



Report to: Development Service Committee

Meeting Date: May 25, 2020

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**SUBJECT:** Recommendation Report  
Demolition Permit Application Accessory Building  
31 Wales Avenue  
Markham Village Heritage Conservation District, Ward 4  
File No. 20 112282 DP

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

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

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**RECOMMENDATION:**

- 1) That the staff report entitled “Recommendation Report, Demolition Permit Application, Accessory Building, 31 Wales Avenue, Markham Village Heritage Conservation District, Ward 4, File No. 20 112282 DP”, dated May 25, 2020 be received;
- 2) That Council endorse the demolition of the frame accessory building at 31 Wales Avenue, with the conditions that the applicant consult and comply with any requirements of the City’s Urban Design staff to address the protection of mature trees during demolition, and that the owner advertise the heritage materials for salvage in a local newspaper, to the satisfaction of the Manager of Heritage Planning;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

To recommend the demolition of a frame accessory building at 31 Wales Avenue, Markham Village.

**BACKGROUND:**

**The owners of the property propose to demolish an old accessory building**

The owners of 31 Wales Avenue wish to demolish a one and a half storey, frame accessory building located in the rear yard of the subject property. This building, a former stable and village-scaled storage barn, dates from c.1910. The owners plan to replace the existing building due to concerns about its structural condition with a new, detached accessory building through future Site Plan Control and Building Permit applications.

**The property is located within a heritage conservation district**

As the property is designated under Part V of the Ontario Heritage Act, review of the demolition permit application by Heritage Markham is required and the approval of Council is necessary to permit the demolition of the existing accessory building.

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**Staff explored the option of repairing, rather than replacing the existing structure with the applicant**

Staff proposed the idea of repairing the existing c.1910 accessory building with the applicant, instead of demolition and replacement. The owners are of the opinion that the building cannot be reasonably repaired due to structural issues and plan to replace it. The owners are open to the idea of making any heritage materials from the building available for use elsewhere.

**Heritage Markham reviewed the application on May 13, 2020**

Heritage Markham Committee reviewed the demolition permit application at its meeting of May 13, 2020 and did not oppose the approval of the application based on the information provided by the applicant. The recommendations of Heritage Markham are included in the recommendations of this staff report.

**Urban Design**

Urban Design staff has advised that there are mature trees around the existing accessory building that should be protected during demolition. They have noted that if the applicant plans to build a replacement structure in this location or further back on lot, this may impact mature trees. This is a matter that will be highlighted at a future Request for Pre-Consultation relating to the anticipated Site Plan Control application.

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

As a property located within the Markham Village 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.

The Act does allow a municipality to delegate its power to grant permits for the alteration of property situated in a heritage conservation district to an employee or official of the municipality. Markham Council has approved such a by-law delegating its power for the approval of alterations to the Manager of Heritage Planning. However, upon consultation with Legal staff, it has been determined that the delegation of the authority to approve “alterations” to staff does not include the authority to consider applications for demolition or removal which are addressed under Part IV and V of the Act. No delegation provisions apply in such circumstances.

Therefore, all applications for demolition of buildings and structures within heritage conservation districts, whether of significant cultural heritage value or not, must be considered by Council.

**The proposed demolition of the accessory building can be supported**

Heritage Markham and Heritage Section staff have, in similar situations, accepted the demolition of accessory buildings within the Markham Village Heritage Conservation

District (examples include 44 Church Street, 30 Washington Street) on the basis that they are typically located in rear yards and therefore have a minor visual presence in the District, and also because the later accessory buildings are of light stud frame construction and have minimal foundations. They tend not to be substantial structures. Therefore, staff has no objection to the demolition of the accessory building at 31 Wales Avenue.

It is recommended that as a condition of demolition approval, that the owner be required to advertise the heritage materials of the accessory building for potential salvage, to the satisfaction of the Manager of Heritage Planning. Alternatively, the owner could consider the re-use of some of the material in the future new building.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

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.

**RECOMMENDED BY:**

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Biju Karumanchery, M.C.I.P., R.P.P.  
Director, Planning & Urban Design

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Arvin Prasad, MPA, RPP, MCIP  
Commissioner, Development Services

**ATTACHMENTS:**

Figure 1: Location Map and Building Photograph

**FILE PATH:**

Q:\Development\Heritage\PROPERTY\WALES\31\DSC May 25 2020 31 Wales.doc

**FIGURE 1**

**APPLICANT/OWNERS:** Todd McDowell and Elizabeth Butler

**LOCATION MAP AND BUILDING PHOTOGRAPHS:**

