritage Conservation District, Ward 1”, dated April 15, 2019, be received;
- 2) THAT the demolition of the derelict, vacant, non-heritage, single detached dwelling at 29 Sumner Lane be supported;
- 3) THAT final approval of the demolition permit application not be granted until the applicant provides documentation to the Building Department that a permit has been approved by the TRCA for the demolition of the structures and the infilling of the basement excavations.
- 4) AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To recommend that Council support the demolition of a derelict, vacant, non-heritage single detached dwelling at 29 Sumner Lane within the Thornhill Heritage Conservation District.

BACKGROUND:

The subject property contains a remnant of a 1951 frame dwelling and a block foundation constructed in 2010.

The subject property contains a remnant of a 1951 frame dwelling which was partially demolished in 2010. At that time, the owner began construction of a block foundation for a major addition without obtaining any approval from the municipality for either the demolition or construction work. A Stop Work Order was issued by the City and the project was abandoned and left open to the elements.

The Toronto and Region Conservation Authority (TRCA) prefers that the existing structures be removed as they are close to the established top of bank

Remaining portions of the dwelling are located near the established top of bank of the adjoining valleylands and the TRCA would prefer to have the remaining portions of the existing building, new foundation, pool and any accessory buildings completely demolished and removed. Future development is required by the TRCA to be limited to the tableland on the property within the required setbacks from the valley.

The structures on the property are in an unsafe state

The remnant of the 1951 dwelling and block foundation are in an unsafe state, having been abandoned since 2010. A demolition permit has been applied for by the property owner. The demolition permit application, if approved, will remedy this situation.

The subject property is located within the Thornhill Heritage Conservation District

The subject property is designated under Part V of the *Ontario Heritage Act* (the "Act") as part of the Thornhill Heritage Conservation District. Review of the demolition permit by Heritage Markham is required and the approval of Council is necessary to permit the demolition of the existing dwelling.

The dwelling is a Class C property and not of heritage significance

In the Thornhill Heritage Conservation District Plan, the property is identified as Class 'C'. These are buildings that are primarily post 1939 in age, and include buildings sympathetic to the District by virtue of their scale and massing as well as buildings not sympathetic to the historic character of the District. This building remnant is not considered to have cultural heritage value. As to demolition of Class 'C' buildings, the District Plan indicates this should be considered on a case-by-case basis.

Heritage Markham has no objection to the demolition

On March 13, 2019 Heritage Markham reviewed the demolition permit application and under the circumstances has no objection to the demolition. The committee recommended that the applicant take measures to protect the mature trees on the property, such as temporary fencing, so that they are in no way damaged during the demolition work.

OPTIONS/ DISCUSSION:**The *Ontario Heritage Act* requires Council to consider all demolition applications for designated properties.**

Although the subject building does not appear to possess cultural heritage value, it is located within the Thornhill Heritage Conservation District. According to Section 42(1) of the *Act*, an owner is required to obtain a permit from the municipality to:

1. alter any part of the property other than the interior
2. erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal.

Therefore, all applications for demolition of buildings and structures within heritage conservation districts whether of cultural heritage value or not, must be considered by Council. As per the *Ontario Heritage Act*, Council has 90 days to make a decision on the

demolition request. Council can support the demolition permit application, support with terms and conditions, or refuse the application.

The proposed demolition of the building is supported by Heritage Section staff

As noted earlier, the building is classified as Class 'C' in the District Plan. Due to its scale and massing, the building is sympathetic to the smaller heritage resources found in the District. However, what remains is only a portion of the 1951 dwelling in the form of a shell, badly deteriorated due to exposure to weather and lacking most of its former architectural features from when it was an inhabited dwelling. Therefore it is the opinion of staff that the demolition of the building can be supported.

The applicant requires a permit from the TRCA to demolish the structures and place fill into the basement excavations

The applicant has been notified that due to the location of the structures and the top of bank issues on the subject property, a permit is required from the TRCA to demolish the structures on the property and fill in the basement excavations.

A future development application for a replacement dwelling on the property will need to comply with the policies and guidelines of the Thornhill Heritage Conservation District Plan and the requirements of the TRCA

At present, there are no development applications for this property. The area is subject to Site Plan Control. When a development application for a replacement dwelling is applied for, the design will need to comply with the policies and guidelines of the Thornhill Heritage Conservation District Plan and other City of Markham requirements.

Additionally, the development will be required to comply with the requirements of the TRCA due to the location of the property adjacent to the valleylands. Any new development will need to be set back a safe distance from the established top of bank and located only on the table lands.

FINANCIAL CONSIDERATIONS

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition request was reviewed by Heritage Markham, Council's advisory committee on heritage matters, at its meeting of March 13, 2019, and the committee had no objection to the demolition.

RECOMMENDED BY:


Biju Karumanchery, MCIP, RPP
Senior Development Manager


Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS:

Figure 1: Applicant and Location Map
Figure 2: Building Photograph
Appendix 'A': Heritage Markham Extract March 13, 2019

FILE PATH: Q:\Development\Heritage\PROPERTY\SUMNER\DSC April 15 2019.doc

Figure 1:

APPLICANT: Tom Michalopoulos

LOCATION MAP

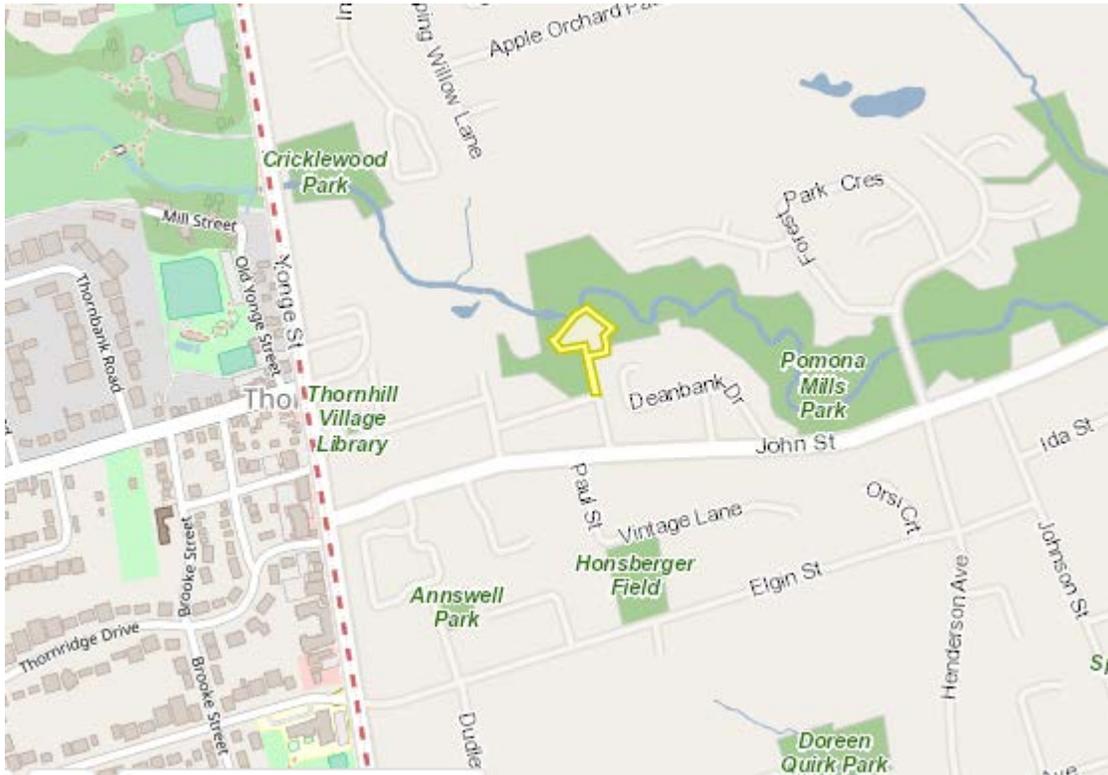


Figure 2: Building Photograph



Appendix 'A'

**HERITAGE MARKHAM
EXTRACT**

DATE: March 22, 2019

TO: R. Hutcheson, Manager of Heritage Planning
J. Chow, Building Department

EXTRACT CONTAINING ITEM #9 OF THE THIRD HERITAGE MARKHAM
COMMITTEE MEETING HELD ON MARCH 13, 2019.

9. **Demolition Permit Application,
29 Sumner Lane, Thornhill Heritage Conservation District,
Demolition of 1951 Dwelling Remnant (16.11)**
File Number: 19 110922 DP
Extracts: R. Hutcheson, Manager of Heritage Planning
J. Chow, Building Department
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Memorandum

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo.

The Committee proposed an amendment to the Staff recommendation – that extra care be taken to ensure the trees are protected during demolition.

Recommendation:

That Heritage Markham has no objection to the demolition and removal of the remaining portions of the Class C dwelling, modern block foundation and other more recent structures at 29 Sumner Lane, as they have no cultural heritage significance and have deteriorated over time; and

That Heritage Markham supports the protection of nearby trees during the demolition.

CARRIED