
SUBJECT: Request for Demolition – Single Detached Dwelling
26 Station Street, Markham Village

PREPARED BY: Peter Wokral, Heritage Conservation Planner ext. 7955

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

RECOMMENDATION:

- 1) THAT the staff report entitled “Request for Demolition-Single Detached Dwelling, 26 Station Street, Markham Village,” dated February 12, 2018, be received ;
- 2) THAT Council deny the proposed demolition request of the existing single detached heritage dwelling at 26 Station Street located within the Markham Village Heritage Conservation District.
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To recommend that Council deny the proposed demolition of the significant cultural heritage resource located at 26 Station Street in Markham Village.

BACKGROUND:

Owner of the property proposes to demolish the existing heritage dwelling

Heritage Planning staff has received a letter from the owner/occupant of 26 Station Street notifying the City of a request to demolish the existing 1 ½ storey heritage dwelling and of an intent to submit a future demolition permit application to the City’s Building Department.

The subject house is a good example of a vernacular 1 ½ storey Ontario farmhouse constructed circa 1890 for Peter Max Reesor.

The owner wants to demolish the existing heritage house in order to create a new building lot(s) fronting Backus Court.

The property is located within a heritage conservation district

As the property is designated under Part V of the *Ontario Heritage Act* (the “Act”), the review by Heritage Markham is required, and the approval of Council is necessary to permit the demolition of the existing house. Heritage Markham reviewed the request for demolition of the dwelling on January 10, 2018 and did not support the proposed demolition due to the architectural and historical value of the property.

Dwelling identified as Type 'A' building

The existing dwelling that occupies the property is identified as a Type 'A' building in the Markham Village Heritage Conservation District Plan which means that it is a contributing building that defines the heritage character of the district.

The planning history of the property is unique and associated with 28 Station Street

Both 26 and 28 Station Street are properties with heritage structures which front onto Station Street and back onto Backus Court, a street within an adjacent modern residential subdivision created in 1980. Both of these dwellings have driveway access onto an existing right-of-way to Snider Drive over Block 60, Plan M-1976, which is a portion of the former road allowance of Station Street. In 1985, the owner was successful in obtaining approval from the Committee of Adjustment to sever these two properties which were formerly separate holdings, but had become consolidated into the same title. As a condition of approval, a development agreement between the municipality and the owner to provide for the conditions of possible future redevelopment was required.

In 1986, the zoning on these two lots was changed from Industrial to Holding Semi-Detached Residential [(H) RSD3] under parent By-law 153-80.

The owner re-applied for the severance of these properties in 1987 after having let the previous approval lapse and was successful in obtaining the consent subject to similar conditions that were required in 1985

In March 1988, the applicant entered into the required development agreement. The Agreement notes that in the event that the existing dwellings (which were acknowledged as heritage resources during this process) are demolished and new single or semi-detached dwellings are proposed on each lot, certain development conditions must be satisfied such as access off of Backus Court and that the Station Street block would become a pedestrian walkway.

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

The subject building is considered to possess cultural heritage value, and it is 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 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 or requests 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 or requests 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 is not supported

Given the architectural style of the house, the late 19th century date of construction, its historical association to the Reesor Family, its association with the adjacent Reesor House at 28 Station Street, and the contribution this building makes to the historic character of the Markham Village Heritage Conservation District, the Heritage Markham committee and Heritage Section Staff does not support the demolition of the existing dwelling.

Although demolition of the existing heritage dwelling was contemplated in the development agreement signed between the City and the applicant in 1988, this agreement pre-dated the implementation of the Markham Village Heritage District in 1991, which designated the dwelling under Part V of the *Ontario Heritage Act*, and changes to the *Heritage Act* which occurred in 2005, that granted municipal councils the power to refuse demolition permit applications for designated heritage buildings.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable


ALIGNMENT WITH STRATEGIC PRIORITIES:

The conservation of existing historic structures helps preserve the cultural heritage of Markham and is inherently environmentally sustainable as it prevents sound building materials from entering landfills and the need for the production and transportation of new building materials.


BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition request was reviewed by Heritage Markham, Council’s advisory committee on heritage matters.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Acting Director of Planning and
Urban Design



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

ATTACHMENTS:

Appendix 'A'	Photo of Building
Appendix 'B'	Heritage Markham extract
Appendix 'C'	Letter from Owner

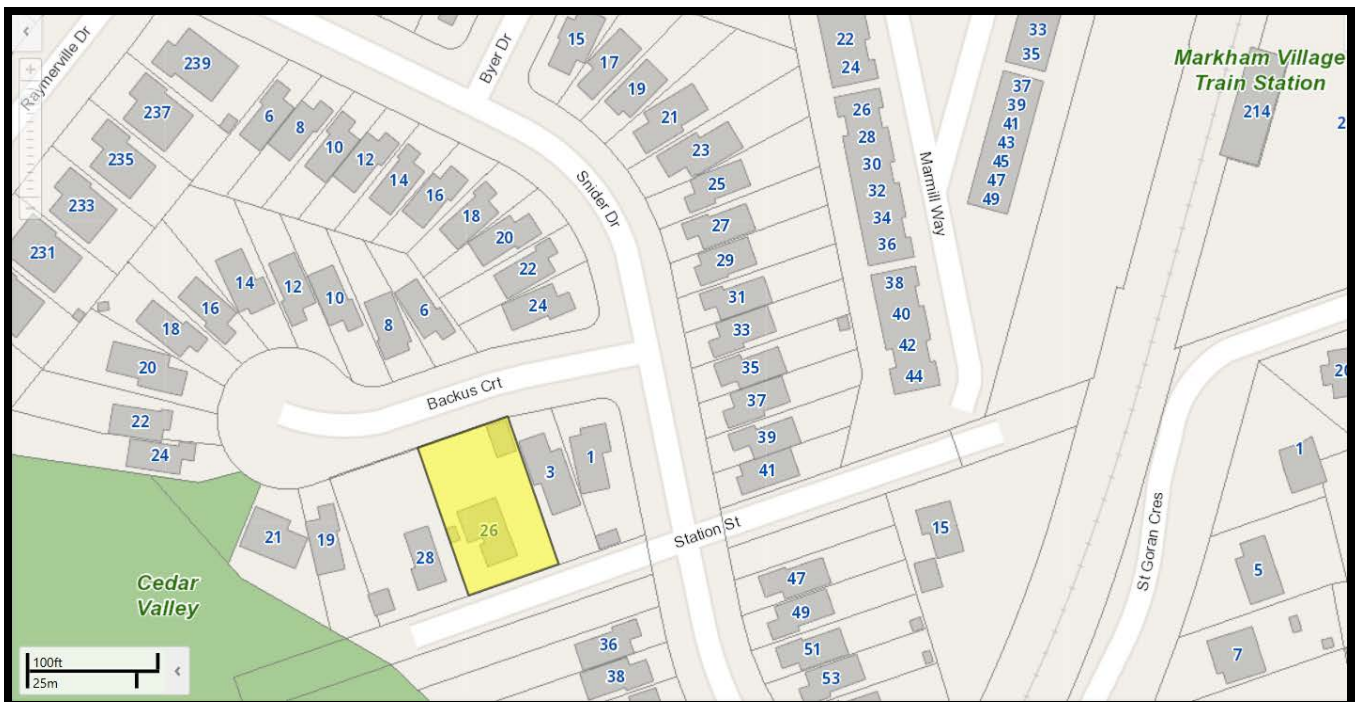
FIGURE 1

FILE PATH: Q:\Development\Heritage\PROPERTY\STAT'NST\26\Demo Report .doc

APPLICANT: Robert Clarry

Email –robclarry@rogers.com

LOCATION MAP



Appendix 'A'- Photograph of the existing heritage dwelling at 26 Station Street



Appendix 'B' - Heritage Markham Extract of January 10, 2018

**HERITAGE MARKHAM
EXTRACT****DATE:** January 22, 2018**TO:** P. Wokral, Heritage Planner
R. Hutcheson, Manager of Heritage Planning**EXTRACT CONTAINING ITEM #11 OF THE FIRST HERITAGE MARKHAM
COMMITTEE MEETING HELD ON JANUARY 10, 2018.**

- 11. Demolition Request,
26 Station Street, Markham Village,
Request to Demolish a Heritage Dwelling (Peter and Lily Reesor House), (16.11)**
Extracts: P. Wokral, Heritage Planner
R. Hutcheson, Manager of Heritage Planning

The Heritage Planner reviewed the request to demolish a heritage dwelling designated under Part V of the Ontario Heritage Act and classified as a Type "A" building (buildings that define the heritage character of the district). The proposed demolition would permit the construction of a new home fronting Backus Court which forms the rear boundary of the subject property.

The Heritage Planner advised that once a letter of intention to demolish a property designated under Part V of the Ontario Heritage Act has been received by the Municipality, Council has 90 days to either approve the demolition, approve the demolition with conditions, or deny the application. Appeals to the decision of Council are considered by the Ontario Municipal Board. The date of the letter's receipt by the City is December 18, 2017. A report will be prepared by Staff for Council's consideration of the request

The Heritage Planner advised that given the Type 'A' status of the existing heritage house, its connection historically to the Reesor family, and its existing heritage attributes such as the vertical tongue and groove siding and fieldstone foundation, Staff does not support the proposed demolition of the building.

Heritage Markham Recommends:

That Heritage Markham does not support the demolition of the existing heritage dwelling at 26 Station Street and recommends that it be retained on site.

CARRIED

APPENDIX 'C' - Letter from the Property Owner

Mr. Robert Clarry,
26 Station Street,
Markham, Ontario
L3P 1Z6



December 14 2017.

Mr. Regan Hutcheson
Manager of Heritage Planning
City of Markham
101 Town Centre Boulevard,
Markham, Ontario, Canada, L3R 9W3

RE: Demolition request for 26 Station Street, Markham L3P 1Z6 located within Markham's Historical District.

Dear Sir,

Please accept this letter as notification of myself, Robert Clarry, as entire owner of what is known as 26 Station Street, Markham, L3P 1Z6 for a demolition permit release. It is my intention to make an application to the City of Markham for a Demolition Permit of this my personal residence also known as Part 2, Plan 65R-8675, attached hereto.

Additionally attached hereto, I include my negotiated development agreement with myself and the Corporation of Markham, Dated the 28th day of March, 1988 for demolition or new build.

Please note Station Street is not a formalized road and simply a right of way. It currently utilizes a 16.5 foot right of way off the west side of Snider Drive as set out in Instrument #6247.

I have included my email below for correspondence in addition to mail. Thank you in advance for your assistance with this matter.

Regards,

A handwritten signature in black ink, appearing to read "Robert Clarry", written over a horizontal line.

Robert Leslie Clarry

26 Station St.

Markham Ont. L3P 1Z6

robclarry@rogers.com

416-779-8868