



Report to: Development Services Committee

Meeting Date: June 22, 2021

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<b>SUBJECT:</b>	Notice of Intention to Demolish – Single Detached Dwelling 32 Joseph Street, Markham Village Heritage Conservation District, Ward 4
<b>PREPARED BY:</b>	Evan Manning, Heritage Planner ext. 2296
<b>REVIEWED BY:</b>	Regan Hutcheson, Manager of Heritage Planning, ext. 2080

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**RECOMMENDATION:**

- 1) THAT the report entitled “Notice of Intention to Demolish, 32 Joseph Street, Markham Village Heritage Conservation District, Ward 4” dated June 22, 2021, be received;
- 2) THAT the recommendation from Heritage Markham Committee on June 9, 2021 in support of retaining the existing single detached dwelling at 32 Joseph Street be received as information;
- 3) THAT Council supports the proposed demolition of the existing single detached dwelling and associated garage at 32 Joseph Street located within the Markham Village Heritage Conservation District;
- 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 proposed demolition of the existing 1 ½ storey single detached dwelling and garage at 32 Joseph Street (the “subject property”) within the Markham Village Heritage Conservation District (“MVHCD” or the “District”).

**BACKGROUND:**

**Owner of the subject property proposes to demolish the existing detached dwelling and garage**

The owner of the subject property is proposing to demolish the existing 1½ storey detached dwelling and associated garage. The existing structures were constructed in 1949 based on a review of MPAC records.

Once an owner provides their written intention to demolish structures on a property that is designated under the Ontario Heritage Act (Part IV or Part V), a municipality has 90 days from the date the notice of receipt is served to the applicant to either:

- Approve the demolition;

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- Refuse the demolition; or
  - Approve the demolition with conditions.

On March 4, 2021 a notice of receipt for a request to demolish the existing structures on the subject property was served to the applicant. Initially set to expire on June 2, 2021 the review period deadline was extended to September 30, 2021 following written consent of the property owner. The purpose of the extension was to allow the applicant to provide additional material on a replacement structure to Heritage Markham, and to provide the necessary time for Council's consideration of the matter.

**The property is identified as a Type 'B' building in the MVHCD Plan**

The property is identified as a Type 'B' building in the MVHCD Plan and is regulated by the following policies:

- "Generally there will be an opposition to the demolition of B-Type buildings, particularly if the building is deemed to be relatively significant in terms of adding to the overall heritage character of the district" and;
- "B Type buildings help contribute to the ambience of the heritage district and are therefore considered as an integral and valuable part of the area. The historical and/or architectural value may not be outstanding, however, the conservation of these buildings should be encouraged, with renovation as necessary. The intent is therefor to either conserve Type B buildings or encourage renovations in a manner complementary to adjacent properties. This will ensure maintenance of the visual attractiveness and ambience of the streetscape".

In the past, Council has approved the demolition of some Type 'B' buildings in the MVHCD on the understanding that any replacement building designed in accordance with the policies and guidelines contained in the MVHCD Plan will also be complementary to the heritage character of the District.

**The application has been reviewed by Heritage Markham Committee**

As the property is designated under Part V of the *Ontario Heritage Act* (the "Act"), review by Heritage Markham and approval by Council is necessary to permit the demolition of the existing Part V-designated building. Heritage Markham reviewed the request for demolition at its meeting on June 9, 2021 and does not support the demolition of the existing detached dwelling. The Committee's recommendation notes that the dwelling is relatively significant in contributing to the overall heritage character of the District, and encourages the owner to design a compatible addition. The Committee, however, has no objection to the demolition of the existing detached garage.

The Committee had requested at a previous meeting that the applicant provide a concept plan of what is proposed as a replacement structure. A concept site plan and a front elevation were provided and reviewed at the Heritage Markham meeting (see Appendix 'C').

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Heritage Markham also recommended that a future update of the MVHCD Plan provide greater clarity regarding the demolition of non-heritage complementary buildings to provide greater certainty to potential purchasers of these properties.

**OPTIONS/ DISCUSSION:**

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

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 Council 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 cultural heritage value or not, must be considered by Council.

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

A review of the subject property by Heritage Section Staff has determined that although complementary to surrounding heritage buildings in terms of scale, form and materials, the existing structures are not known to have any special historical significance, nor can they be said to be relatively significant in terms of adding to the overall heritage character of the District, which is derived from buildings predominantly constructed in the latter half of the 19th century. Given its minimal cultural heritage value both as a singular property, and as a component of the District, and notwithstanding the existing policies contained in the MVHCD Plan to generally oppose the demolition of Type ‘B’ buildings, removal of the existing structures is supported by staff.

A site plan application for the subject property detailing the proposed replacement building has not been submitted at the time of agenda publication. Any future development application will be subject to full site plan control and review by Heritage Markham and Heritage Section staff for compliance with the policies and guidelines contained within the MVHCD Plan.

**FINANCIAL CONSIDERATIONS**

Not Applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

**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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Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager  
Planning & Urban Design

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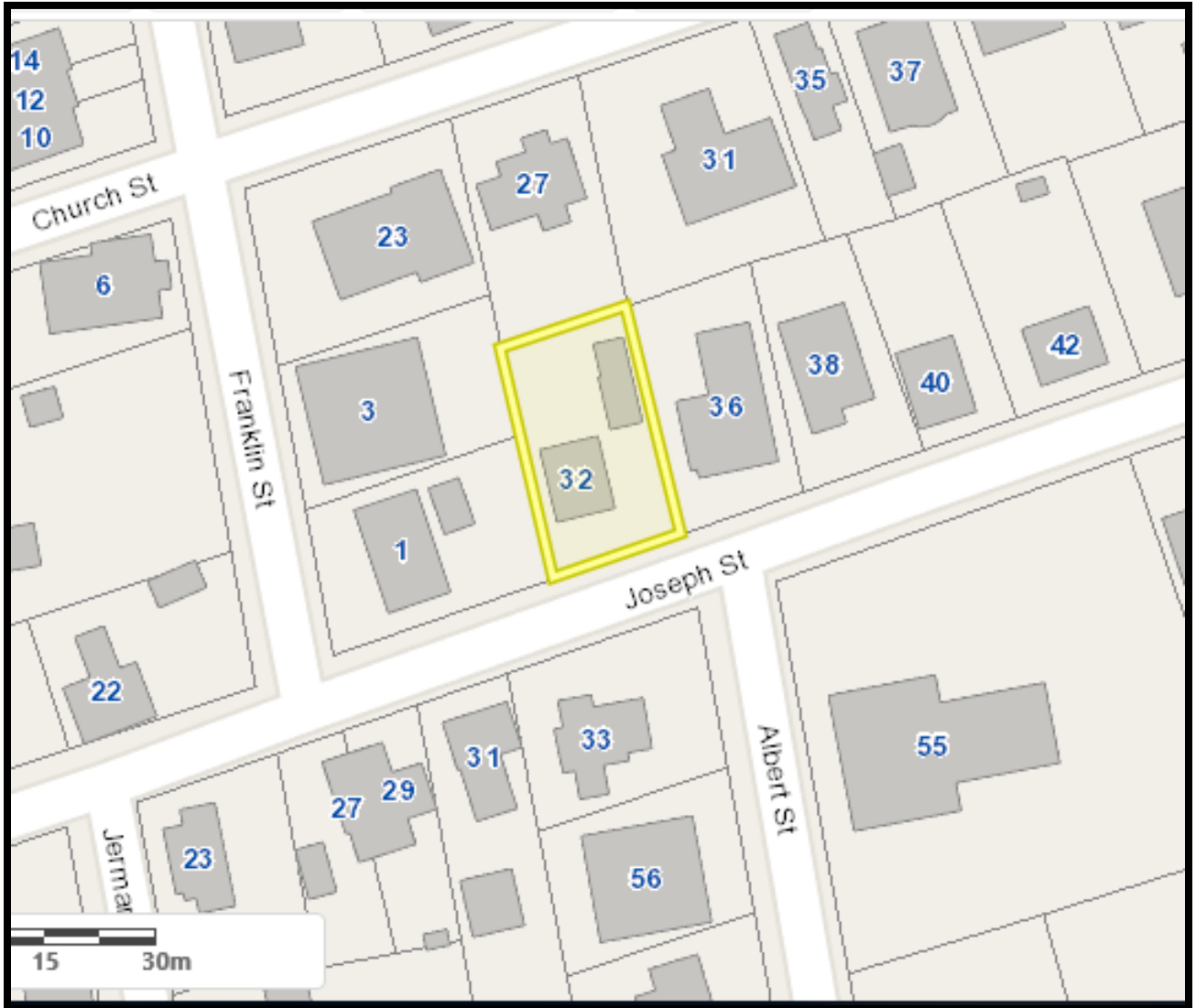
Biju Karumanchery, M.C.I.P., R.P.P.  
Acting Commissioner of Development  
Services

**ATTACHMENTS:**

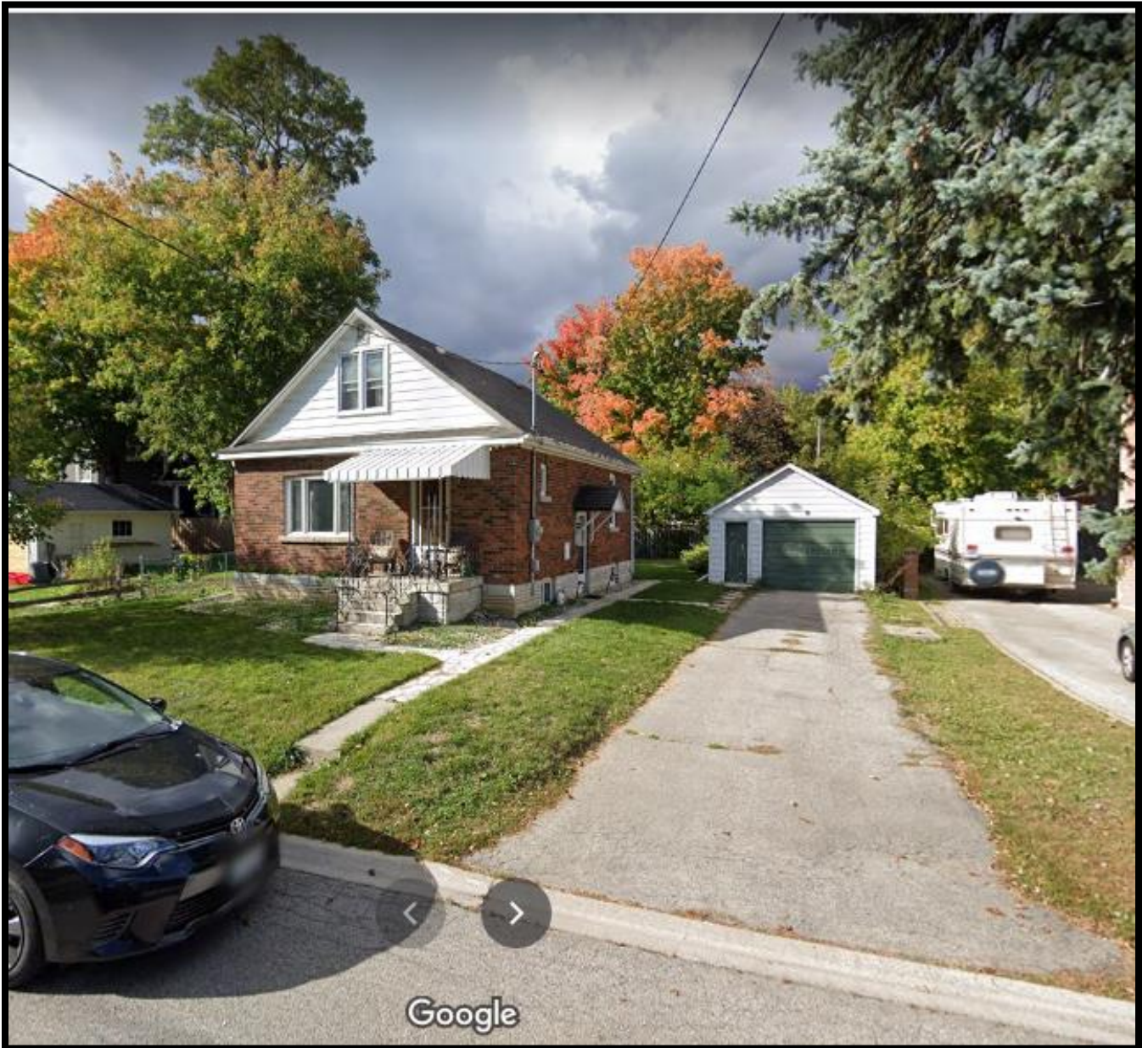
Appendix 'A'	Property Map and Photo of Subject Property
Appendix 'B'	Heritage Markham Extract
Appendix 'C'	Concept Plan for Replacement Dwelling

## APPENDIX 'A'

### 32 Joseph Street – Annotated Property Map



## 32 Joseph Street – Primary Elevation



## **APPENDIX ‘B’**

### **Heritage Markham Extract**

#### **Notice of Intention to Demolish**

#### **32 Joseph Street, Markham Village Heritage Conservation District**

THAT Heritage Markham in accordance with the policies contained in the Markham Village Heritage Conservation District Plan regarding the demolition of Type ‘B’ buildings does not support the demolition of the existing detached dwelling at 32 Joseph Street because it is relatively significant in contributing to the overall heritage character of the district and encourages the owner to design a compatible addition, but has no objection to the demolition of the existing detached garage;

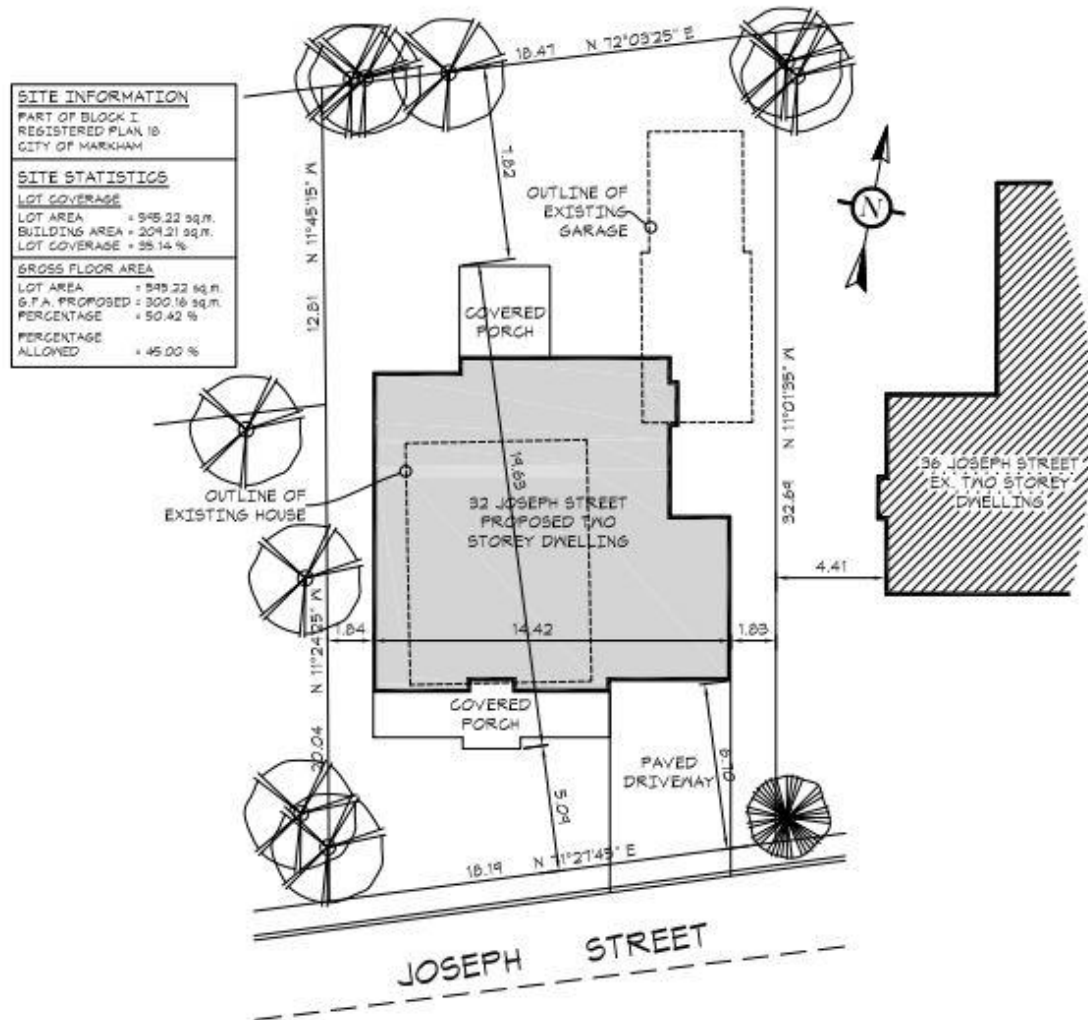
AND THAT the future updating of the Markham Village Heritage Conservation District Plan provide greater clarity regarding the demolition of non-heritage complementary buildings to provide greater certainty to the potential purchasers of these properties.



## Appendix ‘C’

Concept Plan for Replacement Dwelling prepared by The Gregory Design Group

## 32 Joseph Street - Conceptual Site Plan





*32 Joseph Street - Conceptual Front (South) Elevation*

