



Report to: Development Services Committee

Report Date: June 16, 2015

SUBJECT: Demolition Permit Application
Historic Barn
24 Maple Lane
Unionville Heritage Conservation District

File No. 14 133286 DP

PREPARED BY: George Duncan, Senior Heritage Planner, ext. 2296
REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning

RECOMMENDATION:

- 1) That the staff report titled “Demolition Permit Application, Historic Barn, 24 Maple Lane, Unionville Heritage Conservation District” dated June 16, 2015, be received;
- 2) That the application for a Demolition Permit (14 133286 DP) be refused on the basis of the cultural heritage value or interest of the barn;
- 3) That the owner be requested to engage a qualified contractor to repair the barn to a safe condition;
- 4) And that staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

To recommend that Council refuse the demolition permit application for the historic barn at 24 Maple Lane in the Unionville Heritage Conservation District on the basis of its cultural heritage value or interest, and to request the owner to engage a qualified contractor to repair the building.

BACKGROUND:

The barn at 24 Maple Lane is a significant heritage building

The barn at 24 Maple Lane is located within the Unionville Heritage Conservation District, and is associated with a one and a half storey frame house on the same property. Both the barn and the house are Class A heritage buildings, which are defined in the Unionville Heritage Conservation District Plan, approved by Council in 1997, as:

- Buildings of major importance to the District.
- They have historical and/or architectural value.
- They are the buildings that maintain the heritage character to the District.

The barn is an excellent example of its type

The description of the building in the *Unionville Heritage Building Inventory* dates the barn to c.1900 and states that it is the last remaining full-scale agricultural barn in Unionville and that it is an excellent example of a gambrel barn (gambrel refers to the style of barn roof, which has a double slope). The barn is located on a remnant of the James Eckardt farm.

Official Plan, Zoning, and Special Policy Area

The subject property is designated “Urban Residential – Heritage” and “Special Policy Area” in the in-force Official Plan (1987 revised), as amended, and “Residential Low Rise” and “Greenway/Special Policy Area” in the Official Plan 2014 (not yet in force). The zoning is a combination of R3 – Single Family Residential and O1 – Open Space/Special Policy Area under By-law 122-72, as amended. The existing land uses on the property are permitted under the Official Plan and Zoning By-law.

A previous owner of the property was investigating the potential for a single lot severance of this large property, with the idea of converting the barn to a unique residence. However, the Toronto and Region Conservation Authority was not supportive of intensification within the Special Policy Area and the proposal was not pursued.

The condition of the barn is the reason for the demolition permit application

The barn at 24 Maple Lane has not been used for many years. During its time of vacancy, the building has deteriorated, with the masonry foundation being the main structural issue. The deterioration of the foundation has recently accelerated and the applicant is concerned about the structural stability of the building and liability in the event of collapse.

Building inspectors have determined that the structure is not unsafe at this time

City Building inspectors have recently visit the property and thoroughly inspected the barn. Based on the temporary restorative measures taken and the protective fence around the building, the Building Department has determined that the barn is not currently unsafe, accordingly an Order will not be issued at this present time.

An attempt to repair the barn has not been successful

In May of last year, the applicant engaged a contractor to carry out repairs to the barn in order to stabilize its condition. At the time the applicant did not have a specified use for the building, but was willing to repair it in recognition of its cultural heritage value or interest. Delays in the completion of the work became a concern to the applicant, leading him to apply for a demolition permit. At this point, a disagreement occurred between the applicant and the contractor, and the work stopped.

Staff endeavored to help the applicant and contractor to resolve a disagreement

With the agreement of the applicant, Heritage Section staff was able to defer the processing of the demolition permit application to allow an opportunity for the applicant to work with the contractor on an addendum to the original contract for the barn’s repair. Staff met with both parties to assist with discussions that were hoped to bring the matter

to a satisfactory conclusion. Unfortunately, it has not been possible for the two parties to reach an agreement, and as of Friday, May 22, 2015 the applicant stated his wish to proceed with the processing of the demolition permit application due to liability concerns.

OPTIONS/ DISCUSSION:**The Ontario Heritage Act provides a process for the consideration of demolition requests within heritage conservation districts**

For all properties located within a heritage conservation district, the procedures outlined in Section 42 of the *Ontario Heritage Act* must be followed. The demolition application must be reviewed by Heritage Markham and its recommendation addressed by Markham Council within 90 days of the date of the letter of receipt sent to the applicant (May 25, 2015).

Heritage Markham's next meeting is June 10, 2015, where the demolition request will be considered by the committee

This staff report has been prepared in advance of Heritage Markham's June 10, 2015 meeting where the demolition permit application will be considered. Heritage Markham's recommendation is therefore not available at the time of writing. It will be provided to the Development Services Committee prior to the June 16, 2015 meeting.

Staff does not support the demolition permit application

Given the cultural heritage value or interest of the barn at 24 Maple Lane, and its uniqueness within the Unionville Heritage Conservation District, staff does not support the demolition permit application. The policies and guidelines of the Unionville Heritage Conservation District Plan emphasize the objective "To retain and conserve the heritage buildings identified in the District Plan." The demolition of a Class A heritage building is contrary to an important objective of the District Plan "To promote the retention and reuse of heritage buildings and take exceptional measures to prevent their demolition."

It is recommended that the applicant repair and stabilize the barn

Staff recommends that the applicant engage the services of a qualified contractor to repair and stabilize the barn, doing the essential work needed to protect the building until such time as a use is determined for it and further restoration can take place. It would be a regrettable loss to Unionville to have the last agricultural barn demolished.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable.

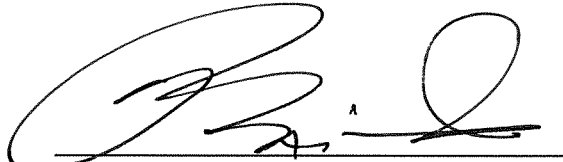
BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Acting Senior Development Manager



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

ATTACHMENTS:

Figure 1: Applicant and Location Map

Figure 2: Photograph of Barn in 2004 and 2015

Figure 1:

Applicant/Owner:

Mr. Jinli Ding

File Path: q:\development\heritage\property\mapleln\24\dscjune162015.doc

Location Map:

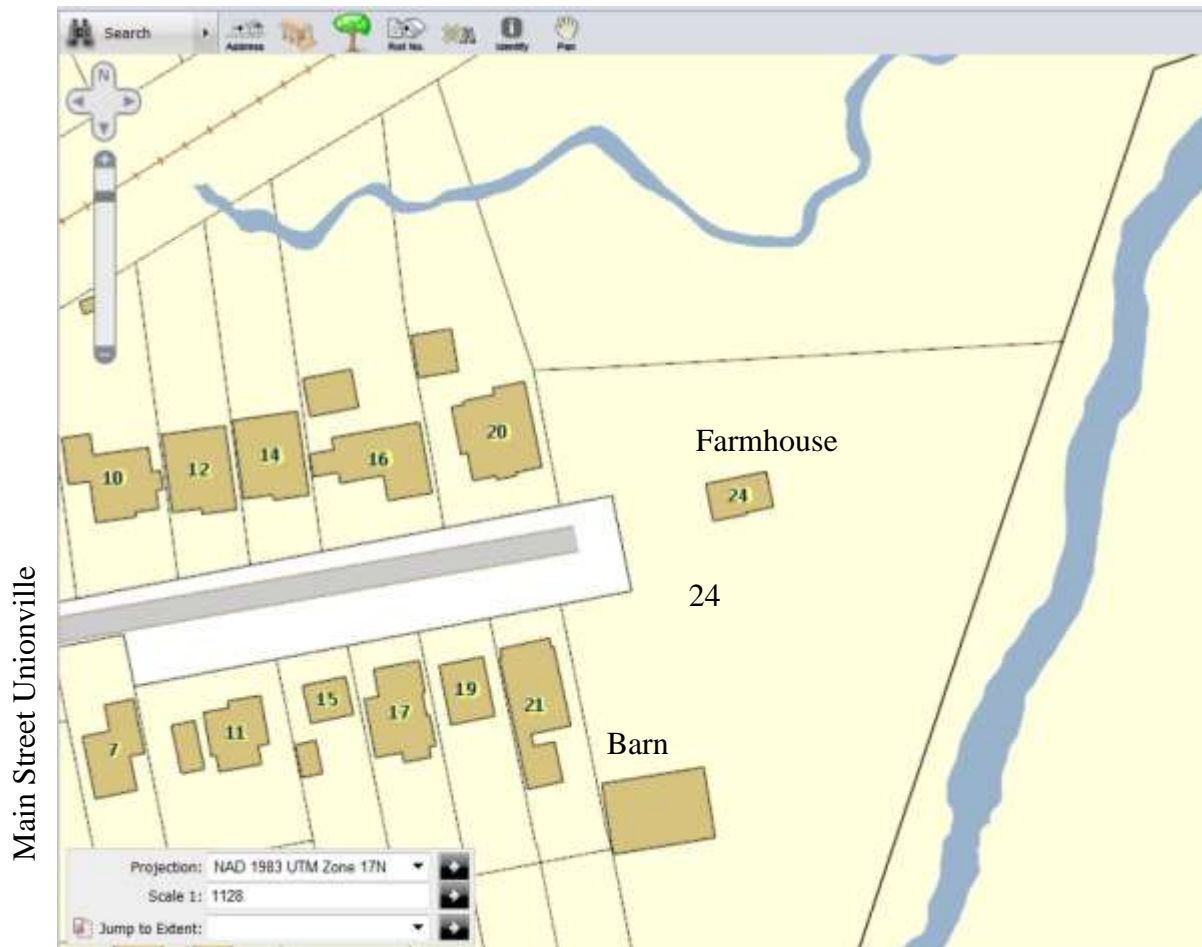


Figure 2:

Photograph of barn in 2004 (above) and in spring, 2015 (below).



HERITAGE MARKHAM EXTRACT

DATE: June 12, 2015
TO: R. Hutcheson, Manager of Heritage Planning
C. Bird, Acting Director, Building Standards
T. Boyko, Manager, Building Inspections

EXTRACT CONTAINING ITEM #12 OF THE SIXTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON JUNE 10, 2015.

12. Demolition Permit Application
24 Maple Lane
Barn Demolition (16.11)

File Number: 14 133286 DP

Extracts: R. Hutcheson, Manager of Heritage Planning
C. Bird, Acting Director, Building Standards
T. Boyko, Manager, Building Inspections

Templar Tsang-Trinaistich assumed the Chair for item # 12.

Barry Martin disclosed an interest with respect to Item # 12, 24 Maple Lane, by nature of having a business contract with the owner, and did not take part in the discussion of or vote on the question of the approval of this matter.

The Senior Heritage Planner provided background information on the efforts of the applicant to preserve the barn at 24 Maple Lane, its current condition, particularly the accelerating deterioration and instability of the foundation, and the status of the demolition permit. Staff explained the heritage significance of the barn, associated with the James Eckardt Tenant Farmer's House, and reviewed staffs' recommendation.

Jinli Ding, owner, explained that he purchased the property a year ago and he outlined his efforts to preserve the barn using a contractor; however, the barn is now in a dangerous state of disrepair, and he is concerned about liability.

The Committee discussed the history of the barn, insurance issues, financial assistance that may be available, the proximity of the wooden barn to other dwellings with respect to fire hazards, and the deteriorated state of the structure.

Due to the historic significance of the barn, the Committee supported deferring this matter to allow the applicant the opportunity to investigate other restoration quotations and insurance coverage options, and for staff to review ownership alternatives. It was noted that the timing of the Demolition Permit requires a Council decision in June unless the applicant agrees to extend the permit time. Another option is to explore whether the delegation of authority for the CAO to deal with matters over the summer is applicable given the process requirements of the Ontario

Heritage Act. The owner expressed concern for insurance coverage for the extended time period and the Committee suggested the applicant should seek legal advice in this regard.

The recommendation of the Committee will go forward to Council on June 16, 2015.

Heritage Markham Recommends:

That Heritage Markham recommends that the application for demolition of the barn at 24 Maple Lane be deferred for two months.

CARRIED