



Report to: Development Services Committee

Report Date: June 26, 2017

SUBJECT: Demolition Permit Application and
Intention to Designate a Property under
Part IV of the Ontario Heritage Act
Name: Alexander McPherson House
Address: 31 Victory Avenue
Owner: 31 Victory Development Inc.

FILE NO. 17 165027 DP

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

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning

RECOMMENDATION:

- 1) That the report titled “Demolition Permit Application and Intention to Designate a Property under Part IV of the Ontario Heritage Act, Name: Alexander McPherson House, Address: 31 Victory Avenue”, dated June 26, 2017, be received;
- 2) That Council refuse the Demolition Permit Application for the Alexander McPherson House at 31 Victory Avenue on the basis of its cultural heritage value or interest;
- 3) That as recommended by Heritage Markham, the Alexander McPherson House at 31 Victory Avenue be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 4) That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act;
- 5) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption;
- 6) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board;
- 7) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not Applicable

PURPOSE:

The purpose of this report is to recommend to Council that the Demolition Permit Application be refused for the “Alexander McPherson House” at 31 Victory Avenue on the basis of its cultural heritage value or interest, and that the property be designated under Part IV of the Ontario Heritage Act.

BACKGROUND:**The building is listed on the City of Markham Heritage Register**

The subject building is located at 31 Victory Avenue. It is included in the *Markham Register of Property of Cultural Heritage Value or Interest*, the City's inventory of non-designated properties identified as having cultural heritage value or interest, as well as Part IV properties (individual designations) and Part V properties (district designation).

The property is located within the Milliken Main Street Secondary Plan area

The Alexander McPherson House is one of a number of heritage buildings located within the Milliken Main Street Secondary Plan (OPA 144) 2005 and is listed as a cultural heritage resource in Appendix IV – Heritage Buildings. The Secondary Plan contains policies regarding heritage conservation and the integration of heritage buildings into the redevelopment of the area. The land use designation is Urban Residential Medium Density. At the present time, the Secondary Plan is undergoing an update. Road patterns, development blocks and land uses remain in a flexible state pending review by City staff and a future report to the Development Services Committee anticipated to occur in the fall of this year. The subject property is currently zoned Residential 3 (Hold) – Multiple Dwellings/Townhouse Dwellings (R3*273 (H) under By-law 177-96, as amended.

A Demolition Permit Application has been submitted to the City of Markham

A Demolition Permit Application has been submitted for the vacant dwelling by the owner. There is no development application for the property at this time. The building appears to have been vacant for a period of time and without regular maintenance. Deterioration has taken place, particularly with respect to ceilings damaged through water infiltration. Heritage Markham has recommended to the owner that the roof be made water-tight to prevent further damage.

The Alexander McPherson House dates from c.1840 and is the oldest building remaining in the Milliken community

The Alexander McPherson House is of historical or associative value as the c.1840 home of Alexander McPherson, a farmer of Scottish birth that settled in the area in 1830. His descendants continued farming here into the early 20th century. The house is a representative example of a one and a half storey frame farmhouse with the influence of the Georgian architectural tradition. The McPherson House represents the early phase of Milliken's history, when it was an agricultural community.

The building has been assessed using the Ministry of Culture's Designation Criteria

Government of Ontario Regulation (O.Reg. 9/16) prescribes criteria for determining a property's cultural heritage value or interest for the purpose of designation. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets one or more of the prescribed criteria. These include design or physical value, historical or associative value, or contextual value.

Through detailed research, staff, with the assistance of Heritage Markham, has determined that the subject property has cultural heritage value or interest as it meets the

criteria prescribed in the regulation as demonstrated in the Statement of Significance (Appendix 'A').

Heritage Markham has recommended that Council refuse the “Request for Demolition” and that the property be designated under the Ontario Heritage Act.

At its June 14, 2017 meeting, Heritage Markham recommended that Council refuse the Demolition Permit Application on the basis of its cultural heritage value or interest and that the property be designated under Part IV of the Ontario Heritage Act. (Heritage Markham Extract Appendix 'B').

OPTIONS/ DISCUSSION:

The designation of the heritage resource is consistent with City policies

The Cultural Heritage policies of the Official Plan 2014 (as partially approved on October 30, 2015, May 26, 2016, March 10, 2017, and April 21, 2017) represent the City of Markham's commitment to heritage conservation through a strong policy framework. It is the policy of Council “to give immediate consideration to the designation of any *significant cultural heritage resource* under the Ontario Heritage Act if that resource is threatened with demolition, inappropriate alterations or other potentially adverse impacts (4.5.3.2).”

Heritage Designation will highlight the cultural heritage value of the property to the owner

Designation signifies to both the owner and the broader community that the property contains a significant resource that is important to the community. Designation doesn't restrict the use of the property. However, it does require the owner to seek approval for property alterations that are likely to affect the heritage attributes described in the designation by-law. Council can also prevent, rather than just delay, the demolition of a resource on a designated heritage property.

The refusal of the Demolition Permit Application and the designation of this cultural heritage resource is supported by staff.

Options for preservation of the heritage house and its integration into future development have yet to be explored

Given that there is no current development application for the property, and that the Secondary Plan update is still in progress, staff is of the opinion that the demolition permit application is premature. Opportunities to preserve the McPherson House and integrate it into future development have yet to be explored and discussed. Staff recommends that the owner work with Planning staff and Heritage Planning staff to find an appropriate way to restore and adapt the McPherson House into their development framework. In the meantime, it is appropriate that the owner be required to repair the vacant building in accordance with the City's new Property Standards and Keep Markham Beautiful By-laws and staff will initiate this requirement if Council refuses the demolition request.

FINANCIAL CONSIDERATIONS

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

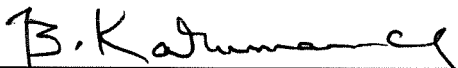
Heritage designation aligns with the strategic priorities of Managed Growth and Environment. Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community. The preservation of heritage buildings is environmentally sustainable because it conserves the embodied energy originally used to construct the building, diverts sound construction materials from entering landfill sites, and reduces the need to produce and transport new construction materials.


BUSINESS UNITS CONSULTED AND AFFECTED:

Acceptance of this recommendation to designate the property located at 31 Victory Avenue under Part IV of the Ontario Heritage Act will require the Clerk's Department to initiate the following actions:

- publish and serve on the property owner, the Ontario Heritage Trust and the public through newspaper advertisement, Council's notice of intention to designate the property as per the requirements of the Act: and
- prepare the designation by-law for the property.

RECOMMENDED BY:


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


Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS

Figure 1 - Owner/Agent and Location Map
Figure 2 - Building Photograph
Appendix 'A' - Statement of Significance
Appendix 'B' - Heritage Markham Extract

FIGURE 1

FILE PATH:

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OWNER/APPLICANT:

31 Victory Development Inc.
7100 Woodbine Avenue, Suite 206
Markham ON
L3R 5J2

c/o Mike Wang

Email: mike.wang@timedevelopmentgroup.com

LOCATION MAP:

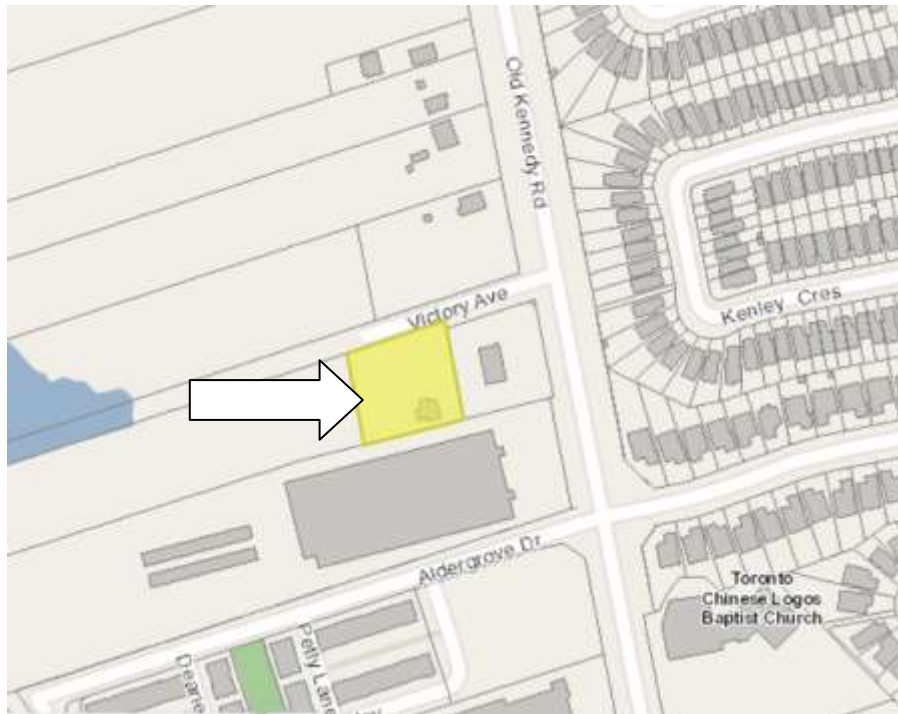


Figure 2: Building Photograph



Alexander McPherson House, c.1840

31 Victory Avenue

Appendix 'A'

STATEMENT OF SIGNIFICANCE

Alexander McPherson House 31 Victory Avenue c.1840

The Alexander McPherson House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

Description of Property

The Alexander McPherson House is a one and a half storey frame residence located on the south side of Victory Avenue in the community of Milliken. Its architectural front faces Old Kennedy Road.

Historical or Associative Value

The Alexander McPherson House is of historical or associative value as the former home of Alexander McPherson, a farmer of Scottish birth that settled in the area in 1830. The township directory of 1837 places him in this location prior to the formal granting of the Lot 2, Concession 5 to him by the Crown in 1846. Alexander McPherson Jr. was bequeathed the property in 1878. He served as a lieutenant in the York Militia. The farm remained in the ownership of McPherson descendants into the 20th century.

Design or Physical Value

The Alexander McPherson House is a representative example of a one and a half storey frame farmhouse with the influence of the Georgian architectural tradition. Although the original exterior cladding is concealed under modern materials and the windows and doors have been replaced within their original openings, the essential form of the c.1840 building remains clearly discernable.

Contextual Value

The Alexander McPherson House is one of a grouping of 19th and early 20th century buildings within the historic community of Milliken. As the oldest remaining building in the area, the McPherson House represents the early phase of Milliken's history, when it was an agricultural community prior to suburban development that began to occur following the First World War.

Significant Architectural Attributes

Exterior character-defining attributes that embody the cultural heritage value of the Alexander McPherson House include:

- Overall form of the building, including the rectangular plan shape of the main block, one and a half storey height, and the one and a half story rear wing;
- Original door and window openings;
- Medium-pitched gable roof with projecting eaves, suggesting eave returns were once present;
- Wood cladding, trim, and eave details that may remain concealed by modern materials.

19. Demolition Permit Application 17 165027 DP**Alexander McPherson House****31 Victory Avenue****Milliken Community**

Extracts: G. Duncan, Senior Heritage Planner

R. Hutcheson, Manager of Heritage Planning

The Senior Heritage Planner reviewed a demolition permit application for the Alexander McPherson House in the Milliken Community. He advised that this application had to be added to the agenda for the June 14, 2017 Heritage Markham Committee meeting as there is a window of opportunity for it to be considered by the Development Services Committee at its meeting on June 26, 2017 – which is within the 60-day period after notice of receipt of the application has been sent to the applicant.

The Senior Heritage Planner advised that the property at 31 Victory Avenue is a heritage house in the Milliken community of Markham which is listed on the City of Markham's *Register of Property of Cultural Heritage Value or Interest*. The property is also included as a cultural heritage resource in Appendix IV – Heritage Buildings in the Milliken Main Street Secondary Plan (OPA 144) – 2005. The Alexander McPherson House, c.1840, is a 1½ storey frame farmhouse in the Georgian architectural tradition, with modern claddings. This feature was portrayed to the Heritage Markham Committee by way of photographs of the building. The Senior Heritage Planner further advised that the current application is for demolishing the vacant residence at 31 Victory Avenue, and no development application is being considered at this time.

The Senior Heritage Planner advised that the Secondary Plan contains policies regarding heritage conservation and the integration of heritage buildings into the redevelopment of the area. He further advised that the Secondary Plan is currently undergoing an update, and road patterns, development blocks and land uses remain in a flexible state, pending review by the City and a report to Development Services Committee anticipated to occur in the fall of 2017.

The Senior Heritage Planner further advised that given that there is no immediate development impact on the property, and that the Secondary Plan update is still in progress, staff is of the opinion that the demolition permit application is premature. Opportunities to preserve the McPherson House and integrate it into the community's redevelopment have yet to be explored and discussed. In order to protect the building in this context, an Intention to Designate under Part IV of the *Ontario Heritage Act* is necessary, based on a recommendation of Heritage Markham to Council.

Staff recommends that Heritage Markham Committee pass a resolution recommending to Council that the demolition permit application for the Alexander McPherson House at 31 Victory Avenue be refused and that the Alexander McPherson House be designated under Part IV of the *Ontario Heritage Act*.

Staff further recommends that the applicant be requested to work with City Planning and Heritage Planning staff to find an appropriate way to integrate the heritage building into their redevelopment framework as part of the Secondary Plan update process.

As well, staff request that the applicant allow members of the Heritage Markham Committee and City staff to conduct a site visit of the property.

The Senior Heritage Planner advised Heritage Markham Committee that Council has enacted the Heritage Property Standards By-law, and that Heritage Planning and By-law Enforcement staff are working on a strategy to implement the Heritage Property By-law in the City of Markham, going forward.

Mr. Jeff Chen, representing the applicant was present at the meeting, and was informed by the Committee that Heritage Markham would like to preserve significant heritage buildings in the City of Markham. The applicant was advised to seal the hole in the roof to prevent further water damage to the building.

Heritage Markham Recommends:

THAT Heritage Markham recommends to Council that the demolition permit application for the Alexander McPherson House at 31 Victory Avenue be refused;

THAT Council designate the property under Part IV of the *Ontario Heritage Act* on the basis of its cultural heritage value or interest;

THAT the applicant be requested to work with City Planning and Heritage Planning staff to find an appropriate way to integrate the heritage building into their redevelopment framework as part of the Secondary Plan update process; and

THAT the applicant take necessary measures as soon as possible to seal the roof to prevent further deterioration of the property.

CARRIED