



Report to: Development Services Committee

Report Date: May 5, 2015

SUBJECT: Request for Demolition – Attached Non-Heritage Accessory Building/Garage
9900 Markham Road
File No. 15 151951 DP

PREPARED BY: George Duncan, Senior Heritage Planner ext. 2296
REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning ext. 2080

RECOMMENDATION:

- 1) THAT Council receive the report titled “Request for Demolition – Attached Non-Heritage Accessory Building/Garage, 9900 Markham Road, File No. 15 151951 DP.”
- 2) THAT Council endorse the demolition of the attached accessory building/garage at 9900 Markham Road subject to the owner removing the structure in a sensitive manner to avoid damage to the heritage building, and if any damage does occur or exposed openings are created by the removal of the addition, the owner address those issues to the satisfaction of the Manager, Heritage Planning.
- 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 an attached accessory building/garage at 9900 Markham Road, a property individually designated under Part IV of the *Ontario Heritage Act*.

BACKGROUND:

Owner of the property proposes to demolish an attached accessory building/garage

The owner of 9900 Markham Road has applied to demolish a non-heritage accessory building/garage addition on the south side of the William Clarry House, as requested by By-law Enforcement. The poor condition of the structure, as shown in Figure 2, is the reason for demolition. The heritage building, a brick house built c.1855, will remain in situ for future restoration as part of a proposed plan of subdivision.

The property is individually designated

As the property is designated under Part IV of the *Ontario Heritage Act* (By-law No. 2003-10), review by Heritage Markham is required and approval of Council is necessary to permit the demolition of the accessory building/garage. Heritage Markham reviewed the request for demolition of the building on April 8, 2015 and had no objection.

OPTIONS/ DISCUSSION:

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

Although the addition to the subject building is not considered to possess cultural heritage value, it is located on a property that is individually designated under Part IV of the *Ontario Heritage Act*. According to Section 34(1) of the *Act*, an owner is required to obtain consent in writing from the municipality to:

1. demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure .

The Act allows a municipality to delegate its power to grant consent for the alteration of an individually designated property to an employee or official of the municipality. Markham Council has approved a by-law delegating its power for the approval of alterations to the Manager of Heritage Planning.

City Legal staff has determined that delegation of authority to staff to approve “alterations” does not include the authority to consider applications for demolition; therefore all applications for demolition of any structure or part of a building or structure, whether of cultural heritage value or not, must be considered by Council.

The proposed demolition of the building can be supported

A review of the application by the Heritage Markham committee and Heritage Section staff has determined that the accessory building/garage has no cultural heritage value and that demolition can be supported. The demolition application is only for the accessory building/garage and does not include any portion of the heritage building. Given the garage is attached to the heritage building, staff will ensure that upon removal of the garage, any exposed openings and any damage to the heritage building fabric will be addressed by the owners.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

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:

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


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

ATTACHMENTS:

Figure 1: Location Map
Figure 2: Photo of Building
Appendix 'A' Heritage Markham Extract

FILE PATH: q:\development\heritage\property\markhmr\9900\dscmay52015.doc

Figure 1:**APPLICANT:**

David Sun, CEO Assistant
CIM Development
9140 Leslie Street, Unit 310
Richmond Hill ON L4B 0A9

Email – david.sun@cimdep.com

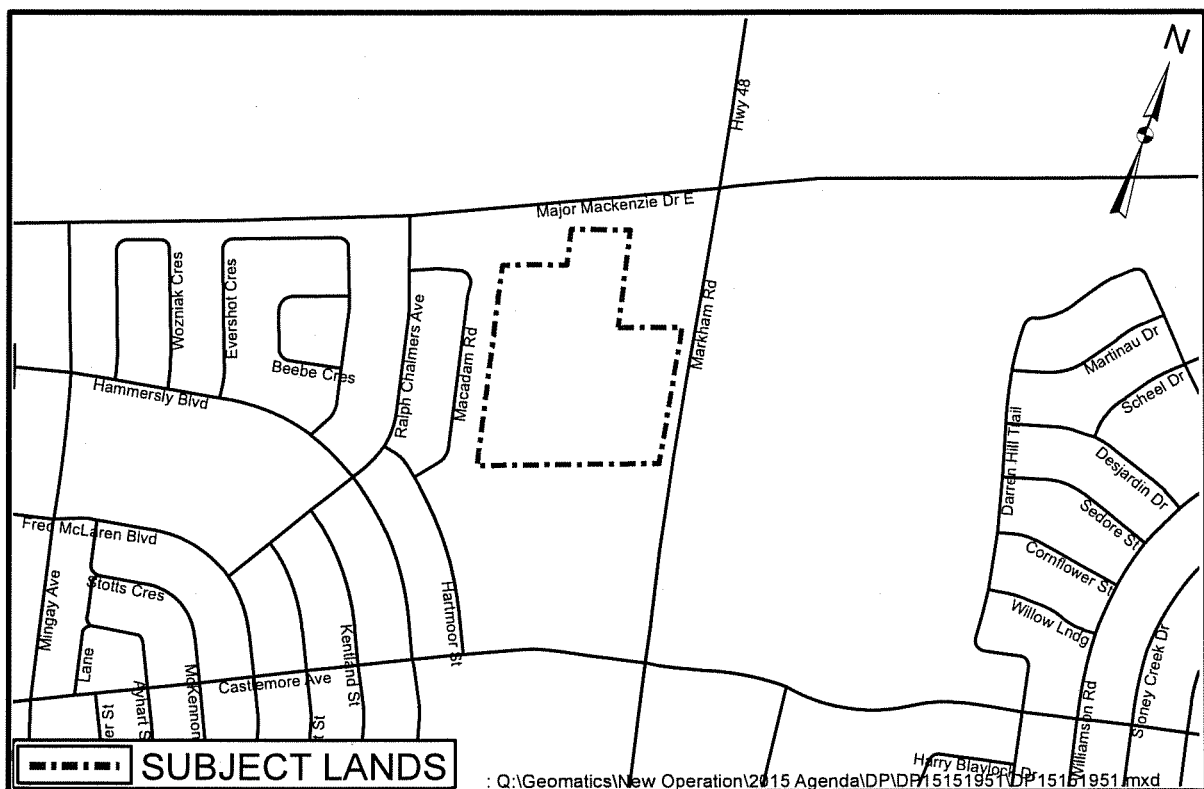
LOCATION MAP;

Figure 2:

“The William Clarry House, c.1855”

Showing attached accessory building/garage to be demolished



HERITAGE MARKHAM
EXTRACT

DATE: April 13, 2015
TO: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM #17 OF THE FOURTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON APRIL 8, 2015.

17. **New Business**
Demolition of Garage and Sheds
William Clarry House, 9900 Markham Road (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
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David Johnston disclosed an interest with respect to Item # 17, New Business for the William Clarry House, by nature of being the Architect for the project, and did not take part in the discussion of or vote on the question of the approval of this matter.

The Senior Heritage Planner advised that By-law Enforcement has requested the owner to clean up the property by removing derelict sheds and an attached garage. The heritage dwelling will remain. In response to questions from the Committee, David Johnson provided information on the intended development and use of the property.

Heritage Markham Recommends:

That Heritage Markham has no objection to the demolition of the garage and two sheds at 9900 Markham Road.

CARRIED