



Report to: Development Services Committee

Meeting Date: January 27, 2025

SUBJECT: Request for Demolition 11172 Warden Ave., Historic Clayton Schoolhouse, Ward 2

PREPARED BY: Peter Wokral, Senior Heritage Planner, ext. 7955
Regan Hutcheson, Manager of Heritage Planning, ext. 2080

RECOMMENDATION:

1. That the staff report titled “Request for Demolition, 11172 Warden Ave., Historic Clayton Schoolhouse, Ward 2” dated January 27, 2025, be received;
2. That Council has no objection to the proposed complete demolition of the Historic Clayton Schoolhouse;
3. That the Designation By-law for the Historic Clayton Schoolhouse under Part IV of the Ontario Heritage Act be repealed;
4. That as a condition of the demolition approval, the owner provide and install at their cost, an interpretive baked enamel “Markham Remembered Plaque” to commemorate the history and architecture of the Historic Clayton Schoolhouse;
5. 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 the former Historic Clayton Schoolhouse located at 11172 Warden Ave., authorize the repeal of the Part IV Designation By-law under the Ontario Heritage Act, and commemorate the schoolhouse through a “Markham Remembered” plaque.

BACKGROUND:

The subject building is a protected heritage cultural resource

The Historic Clayton Schoolhouse was constructed in 1874 and designated under Part IV of the Ontario Heritage Act for its cultural and architectural significance in 1982.

It is culturally significant for being an institutional building linked to the public primary education of Markham’s rural residents for almost a century. It is architecturally significant for being a local landmark, and one of the City’s best examples of 19th century Gothic Revival masonry architecture. (See archival photographs of the building Appendix ‘A’)

The Clayton Schoolhouse was partially damaged by a fire on December 25, 2022

The fire severely damaged the former schoolhouse which had been converted to a dwelling. Fortunately, there were no physical injuries to the occupants, but the wooden roof and floor structure of the historic schoolhouse and the modern, 2-storey, frame addition to the rear of the schoolhouse were almost completely destroyed, leaving only the stone foundation and solid brick walls of the schoolhouse intact (See Appendix ‘B’ for photographs of the Clayton Schoolhouse from January 2023, immediately after the fire).

In the days immediately following the fire, the City's Building Department received a demolition permit application seeking approval to demolish the entire structure. City Heritage and Building staff subsequently met onsite with the owner, a representative of the insurance company, contractors, and a structural engineer hired by the insurance company to determine if the heritage portions of the building could be salvaged and the schoolhouse rebuilt. Due to the large amount of debris that had fallen into the basement, the condition of the building's foundation was unknown, and it was agreed that the remaining walls could be temporarily braced to allow debris to be removed from the basement so that a more thorough examination of the physical condition of the foundation could be conducted as well as an investigation into the cause of the fire.

Given the consensus obtained at the onsite meeting following the fire, Heritage Staff and Heritage Markham supported the demolition of the non-heritage portions of the building but recommended that the heritage portion of the building be stabilized and protected from the elements in the hopes that the remaining brick walls could be utilized in the building's restoration.

The Building Permit (Demolition) application was subsequently revised to only propose the demolition of the non-heritage portions of the building in accordance with the recommendation of Heritage Staff and Heritage Markham Committee.

Council supported demolition of the non-heritage portions of the building

Council was consulted to seek approval for the revised demolition permit application, as only Council can approve any demolition of a building on a property designated under Part IV of the Ontario Heritage Act. On February 22, 2023, Council supporting the demolition of the non-heritage portions of the building and recommended the temporary bracing and protection of the remaining brick walls from the elements so that the building could be restored.

On March 23, 2023, Council's decision on the demolition matter was appealed to the Ontario Land Tribunal (OLT). The City elected to not participate in the OLT hearing.

OLT did not support the owner's request to repeal the Designation By-law

On September 3, 2024, the City received notice of the Tribunal's decision to not repeal the Part IV Designation By-law for the property. It was assumed that the owner had attended the hearing seeking to reverse Council's decision and permit the full demolition. The Tribunal indicated that it could not undertake an effective analysis to determine whether the fire triggered a loss of cultural heritage value or interest as a result of missing critical information regarding the designation. Further the Tribunal noted that a fire, by itself cannot give rise to an automatic presumption in favour of repeal of designation and therefore, the property must continue to have cultural heritage value or interest in the absence of any evidence to the contrary. The Tribunal declined to order the repeal of the designation by-law and ordered that the appeal be dismissed.

The building has further deteriorated

In the late summer of 2024, the east gable wall of the schoolhouse collapsed due to it not being temporarily braced or protected from the elements as recommended by Council in

February 2023.(See Recent Photograph of Clayton Schoolhouse submitted with Demolition-Appendix ‘C’)

The owner has revised the Demolition Building Permit application to propose complete demolition of the remaining structure and submitted a Major Heritage Permit Demolition application seeking the same, as required by the Ontario Heritage Act. The Building Permit application to demolish the entire structure is ready to be issued by the City’s Building Department, but Heritage Act approval by Council is required to satisfy applicable law.

OPTIONS/ DISCUSSION:

Restoration of the building is unlikely

Despite the Council resolution in February of 2023 which only supported the demolition of the non-heritage portions of the building and requested the bracing and protection of the historic masonry walls from the elements, these measures were not taken, and the historic front wall of the structure has partially collapsed. The remaining walls have deteriorated further due to water infiltration and annual freeze thaw cycles.

The owner has indicated that the Council resolution was not complied with because the insurance company had commissioned two engineering reports indicating that the building was unsafe and because the insurance policy would not cover the higher costs associated with restoring the building.

A replica building is not recommended

According to the owner, the insurance policy would only cover the costs of replicating the historic schoolhouse. Although in some cases this can be an appropriate means of commemorating a lost heritage resource, it is not recommended in this instance as a significant attribute of the Clayton Schoolhouse was the ancient construction techniques employed in its original construction. The structure was constructed using solid masonry walls made of bricks three wythes thick, including gothic arches, integrated buttresses, and corbelling to support the roof brackets that supported exposed wooden rafters. These sophisticated construction methods cannot be replicated satisfactorily through economical conventional building techniques, so the value of a replica building would obviously be of lesser value than the restored building. Also, Markham has generally not supported replication of its cultural heritage resources as a conservation approach.

Heritage Markham has no objection to the complete demolition of the building

As the property is designated, the Heritage Markham Committee was required to consider the owners application to demolish on January 8, 2025. Given the unsafe condition of the building, the lack of will and financial resources available to restore the building, the further deterioration of the brick walls, and the previous municipal decision to not participate in the OLT appeal, Heritage Staff recommended that the Committee not require the retention and restoration of the former schoolhouse. Heritage Markham indicated it had no comment but indicated that if Council supported the removal of the building from the property, the owner be required to provide and install a “Markham Remembered” plaque in consultation with Heritage Staff to commemorate the historical

and architectural significance of the building. (See Heritage Markham Extract of January 8, 2025- Appendix 'D')

Complete Demolition is Now Recommended

Given that both Heritage Staff and Heritage Markham Committee are of the opinion that restoration of the Clayton Schoolhouse is unlikely for the reasons outlined in the report, it is recommended that Council approve the complete demolition of the remaining masonry walls of the schoolhouse on the condition that the owner agrees to provide and install a "Markham Remembered" plaque in accordance with the specifications of the program in order to commemorate the former building.

If demolition is supported, the designation by-law must be repealed

With the removal of what remains of the Clayton Schoolhouse, the reasons for designation of the property under Part IV of the Ontario Heritage Act are no longer relevant, and as per the Act, Designation By-law 187-82 would need to be repealed.

FINANCIAL CONSIDERATIONS

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Heritage Markham reviewed the Major Heritage Permit (Demolition) application on January 8, 2025

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director of Planning and Urban Design

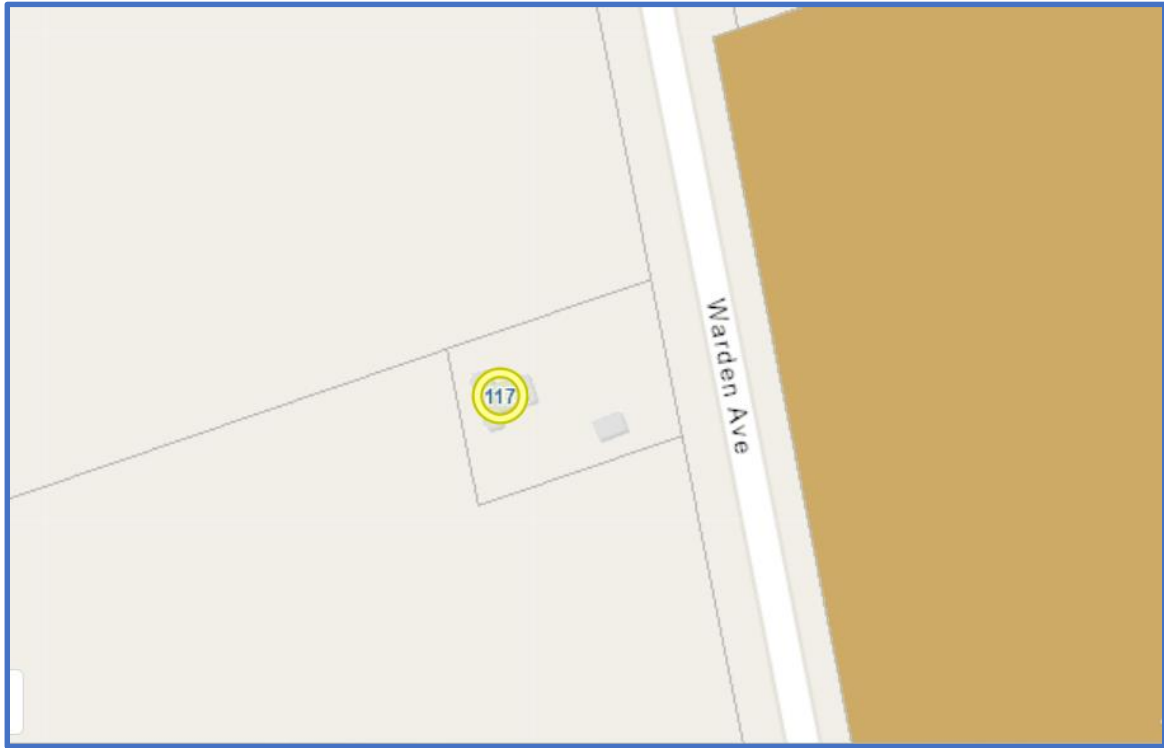
Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS:

Figure 1- Location Map

- Appendix A Archival Photograph of the Clayton Schoolhouse
- Appendix B Photographs of Clayton Schoolhouse after the fire January 2023
- Appendix C Recent Photograph of Clayton Schoolhouse submitted with Demolition Permit application
- Appendix D Heritage Markham Committee Extract of January 8, 2025

Figure 1- Location Map



Appendix A
Archival Photographs of the Clayton Schoolhouse





Appendix B
Photographs of the Clayton Schoolhouse after the fire January 2023





Appendix C
Recent photograph of the Clayton Schoolhouse submitted with Demolition Permit application