



Report to: Development Services Committee

Report Date: May 24, 2016

SUBJECT:	Request to Demolish Single Detached Dwelling Demolition Permit DP 16 115753 38 John Street, Thornhill Heritage Conservation District
PREPARED BY:	Peter Wokral, Heritage Planner ext. 7955
REVIEWED BY:	Regan Hutcheson, Manager, Heritage Planning ext. 2080

RECOMMENDATION:

- 1) THAT the report entitled “Request to Demolish Single Detached Dwelling, Demolition Permit DP 16 115753, 38 John Street, Thornhill Heritage Conservation District”, dated May 24, 2016, be received;
- 2) THAT Council supports the demolition of the existing, non-heritage, single detached dwelling at 38 John Street, conditional on the owner first obtaining site plan approval for a new replacement single detached dwelling designed in accordance with the policies and guidelines of the Thornhill Heritage Conservation District Plan, and appropriately scaled to its context within the Core Area of the 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 support the demolition of a single detached dwelling at 38 John Street in Thornhill, conditional on the owner first obtaining site plan approval for a new replacement single detached dwelling designed in accordance with the policies and guidelines of the Thornhill Heritage Conservation District Plan, and be appropriately scaled to its context within the Core Area of the Heritage Conservation District. (See location Map Figure 1)

BACKGROUND:

Owner of the property proposes to demolish an existing dwelling

The owner of 38 John Street proposes to demolish a one storey, 83.2 m² (896 ft²) single detached dwelling constructed circa 1950 (see Appendix ‘A’ photograph of the existing dwelling) in order to replace it with a new, 394.8 m² (4,250 ft²) two storey, single detached dwelling with an attached garage. (See proposed site plan and elevations for the proposed dwelling Appendix ‘B’).

The property is located within a heritage conservation district

The property is designated under Part V of the *Ontario Heritage Act* (the “Act”) as part of the Thornhill Heritage Conservation District. A review by Heritage Markham is required and the approval of Council is necessary to permit the demolition of the existing dwelling. In the Thornhill Heritage Conservation District Plan, the property is identified as Class ‘C’. These are buildings that are primarily post 1939 in age; include buildings that may be sympathetic to the district by virtue of their scale and massing; and include

buildings not sympathetic to the historic character of the district. According to the District Plan's Statement of Objectives, improvements to Class 'C' buildings which will further enhance the district's heritage character are encouraged. As to demolition of Class 'C' buildings, the district plan indicates this should be considered on a case-by-case basis.

Heritage Markham does not support demolition of the existing dwelling

On March 9th, 2016 Heritage Markham reviewed a Committee of Adjustment application submitted by the applicant requesting variances to permit the construction of the proposed new dwelling. Demolition of the existing house was implied by the application, but the Committee requested further information on the dwelling in order to determine if demolition was appropriate. Heritage Section Staff conducted research on the property and determined that the house was constructed circa 1950 and appears to have no cultural heritage significance. (See attached Historical Research Appendix 'C') The building was further evaluated by Heritage Section staff and members of Heritage Markham's Building Evaluation Sub-Committee using the "Evaluating Heritage Resources in Markham" document, and the building received a "Group 3" rating, which is the least significant rating for a building.

Heritage Markham reviewed the research and evaluation of the existing dwelling on April 13, 2016 and recommended that the owner consider an addition to the existing dwelling, rather than demolition and replacement with a new dwelling. (See Heritage Markham Extract of April 13th 2016 Appendix 'D') Both meetings of Heritage Markham were well attended by local residents who generally did not support demolition of the existing building for the following reasons:

- Some residents felt the existing building did have heritage significance for illustrating the evolution of residential design in the community in the mid 20th century;
- Some residents felt that additions to existing dwellings tended to be more successful in fitting into the neighbourhood than completely new infill homes; and,
- Some residents were concerned that the proposed new dwelling did not comply with the Zoning By-law and policies and guidelines for new buildings contained in the Thornhill Heritage Conservation District Plan;

On May 11, 2016 Heritage Markham considered the Demolition Permit application and the Committee recommended that Council deny the demolition. The Committee reiterated its desire to retain the existing dwelling with a complementary addition designed in accordance with the District Plan policies and that the first 20 feet of the building remain as a distinct component of any future addition. (See Heritage Markham Extract of May 11th – Appendix 'E').

The proposed new single detached dwelling does not comply with the Zoning By-law and Heritage Conservation District Plan

The subject property is located within the "Core Area" of the Thornhill Heritage Conservation District, where the By-law limits the Net Floor Area Ratio of dwellings,

including the garage, to the lesser of 33% of the Net Lot Area, or a maximum floor area of 320.5 m² (3,450 ft²). This provision of the By-law was put in place in an effort to make new dwellings complementary in scale to the surrounding heritage dwellings. For the subject property, the By-law would permit a maximum floor area of 243.4 m² (2,620 ft²) for the dwelling and garage. The proposed dwelling and garage is significantly larger 394.8 m² (4,250 ft²), and does not comply with key policies and guidelines contained in the Thornhill Heritage Conservation District Plan with respect to its proposed architectural style, materials, and height.

The applicant has submitted a demolition permit application for the existing dwelling

In order to obtain clarity on whether the existing house can be demolished and a new dwelling constructed to replace it, the owner has submitted a demolition permit application to the City, which will require Council to make a decision on the appropriateness of demolition of the existing single detached dwelling.

OPTIONS/ DISCUSSION:

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

Although the subject building does not appear to possess cultural heritage value, it is located within the Thornhill 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.

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. As per the *Ontario Heritage Act*, Council has 90 days to make a decision on the demolition request (July 3, 2016). Council can support the demolition permit application, support with terms and conditions, or refuse the application.

The proposed demolition of the building can be supported by Heritage Section Staff

As noted earlier, the building is classified as Class 'C' in the district plan. Due to its scale and massing, the building is sympathetic to the smaller heritage resources found in the district. However, a review of the existing building by the Building Evaluation Sub-Committee of Heritage Markham and Heritage Section Staff has determined that the existing dwelling has no cultural heritage value.

Therefore it is the opinion of staff that the demolition of the building can be supported, subject to terms and conditions. In an effort to facilitate an appropriate new infill dwelling that complements the neighbourhood and prevents the creation of a vacant building lot, staff recommends that the demolition of the existing single detached dwelling be conditional on the owner first obtaining Site Plan Approval for a new single detached dwelling. The new dwelling would need to comply with the policies and

guidelines of the Thornhill Heritage Conservation District Plan and be appropriately scaled to its context within the Core Area of the Thornhill Heritage Conservation District.

FINANCIAL CONSIDERATIONS

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:


Biju Karumanchery, M.C.I.P., R.P.P.
Senior Development Manager


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

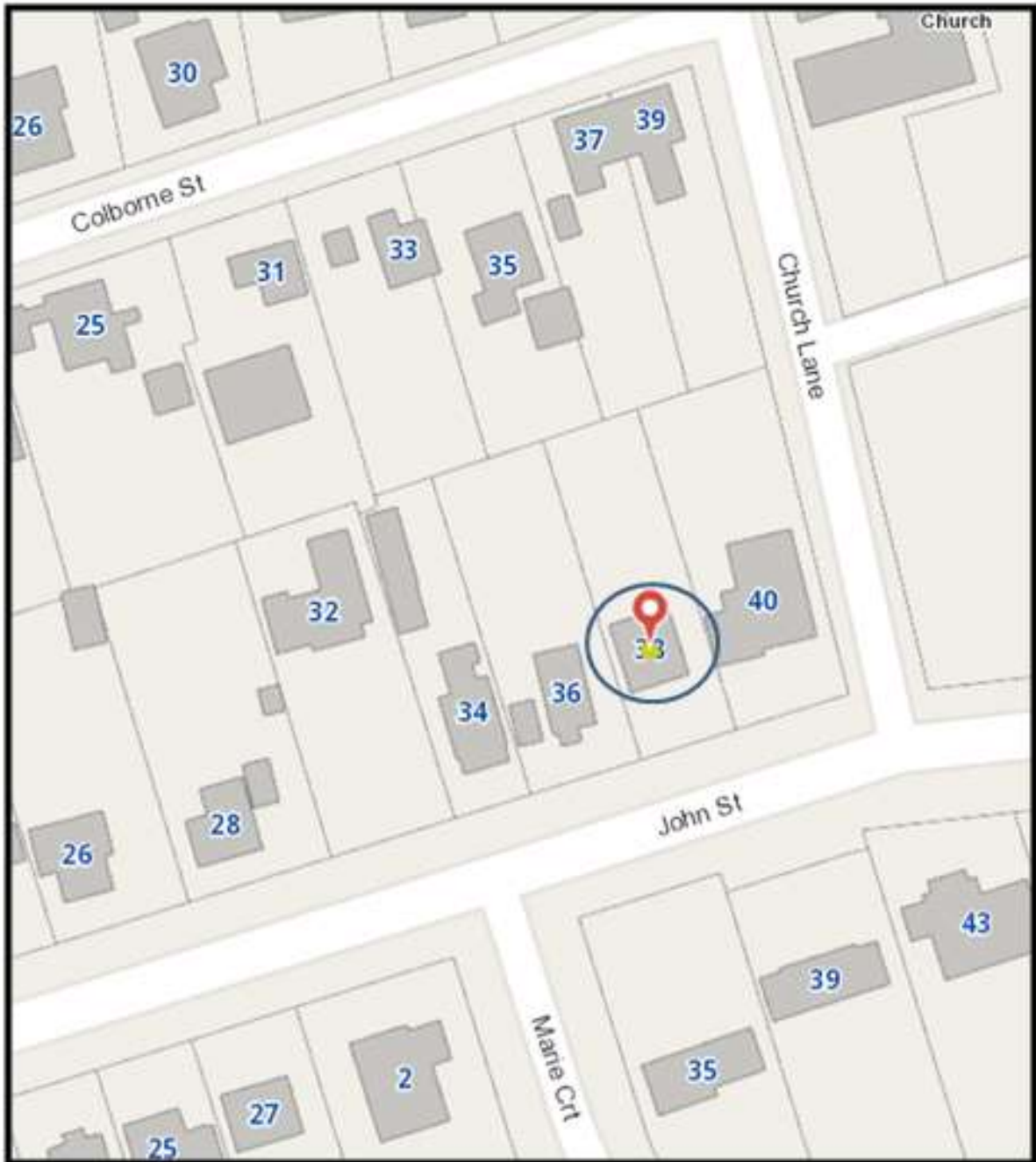
ATTACHMENTS:

Appendix 'A'	Photo of the Existing Building
Appendix 'B'	Site Plan & Elevations of the Proposed Dwelling
Appendix 'C'	Historical Research of the Existing Building
Appendix 'D'	Heritage Markham Extract of April 13, 2016
Appendix 'E'	Heritage Markham Extract of May 11, 2016

FILE PATH: Q:\Development\Heritage\PROPERTY\JOHN\038\DSC Demo Report May 2016.doc

APPLICANT: Mohamed Zakr

FIGURE 1
LOCATION MAP

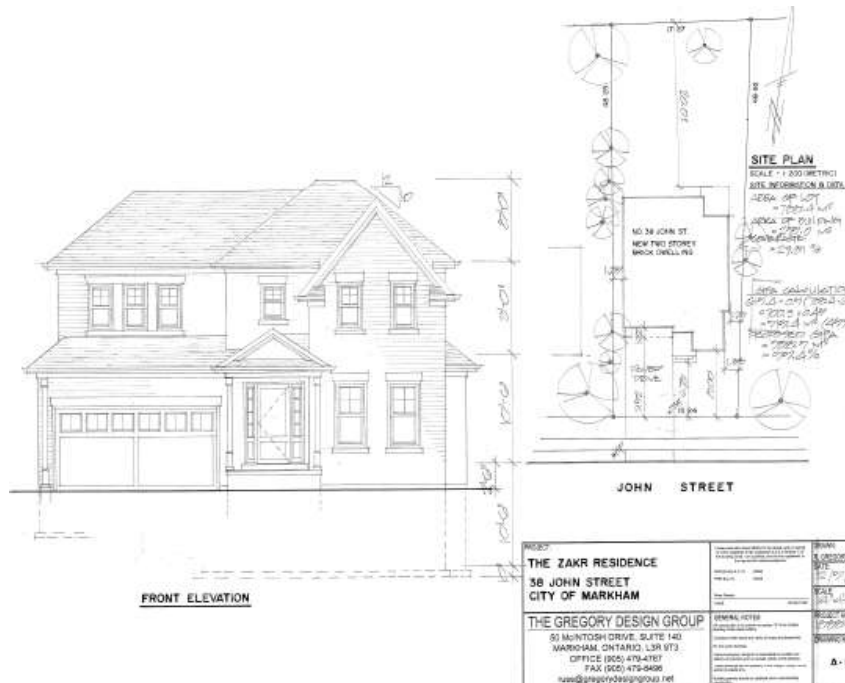


Appendix 'A' Photograph of the existing dwelling



Appendix 'B'

Site Plan and Elevations of the Proposed New Dwelling at 38 John Street



Appendix 'C'

Historical Research of the existing dwelling



Raised Bungalow
38 John Street
c.1950

This house is located on an early plan of subdivision created by Wellington Frizzell in 1853. Plan 71 included a series of lots on Yonge, Eliza, Colborne and John Streets. It is interesting to note that on the plan, John Street is labelled "John Street Plank Road to Brunskill's Mills."

The property at 38 John Street consists of the east part of Lot 9 and a small portion of the west part of Lot 10 next door to the east. Before Lot 9 was divided, a house was built on the west part of the property during the 1904 to 1919 ownership of Walter Chatterley (36 John Street). In 1919, the executors of Walter Chatterley sold the lot to Nellie Francis. In 1921, Nellie Francis sold the eastern 42 feet of the property to Frederick Farr, who later sold to Robson Farr in 1931. In 1945, Robson Farr sold the property to Elizabeth Francis who in the same year sold to Henry Harper.

Henry and Jean Harper owned the property until 1950, when they sold to Mabel Croatch. According to Markham Township Assessment Rolls from 1946, 1948 and 1950, the lot was vacant during the ownership of the Harpers. The house was therefore constructed *circa* 1950 for the Croatch family. According to a long-time resident, they raised rabbits in a rabbit hutch on the property.

The house at 38 John Street, as described in the building inventory in the Thornhill Heritage Conservation District Plan, is a "Small 3-bay hipped-roof cottage on a fairly high foundation. Central entry, with wide window openings on either side. Wide wooden steps and stoop." This one-storey house on a raised concrete foundation, is clad in aluminum siding and has modern replacement doors and windows.

Appendix 'D'

Heritage Markham Extract of April 13, 2016

HERITAGE MARKHAM EXTRACT

DATE: April 20, 2016
TO: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner

**EXTRACT CONTAINING ITEM #4 OF THE FOURTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON APRIL 13, 2016.**

- 4. Request for Feedback**
38 John Street, Thornhill
Demolition of Raised Bungalow (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
-

The Heritage Planner reviewed the Committee's previous deliberations on this matter. Staff have evaluated the Class C building as a Group 3 building that has minimal cultural heritage value.

Ken Webster, adjacent property owner, stated that he does not object to the demolition, but requested that plans for the new building be determined and approved by Heritage Markham, prior to demolition. Staff suggested that a condition of site plan approval attached to the demolition approval, would achieve this.

Robert Armstrong, representing the Executive of the Ward One (South) Thornhill Residents Inc., and also on his own behalf, spoke of the importance of heritage preservation to the Thornhill community, including the retention of Class C buildings. Mr. Armstrong considered the house could be preserved and expanded with a reasonable size and massing, rather than an automatic demolition.

Staff explained the definition of a classification of Class C as identified in the Thornhill Heritage Conservation District Plan, in comparison to the evaluation of the building as a Group 3 building.

Barry Nelson, representing the Executive of Society for the Preservation of Historic Thornhill (SPOHT), spoke in opposition to the demolition and discussed the heritage value of the property and the rare circumstances that the demolition of a heritage building in the district might be feasible. Mr. Nelson did not support the classification of buildings in general, as he considers that all buildings in the district are valuable.

Marion Matthias spoke of the history of heritage preservation in Thornhill, the significance of receiving the Prince of Wales Award, and spoke in opposition to demolition of this building, in the Thornhill core.

Mr. Russ Gregory, agent for the applicant, was not in attendance.

Appendix 'D'continued

Heritage Markham Recommends:

That the depositions by Ken Webster, Robert Armstrong, representing the Executive of the Ward One (South) Residents Inc., and also on his own behalf, Barry Nelson, representing the Executive of Society for the Preservation of Historic Thornhill (SPOHT), Marion Matthias, regarding the demolition permit application for 38 John Street, be received; and,

That Heritage Markham receives the findings of the Heritage Markham Building Evaluation Sub-Committee for the raised bungalow at 38 John Street; and,

That Heritage Markham recognizes that 38 John Street is located in the sensitive core of the Thornhill Heritage District and supports the installation of a compatible addition in accordance with the policies and guidelines of the Thornhill Heritage Conservation District Plan, appropriately scaled to its context, in consultation with the Ward Councillor; and further,

That the first 20 feet of the building remains as a distinct component as part of any future addition.

CARRIED

Appendix 'E'

Heritage Markham Extract of May 11, 2016

HERITAGE MARKHAM EXTRACT

DATE: May 12, 2016
TO: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner

EXTRACT CONTAINING ITEM #11 OF THE FIFTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON MAY 11, 2016.

11. **Demolition Permit Application,**
38 John Street, Thornhill,
Demolition of Raised Bungalow (16.11)
File Number: 16 115753 DP
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
-

Regan Hutcheson, Manager, Heritage Planning addressed the Committee and briefly summarized the details outlined in the memo which noted that the dwelling was not of cultural heritage value, but was of a scale and massing complementary to many of the local heritage buildings. Staff had recommended no opposition to the demolition conditional on the owner first obtaining site plan approval for a new replacement single detached dwelling designed in accordance with the policies and guidelines of the Thornhill Heritage Conservation District Plan, and appropriately scaled to its context within the Core Area of the Heritage Conservation District.

Barry Nelson, representing the Executive of the Society for the Preservation of Historic Thornhill (SPOHT) addressed the Committee and spoke in opposition to the demolition permit for 38 John Street. He indicated support for a complementary addition to the existing dwelling in order to retain the unique characteristics of this portion of the John Street streetscape

Rob Armstrong, on behalf of the Executive of Ward One South Thornhill Residents Inc. addressed the Committee and spoke in opposition to the demolition permit for 38 John Street.

Marion Matthias, Thornhill resident addressed the Committee and spoke in opposition to the demolition permit for 38 John Street and indicated that there should be no demolitions permitted in the Core Area of the Heritage District.

The Committee discussed the importance of maintaining the heritage character within the Heritage District especially in the Core Area which was described as the heart of the District.

Heritage Markham Recommends:

That the correspondence previously distributed to Committee members from Diane Berwick, Joan Honsberger and Ken and Deila Webster be received; and,

Appendix 'E' Continued

That Heritage Markham recommends that Markham Council deny the demolition permit application for 38 John Street; and,

That Heritage Markham recognizes that 38 John Street is located in the sensitive core of the Thornhill Heritage Conservation District and supports the installation of a compatible addition in accordance with the policies and guidelines of the Thornhill Heritage Conservation District Plan, appropriately scaled to its context, in consultation with the Ward Councillor; and,

That the first 20 feet of the building remains as a distinct component as part of any future addition.

Carried