



Report to: Development Services Committee

Report Date: April 23, 2013

SUBJECT: Demolition Permit Application
26 Albert Street
Markham Village Heritage Conservation District
Michael Crabtree (Owner)

PREPARED BY: Regan Hutcheson, Manager, Heritage Planning, ext 2080

RECOMMENDATION:

- 1) That the staff report entitled “Demolition Permit Application, 26 Albert Street, Markham Village Heritage Conservation District, Michael Crabtree (Owner)”, dated April 23, 2013, be received
- 2) That the Demolition Permit application for the James Campbell House at 26 Albert Street be denied for the following reasons:
 - The James Campbell House has historical, architectural and contextual significance within the Markham Village Heritage Conservation District;
 - The owner has contractual obligations with the City of Markham through a Site Plan Agreement and a Heritage Easement Agreement to retain and restore the James Campbell House as part of the property’s redevelopment;
 - The City has demonstrated flexibility by permitting the dwelling to be relocated on the site and its conversion to a garage;
 - The approval of a demolition permit in this case would legitimize the concept of demolition by neglect and
 - The preservation of authentic heritage resources within the Albert Street context is necessary to maintain the unique and special heritage character of the neighbourhood.
- 3) That the owner be required to comply with the conditions of the Site Plan Agreement and Heritage Conservation Easement. The City may utilize its authority under the Site Plan Agreement and the Heritage Easement Agreement, if necessary, to implement the restoration obligations associated with the heritage building; and
- 4) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To recommend that the demolition permit application for a heritage building located at 26 Albert Street in Markham Village be refused.

BACKGROUND:

Dwelling built c.1865 is located in the Markham Village Heritage District

The dwelling located at 26 Albert Street is a 1½-storey frame structure constructed c.1865 and is known historically as “The James Campbell House” for the original occupant of the home.

The dwelling was built with the influence of the Georgian Style and is believed to have been constructed as a rental property by leading Markham businessman John Jerman in

the mid-19th Century. James Campbell, the original occupant of the house, was a shoemaker who lived in the house with his wife Sarah and their ten children from 1865 to 1891.

The dwelling is listed as an 'A' building in the Markham Village Heritage Conservation District Plan signifying that it possesses historical or architectural value.

The building located at the corner of Albert and Edward Streets in Markham Village is a visible and prominent building in one of the most intact heritage residential neighbourhoods in Markham.

The structure is currently vacant and in a deteriorating condition.

There have been a number of attempts to have this building demolished

Since the early 1990s, there has been interest on the part of a series of property owners to remove the heritage dwelling from this property and replace it with new residential development. The building has survived all of these demolition attempts. A brief summary is provided in Appendix "B".

The heritage dwelling is to be converted into a garage feature as part of a site plan approval application

A Site Plan Control Application was made in 2008 by the previous owner. This former owner also obtained variances through the Committee of Adjustment in 2009 to permit the house to be moved a short distance on site and converted to a garage. These variances were appealed by another previous owner to the OMB which dismissed the appeal after a hearing.

The property with the proposed development application underway was later sold to the current owner, who in 2010, entered into a Site Plan Agreement with the Town of Markham. The agreement contained detailed conditions regarding the preservation of the heritage building and its conversion to a garage in association with the proposed new dwelling. See Appendix 'F' for the approved drawings.

The current owner entered into a Heritage Conservation Easement Agreement with the Town of Markham in 2010, in accordance with the conditions of the variance approvals through the Committee of Adjustment.

At the time of the processing of the Building Permit to implement the Site Plan, Building Department staff noted that the working drawings did not provide for the conversion of the heritage house to a garage; rather it showed conventional construction details, which indicated that a new garage was to be built. The garage was therefore not included with the approval of the Building Permit for the new house. In the spirit of co-operation and good faith, Town staff allowed the Building Permit to proceed and the owner was asked to provide updated structural drawings that would reflect the actual structure of the heritage building as a garage and how the garage doors were to be introduced. These were never provided.

Recent activity on the propertyFinancial Assistance

In May 2010, Council approved a \$2,500 Designated Heritage Property Grant for restoration work on the heritage building for the current owner. The owner identified in his application that he had two quotes for the foundation and restoration work: H2O Developments - \$89,280 and Ryan Construction- \$71,300. Therefore, the owner was aware of the magnitude of the garage project in early 2010 when he purchased the property. The owner has not pursued this assistance.

Restoration Work

The owner has not provided the updated structural drawings for the heritage building requested by the City or undertaken any restoration work on the vacant building. However, the new dwelling has been constructed and is occupied.

Structural Condition

The owner has discussed with staff, on several occasions, his concerns about the structural integrity of the heritage building and the cost of moving it, converting it to a garage, and restoring it. He commissioned an Engineer's report to support his position of wishing to demolish the dwelling. The report identified a number of issues with the building, and recommended that due to the cost and extent of the required repairs, that the building be replaced with new construction (attached as Appendix 'A').

Building Department staff was permitted entry to the building and conducted an inspection that generally confirmed the findings of the owner's consultant report. The Chief Building Official has indicated that the parts of the structure and external fabric which is proposed to be reused as the garage could be rehabilitated. Complete restoration would likely involve significant construction, repair and expense (attached as Appendix 'B').

Property Standards

In previous years, Property Standards staff initiated two investigations (2005, 2007) into the declining state of the building and did lay charges. In both instances, the previous owner indicated that they were working with the municipality to find a solution to the issues and the property standard matters were put on hold. In response to a Property Standards investigation initiated in 2012, the current owner has applied for a demolition permit application.

Site Visits

A site visit was organized to allow Heritage Markham members the opportunity to visit the property and view the conditions of the building. This occurred on March 6, 2013.

A member of the Heritage Markham Committee offered to arrange a site visit by Johnston House Movers to assess the building, its relocation and the associate costs. This visit occurred on April 2, 2013. A letter provided by the company identified the relocation cost at \$26,555.00.

Heritage Markham has recommended that the demolition permit be denied

At its meeting of April 10, 2013, the Heritage Markham Committee recommended to Council that the demolition permit not be supported and that the owner comply with the City's restoration requirements and obligations. The full Heritage Markham recommendation is attached as Appendix 'G'.

OPTIONS/ DISCUSSION:**James Campbell House is a significant heritage building**

The James Campbell House at 148 years old is a significant example of a vernacular worker's cottage and one of the oldest buildings remaining in Markham Village. The overall historic character of the house is largely intact and although the house has not been adequately maintained in recent years, the building appears to be in no worse a condition than a number of other vernacular heritage buildings, which have been successfully rehabilitated in Markham.

On-going "demolition by neglect"

The building has been in poor shape for many years due to the lack of maintenance by successive owners. The condition of the heritage building has continued to deteriorate since Site Plan Approval in 2010, with no restoration work or substantive repairs having been undertaken by the current owner. Deterioration has been allowed to continue.

The City should not condone allowing buildings to deteriorate through neglect in order to later argue that the building should be demolished due to their poor condition.

The owner has contractual responsibilities with the City

The current owner entered into a **site plan agreement** with the City of Markham for a new dwelling on the condition of retaining, converting and restoring the existing dwelling as a garage. The owner has built the new dwelling, but has not addressed the obligations associated with the heritage building. The City continues to hold an \$18,200 financial security related to the construction of the new dwelling and restoration of the former dwelling. The security is comprised of \$8,200 to ensure construction as per approved drawings and \$10,000 to protect the heritage building.

The current owner entered into a **Heritage Easement Agreement** with the City in March 2010 which provides additional protection for the heritage building. The Agreement includes the approved site plan drawings indicating that this work can be undertaken and makes the City party to the Agreement.

The City can enforce its Agreements

The Legal Department indicates that the Planning Act states explicitly that section 446 of the Municipal Act applies to site plan agreements, and that the municipality can enforce them. The municipality can go onto the property, complete the necessary work as required by the agreement and levy those costs against the tax bill of the property owner. Section 446 also permits the collection of interest at 15% calculated for the period commencing on the day the municipality incurs the costs and ending on the day the costs, including interest, are paid in full.

The Ontario Heritage Act states that municipalities may enforce easement agreements and enter property to do so.

The Heritage Easement Agreement indicates that the “owner shall at all times maintain the Building in as good and as sound a state of repair as a prudent owner would normally do, so that no deterioration in the Building’s condition and appearance shall take place including, without limiting the generality of the foregoing, taking all reasonable measures to secure and protect the Building from vandalism, fire and damage from inclement weather”.

If the owner breaches the Agreement’s obligations, the municipality in its sole discretion can serve notice on the owner of the obligation and if after 30 days the work has not been addressed, the City can undertake the work and be reimbursed by the owner.

The Agreement also indicates that the failure of the City at any time to require performance by the owner in no way affects its right to enforce such obligations.

As to the issue of the owner obtaining a demolition permit, under the Act, the City is entitled to enforce the easement and it prevails in the instance of a conflict with an application to alter or demolish under section 33 or 34.

37 (3) Where an easement or covenant is registered against real property under subsection (2), such easement or covenant shall run with the real property and the council of the municipality may enforce such easement or covenant, whether positive or negative in nature, against the owner or any subsequent owners of the real property, and the council of the municipality may enforce such easement or covenant even where it owns no other land which would be accommodated or benefited by such easement or covenant.

...

(5) Where there is a conflict between an easement or covenant entered into by a council of a municipality under subsection (1) and section 33 or 34, the easement or covenant shall prevail.

Neighbourhood Concerns

Many in the neighbourhood are concerned about the condition of the property and its ongoing deterioration. If Council denies the demolition permit and if the owner refuses to undertake the necessary repairs and improvements, the municipality can step in and undertake this work (as previously mentioned under "enforcement of agreements"). The municipality could repair the exterior and sill improving the conditions for the neighbours.

Condition of the heritage building and future foundation treatment

Given that the building is 148 years old with little to no maintenance undertaken in the last two decades, the building is still in remarkable shape. The applicant’s engineering

letter from E7 Engineering is an assessment of the current condition and does not appear to take into account that much of the interior of the building will have to be rebuilt or further stabilized as part of the conversion and relocation of the building as a garage. Markham's Chief Building Official has indicated that there are issues, but that the structure and external fabric can be rehabilitated.

The owner has also raised the issue of cost associated with a foundation versus a concrete pad. The Manager, Plans Review of the Building Department was consulted and noted that if the building is less than 55 sq m in size and 1 storey, a concrete pad can be used. If the building is larger in size or has a second storey, a concrete pad could still be used subject to a structural engineer confirming that where the walls meet the pad, this area is enhanced to address any transfer of load from a second storey. The current building has a footprint of approximately 60 sq m in size and staff would be willing to work with the applicant to allow the use of a pad rather than a foundation.

Owners concerns relate to the cost of the project

The current owner has estimated that the relocation and rehabilitation/restoration costs associated with converting the building to a garage would be over \$100,000. He would prefer to replicate the building as a purpose-built garage at a cost of \$30-40,000 including approximately \$5,000 in demolition costs. However, the owner was aware of the magnitude of the cost of this project as far back as the Spring of 2010 when he provided the City with two quotes ranging from \$71,000 to \$90,000 for the work as part of his grant application.

The owner has indicated that if he cannot secure a demolition permit and is required by Council to retain the building, he would not convert it to a garage, but instead restore it as a storage shed. If this were to be pursued, the site plan would need to be revised and a variance obtained for an accessory building in a front yard (given that Albert Street is the legal frontage of the property even though the house faces onto Edward Street). As per the fee By-law, the variance fees can be waived given it is required to achieve a heritage objective. There may be also the opportunity to connect it to the new dwelling and use the former dwelling as residential space.

Markham has required other significant dwellings to be retained and adaptively re-used

In order to preserve heritage dwellings and historic streetscapes, Heritage Markham and Markham Council have successfully worked with a number of other property owners on dwelling to garage conversion projects. Each of these required substantial commitment and expense by the owner:

- **31 Colborne Street, Thornhill** – the existing heritage dwelling was retained along the streetscape with a new dwelling unit constructed to the rear. The existing dwelling unit was shortened in length to allow driveway access. Window and door locations were also modified as required to ensure the symmetry of the building façade. Garage doors were added on the west side. See Appendix 'C'.

- **260 Main Street, Unionville-** the existing dwelling was retained in front of a new dwelling and it was converted to a 2 car garage. The former dwelling is an important reminder on the streetscape of the former worker's cottages that once occupied this area adjacent to Toogood Pond. The applicant also had structural issues which had to be overcome very similar to the 26 Albert Street situation and indicated that his overall project costs were approximately \$70,000. See Appendix 'D'.

Loss of a Heritage Resource

The potential loss of this heritage resource would be a regrettable outcome given the considerable time and effort expended on the part of Heritage Markham members, Council and staff over the last 20 years, and in light of the significance of the James Campbell House, one of the oldest and most original heritage buildings remaining in Markham Village.

Since the mid 1990s, Markham has approved a number of applications for expansion of the existing residential buildings and new infill buildings in the Edward Street/Albert Street neighbourhood. The changes that have taken place in the neighbourhood, although reviewed by Heritage Markham have brought about a decline in the percentage of true heritage building stock compared with new construction in the neighbourhood. It has become apparent that in order to maintain the unique and special heritage character of the neighbourhood, it is important to retain **authentic** heritage buildings on the street. The house at 26 Albert Street, as a corner building, is highly visible and its removal would bring about an obvious depreciation in the heritage character of the neighbourhood. The house should be preserved as a Markham Village landmark for future generations.

Decision of Council within 90 days

As per the Ontario Heritage Act, Council must make a decision on the demolition permit within 90 days after notice of receipt is served on the applicant (or within such longer period as is agreed upon by the applicant and Council). The deadline for a decision is May 7, 2013 which means this matter would need to be before Council on **April 30, 2013**.

Recommendation

It is recommended that the Demolition Permit application for the James Campbell House at 26 Albert Street be denied for the following reasons:

- The James Campbell House has historical, architectural and contextual significance within the Markham Village Heritage Conservation District;
- The owner has contractual obligations with the City of Markham through a Site Plan Agreement and a Heritage Easement Agreement to retain and restore the James Campbell House as part of the property's redevelopment;
- The City has demonstrated flexibility by permitting the dwelling to be relocated on the site and its conversion to a garage;
- The approval of a demolition permit in this case would legitimize the concept of demolition by neglect; and

- The preservation of authentic heritage resources within the Albert Street context is necessary to maintain the unique and special heritage character of the neighbourhood.

Further it is recommended that the City require the owner to comply with the conditions of the Site Plan Agreement and Heritage Conservation Easement. If not successful, the City may utilize its authority under the Site Plan Agreement and the Heritage Easement Agreement to implement the restoration obligations associated with the heritage building.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not Applicable

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

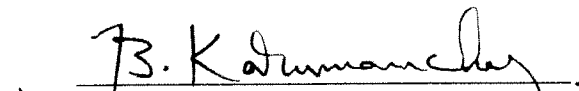
Managed Growth - The protection and preservation of heritage properties of cultural heritage significance is an important component of the City's Growth Management program.

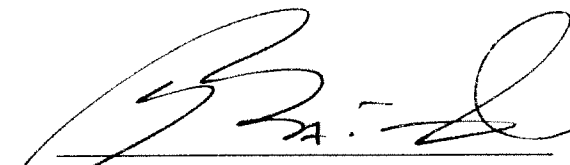
Environment- The preservation of a building, rather than its demolition, will diminish the amount of demolition debris going into landfill sites and is a sustainable approach that will recycle an existing structure for continued use.

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Department, Building Standards, and the Heritage Markham Committee have provided comment on this application.

RECOMMENDED BY:


Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning and Urban Design


James Baird, M.C.I.P., R.P.P.
Commissioner of Development Service

ATTACHMENTS:

Figure 1 Map
Figure 2 Photos of Property 1994-2013

Appendix 'A'	Site Plan Approval Drawings – April 2010
Appendix 'B'	Brief Chronology of Demolition Requests
Appendix 'C'	31 Colborne Street Garage Conversion Project
Appendix 'D'	260 Main Street Unionville Garage Conversion Project
Appendix 'E'	Engineering Letter – E7 Engineering (C.K. Evans)
Appendix 'F'	Comments on Structure by Chief Building Official
Appendix 'G'	Heritage Markham Extract from April 10, 2013

FIGURE 1

FILE PATH: Q:\Development\Heritage\PROPERTY\ALBERT\26\DSC Report April 23 2013 demo.doc

OWNER/APPLICANT

Michael Crabtree (Owner)
26 Albert Street
Markham, ON

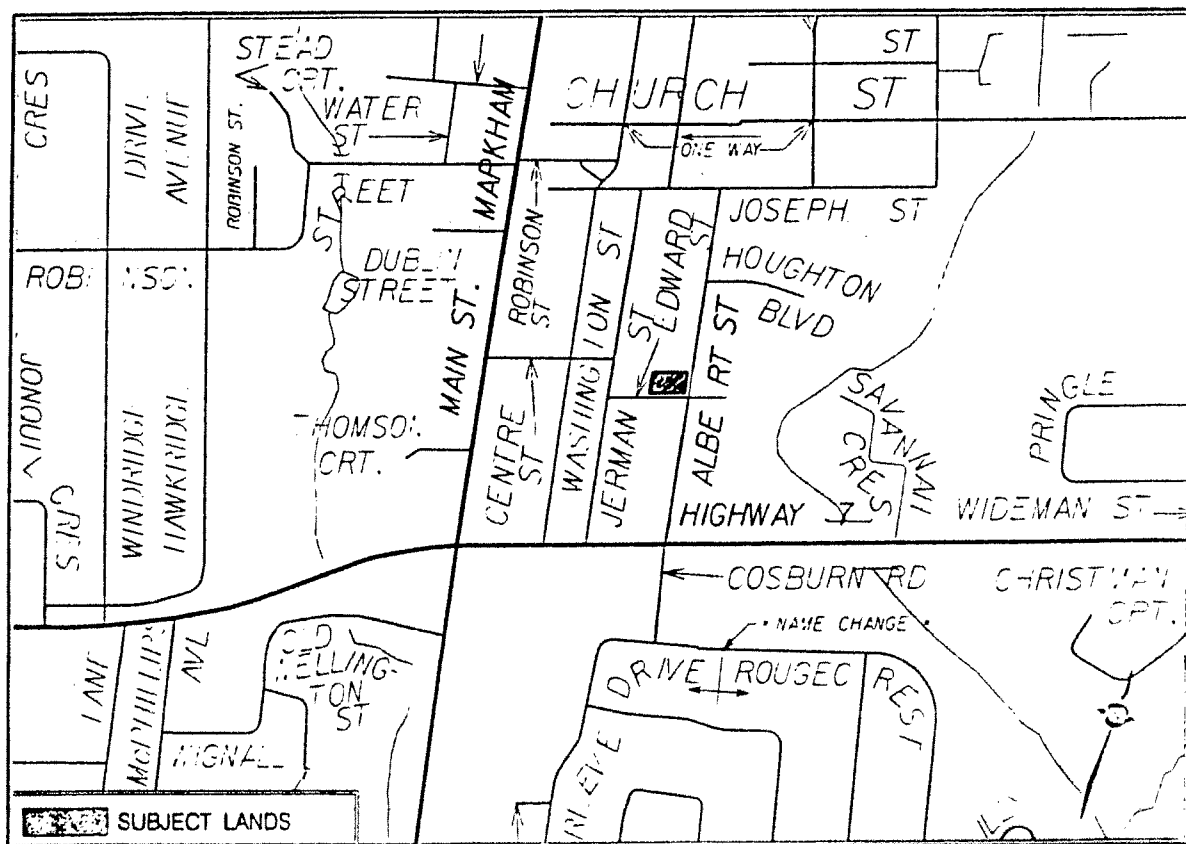
LOCATION MAP

FIGURE 2
Photos of Property 1994-2013

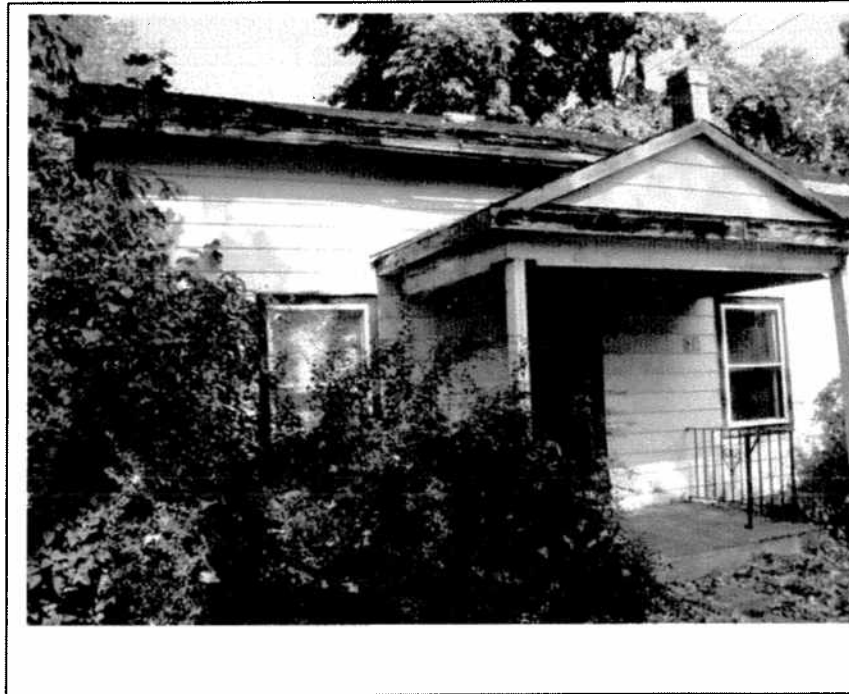
James Campbell House
Date: 1994 – Front Elevation



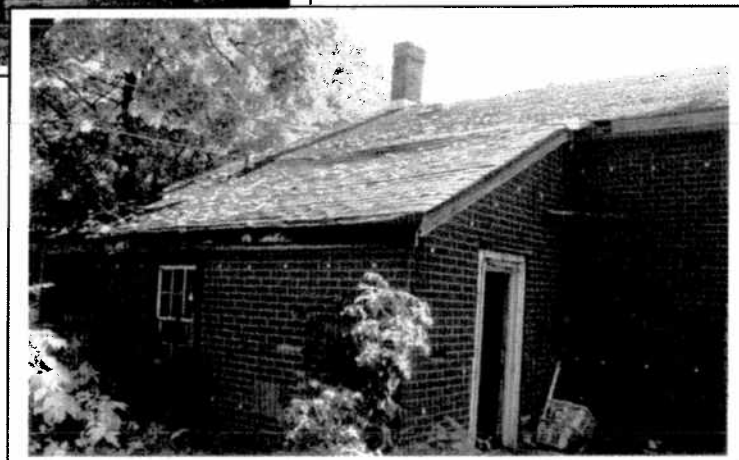
James Campbell House
Date: March 2004 – Front Elevation



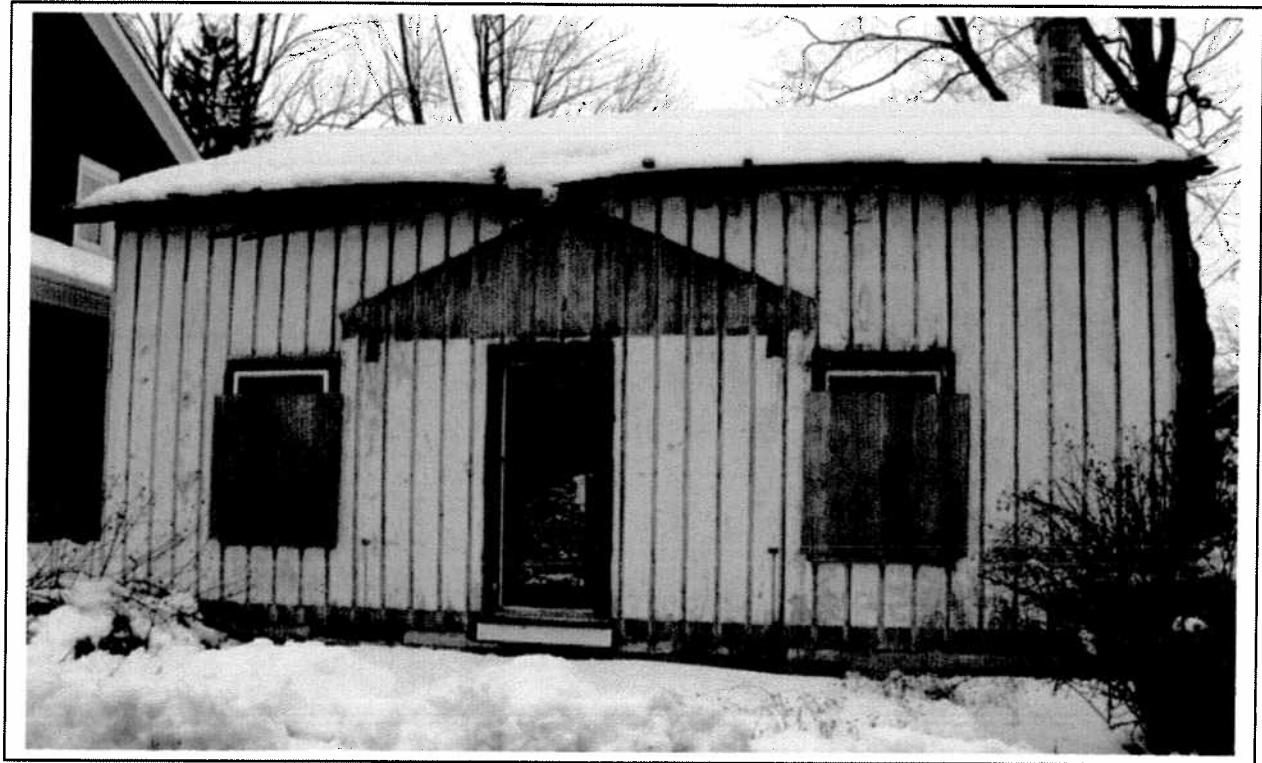
James Campbell House
Date: 2007- Front Elevation



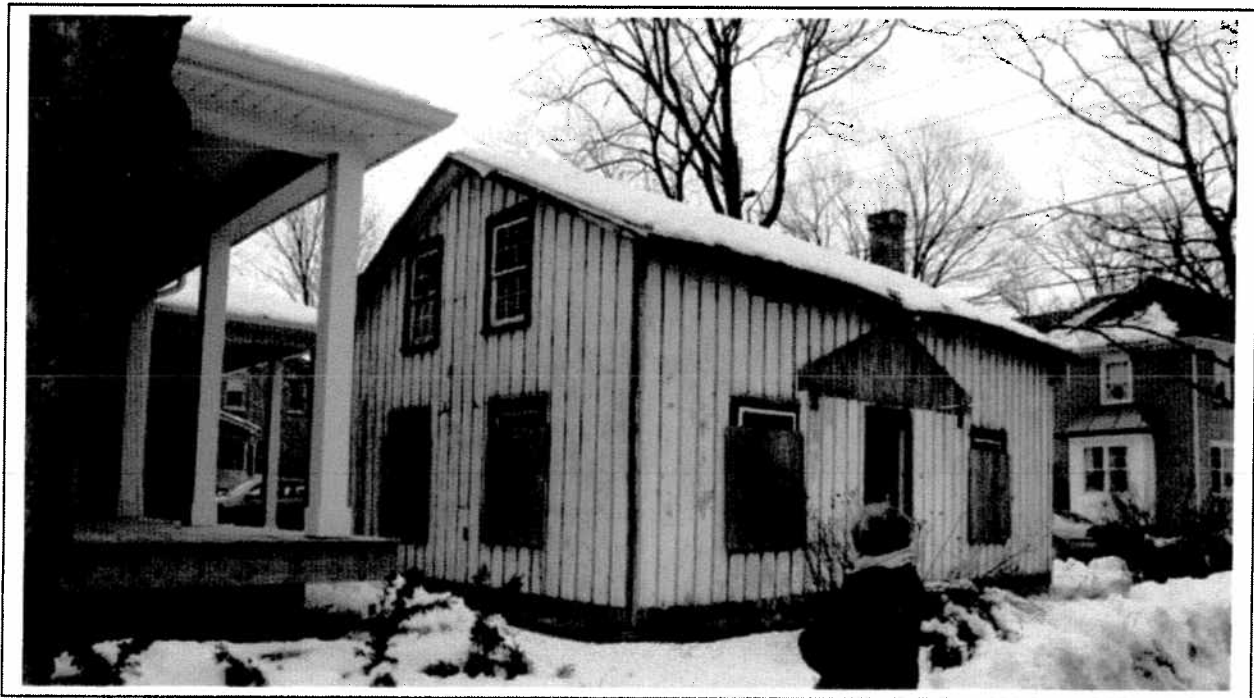
Date: 2007- Aluminum Siding Removed, Exposed Insulbrick- Front and Rear Elevations



Date: March 2013 – Front Elevation



West and Front Elevations



Date: March 2013- Foundation



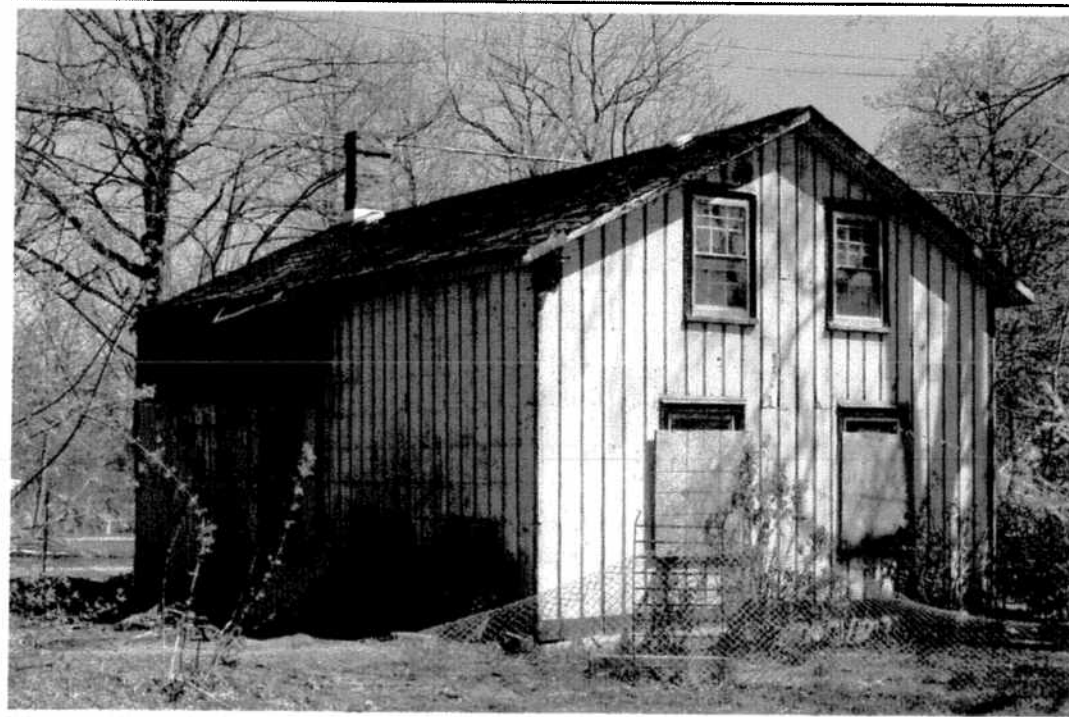
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James Campbell House

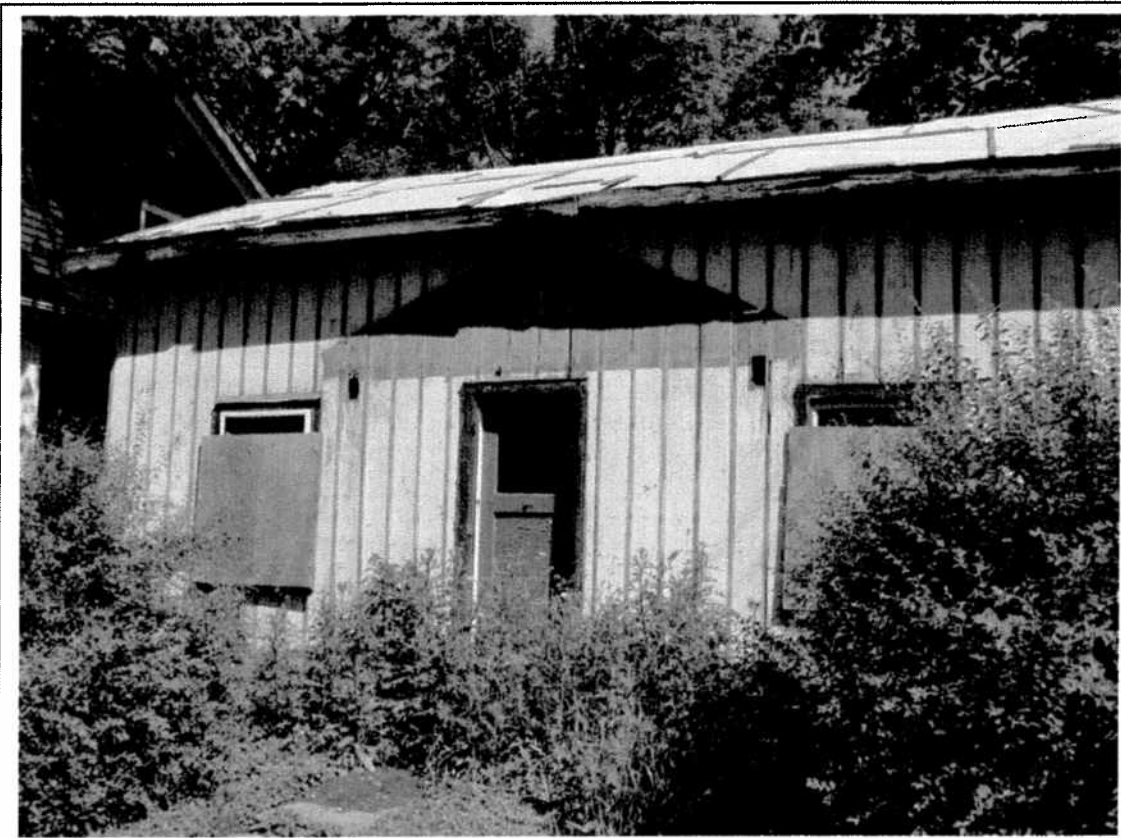
Date: 2010 – Front Elevation- Porch and Rear Addition removed



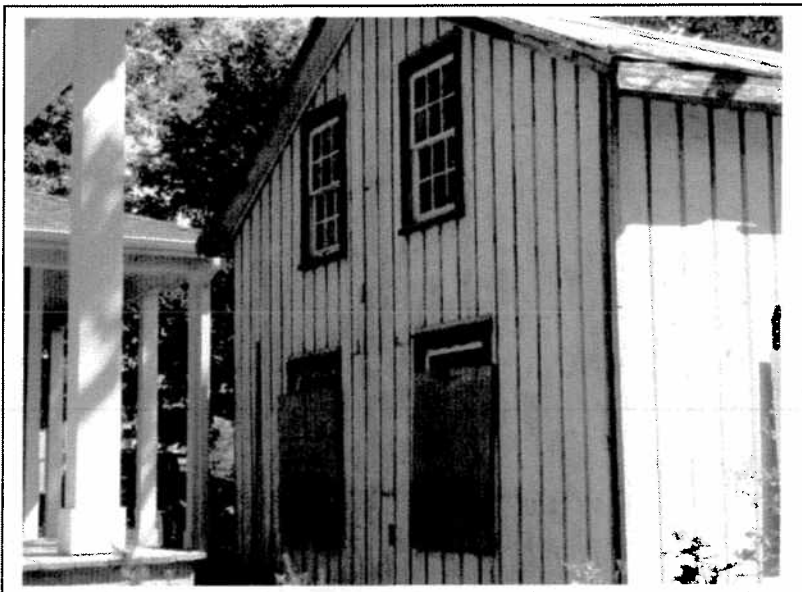
Rear Elevation



Date: June 2012 – Front Elevation



West Elevation



Heritage Planning Note:
Limit height to 9 feet if technically possible, keeping the original height of the heritage house and adding a raised, stone-faced foundation to achieve necessary wall height.

[illegible]

Plans approved in accordance with site plan agreement dated: April 15, 2010

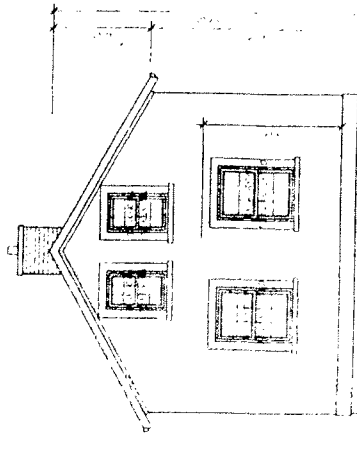
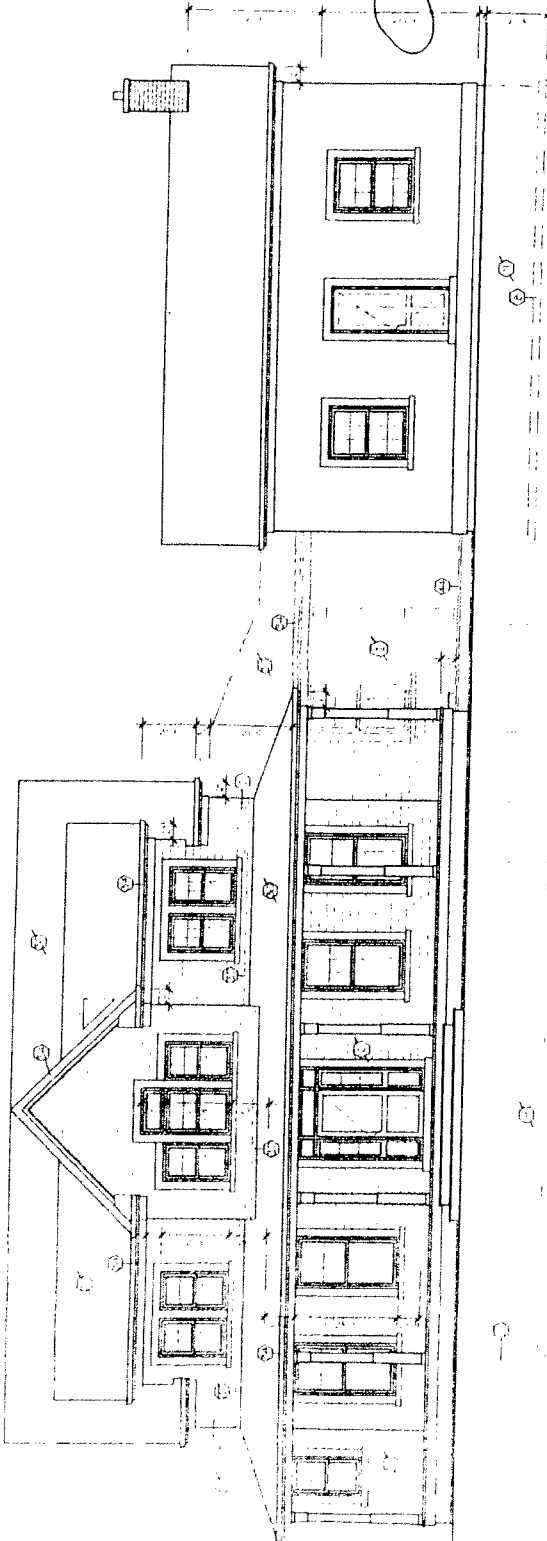
Date: April 20 / 2010

Signature: B. K. Grewal
Director of Planning and Urban Design

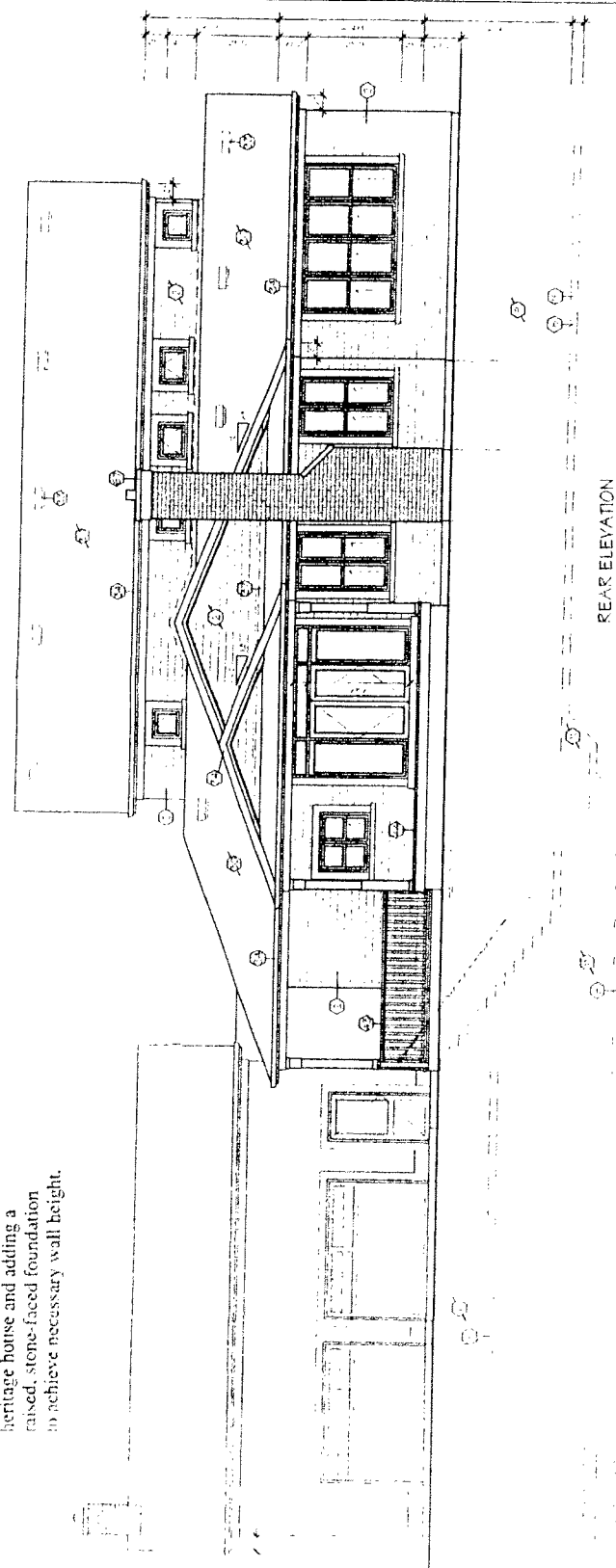
2. *Phragmites australis* (Cav.) Trin. ex Steud.

- [illegible]

FRONT ELEVATION

[illegible]

Heritage Planning Note:
Limit height to 9 feet if
technically possible, keeping
the original height of the
heritage house and adding a
raised, stone-faced foundation
to achieve necessary wall height.



REAR ELEVATION

Plans approved in accordance with site plan
agreement dated: April 15, 2010

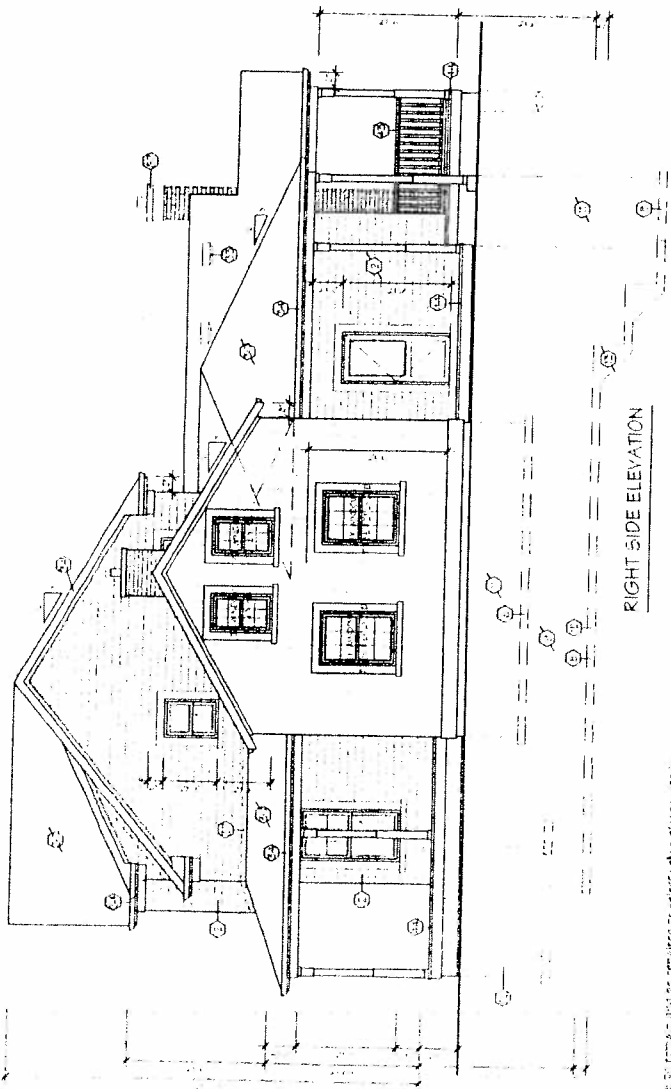
Date: April 20, 2010

Signature: B. K. Korman
Director of Planning and Urban Design

DESIGN NOTES: ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CANADIAN NATIONAL BUILDING CODE. THE DESIGNER HAS ASSUMED RESPONSIBILITY FOR THE DESIGN OF THE BUILDING. THE DESIGNER HAS ASSUMED RESPONSIBILITY FOR THE DESIGN OF THE BUILDING. THE DESIGNER HAS ASSUMED RESPONSIBILITY FOR THE DESIGN OF THE BUILDING. THE DESIGNER HAS ASSUMED RESPONSIBILITY FOR THE DESIGN OF THE BUILDING.	PREPARED BY: [blank] DATE: [blank]	SITE PLAN SHOWING 26 ALBERT STREET TOWN OF MARKHAM	THE GREGORY DESIGN GROUP	1/8" = 1' - 0" 04/20/10	1314-09	A-6
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GENERAL NOTES: 1. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF MARNHAM STANDARD SPECIFICATIONS. 2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. 3. THESE DRAWINGS ARE FOR INFORMATION ONLY AND DO NOT CONSTITUTE A CONTRACT. 4. THE DESIGNER ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED.		DATE: 04/15/2010 BY: [Signature]	
PROJECT: 26 ALBERT STREET TOWN OF MARNHAM		THE GREGORY DESIGN GROUP	
SITE PLAN SHOWING 26 ALBERT STREET TOWN OF MARNHAM		DATE: 04/15/2010 BY: [Signature]	
DATE: 04/15/2010 BY: [Signature]		DATE: 04/15/2010 BY: [Signature]	

A APPENDIX A



RIGHT SIDE ELEVATION

Plans approved in accordance with site plan agreement dated: April 15, 2010
 Date: April 20, 2010
 Signature: B. Karmann
 Director of Planning and Urban Design

1. The building shall be constructed in accordance with the Town of Marnham Standard Specifications and the applicable building codes.
 2. The building shall be constructed in accordance with the Town of Marnham Standard Specifications and the applicable building codes.
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 9. The building shall be constructed in accordance with the Town of Marnham Standard Specifications and the applicable building codes.
 10. The building shall be constructed in accordance with the Town of Marnham Standard Specifications and the applicable building codes.

APPENDIX B Demolition Requests

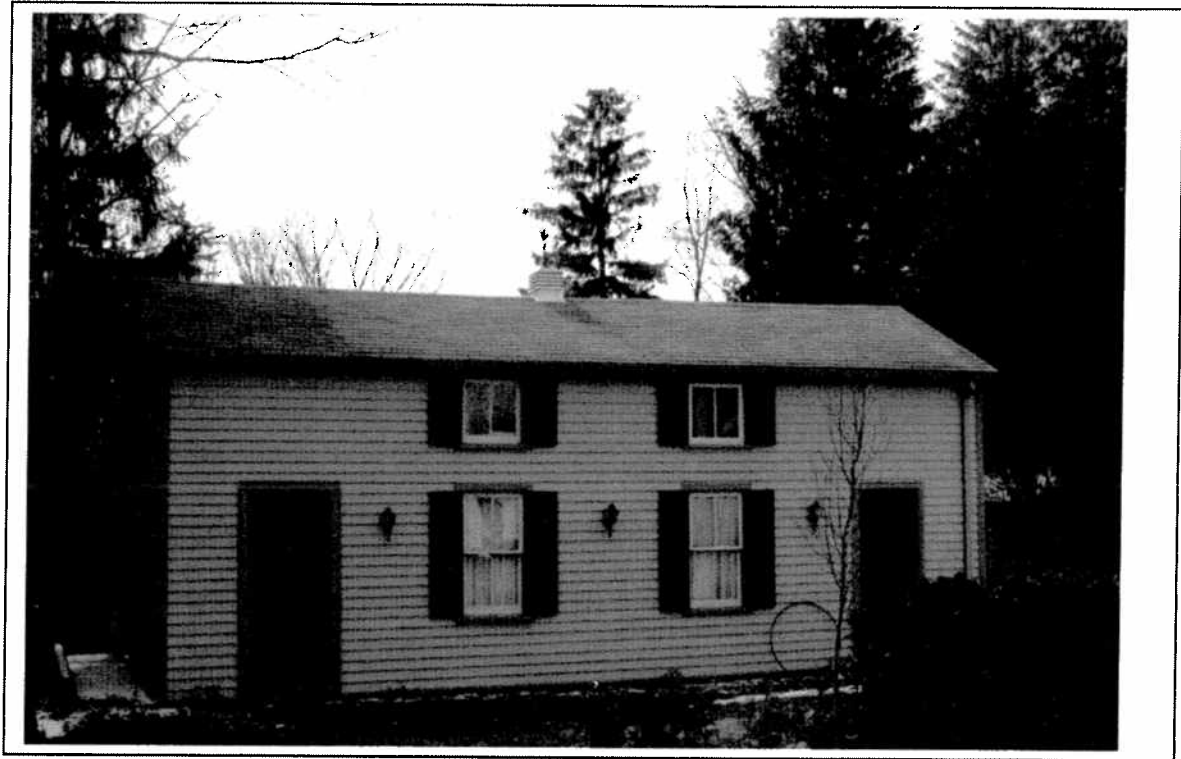
26 Albert Street

Since the early 1990s, there has been interest on the part of a series of property owners to remove the heritage dwelling from this property and replace it with new residential development. A brief summary is provided below:

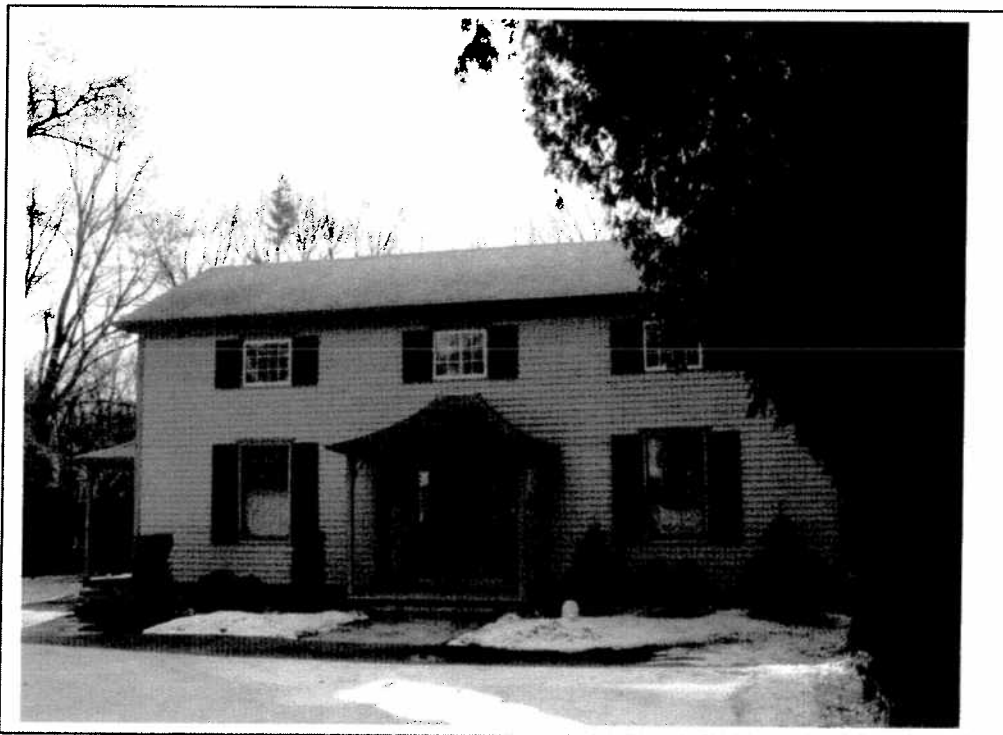
- Heritage Markham received a request to demolish the building in 1993, 1994 and 1995. In 1995, Heritage Markham and Council agreed to the demolition of the dwelling subject to conditions, including advertising and obtaining site plan approval for a new dwelling. The owner never fulfilled the conditions and a demolition permit was never issued.
- The owner submitted a new application for demolition in 2001, but again it was not issued as the conditions had not been fulfilled.
- In September 2002, Heritage Markham officially asked Council to rescind its support for demolition. For the next few months staff worked with the owner and developed 5 options for redevelopment of the property which retained the dwelling. Meetings were held with the CAO and the Commissioner of Development Services on these issues.
- On March 18, 2003, Council rescinded its resolution of June 1995 regarding the demolition of the dwelling and denied the current demolition application.
- In 2004, Heritage Markham was asked to reconsider demolition. Committee affirmed that dwelling to be retained, restored and incorporated into new dwelling.
- In 2005, Heritage Markham requested Town staff investigate the deteriorating conditions of the dwelling. After inspection, a Property Standards Order was issued by the Town.
- In 2007, an application for demolition was submitted by new owner and was not supported. Council asked the owner to work with staff to assess the building; permitted the removal of the aluminium siding, front porch and rear addition; and explore how the building could be re-used including as a garage with a new dwelling elsewhere on the property.
- In June 2009, the owner again indicated he wanted to demolish the house and not use it as a converted garage. The owner was concerned about the poor condition of the building. Staff indicated that many of the issues would be addressed by the changes needed to convert the interior to a garage.
- The vacant dwelling continued to deteriorate and was a focus of concern in the neighbourhood. Staff proposed that a potential solution for the development of the property was to convert the small heritage house to a garage that would serve a new residence built in accordance with the Markham Village Conservation District Plan.

**31 Colborne Street
Thornhill Heritage Conservation District
Garage Conversion**

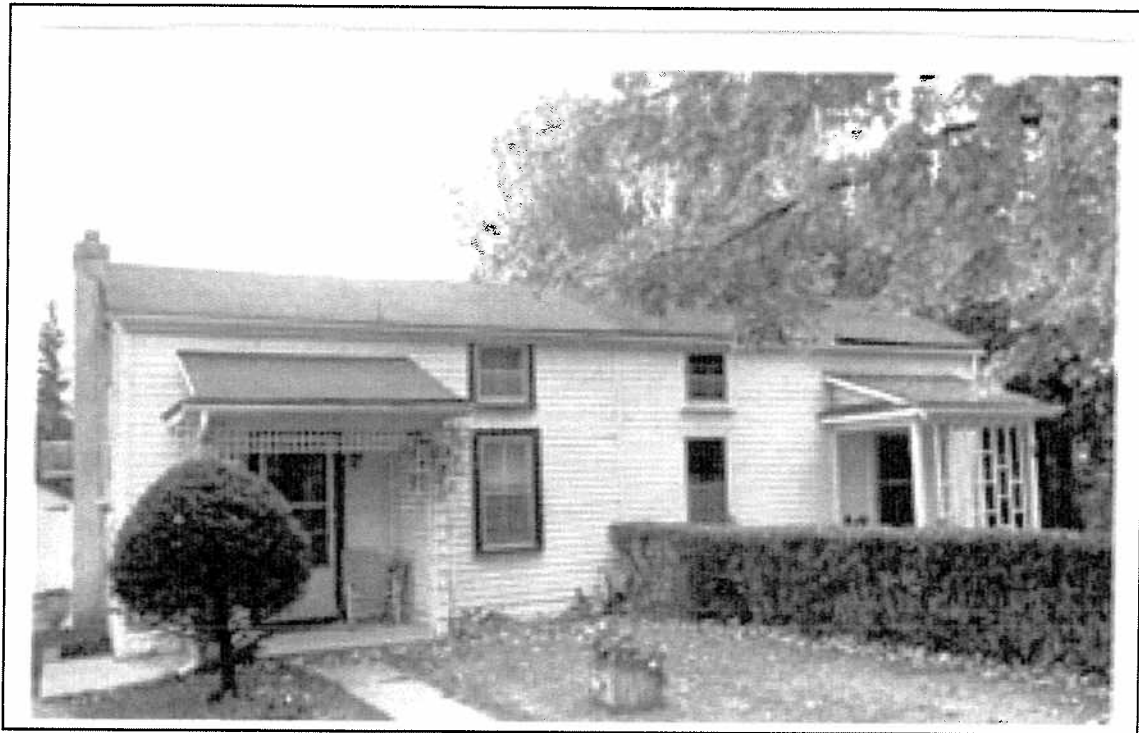
APPENDIX C



Above: Double House converted to a garage Below: New Dwelling constructed behind



APPENDIX C



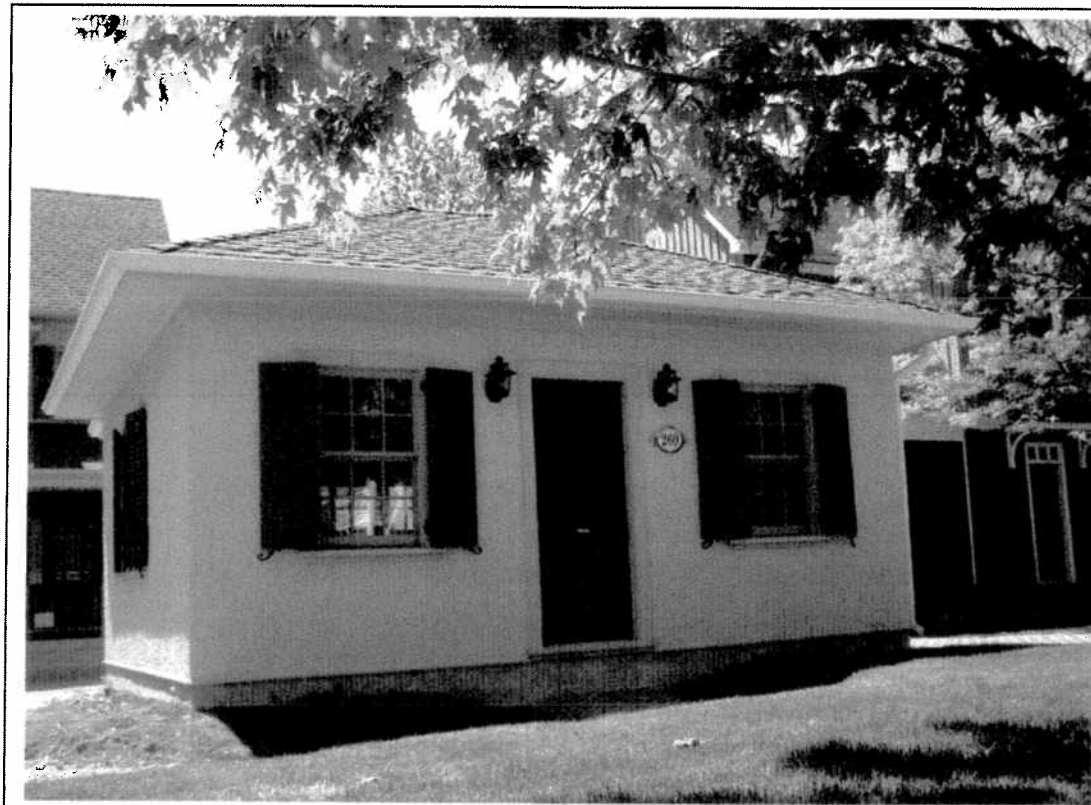
Archival Photograph from the 1970s

APPENDIX D

**260 Main Street
Unionville Heritage Conservation District
2 Car Garage. Date: 2007**



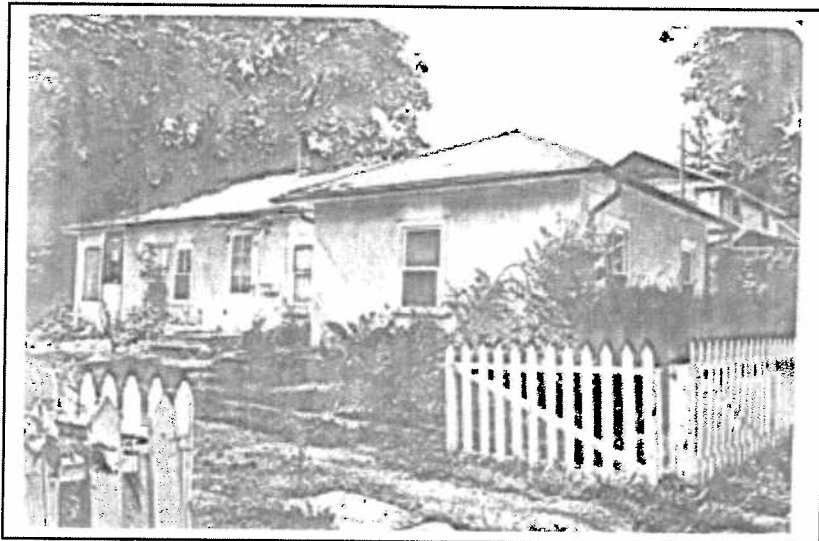
Above: Existing Streetscape today. Below: new garage being renovated





Above: Cottage before conversion

Below: Archival Photo



Roof Structure before renovation



25 June 2012

File: 1801 SR1

Michael Crabtree
26 Albert St,
Markham, ON., L3P 2T4

**Re: Abandoned Timber House
26 Albert St., Markham**

Sir;

At your request, we performed a structural evaluation of the foundations, floors, walls and roof framing of the referenced building. Our evaluation is limited to determination of the condition and structural capacity of various components compared to their original condition as constructed and to part 11 of the Ontario Building Code 2006 (OBC). The report is limited to only structural members and components that are visible.

Under part 11.3.3 Renovation of the OBC, the structural capacity of "Basic Renovations" need only meet original "performance levels". "Extensive Renovation" requires that the work meet current "performance levels".

Observations:

The house is a two story, wood clad, combination timber frame/post and beam structure supported on a concrete encased wood mud-sill foundation.

The foundation sill plates and lower section of the wall studs and posts are deteriorated to the extent that they are no longer capable of fully supporting the existing structure in some areas. The foundation wall is broken in several locations and the wood mud sill has rotted away. The interior basement wall is constructed of wood and is rotten and collapsing. The timber framing and bracing in the north wall is rotted through. The roof rafter ends and fascia are rotten at many locations. The interior floor joists are in fair condition, but the ends of some timbers are deteriorated. The floor joists and roof rafters do not meet the current structural requirements of the OBC.

Analysis:

The structure is not structurally sound and shall not be occupied.

Major reconstruction will be required to restore the building. Reconstruction will require a new foundation, new ground level wall and floor framing, new roof framing and additional floor joists for the second floor. The level of work is "Extensive Renovation" and will require full conformance to the OBC. The reconstruction will also require the removal of essentially all the original siding and exterior wall framing.

APPENDIX E

Recommendations:

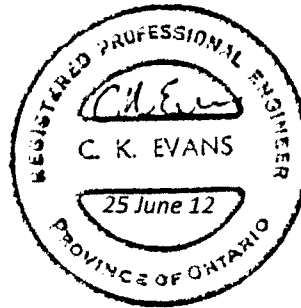
It is our opinion, that due to the extensive amount of work required to expose and replace the deteriorated foundations and timber framing in all the walls and roof, that the entire structure should be replaced. We do not believe it is viable to replace only the deteriorated components of the structure and maintain the original timbers.

Please call if any clarification or additional information is required.

At your service:

C K Evans

C. K. Evans, P. Eng.
E7 Engineering



Comments from the Chief Building Official – Markham

You asked me to consider and comment on the E7 Engineering 25 June 2012 report concerning the timber frame structure at 26 Albert. Our inspector visited the building and conducted a visual survey of its condition on July 25.

My comments are:

The engineer's report on the building condition

- The author is a licensed professional engineer and is qualified to analyze and provide advice on this matter
- Our visual inspection findings were generally consistent with the engineer's. More in-depth investigation would be required to fully assess actual structural capacities.
- The building has been neglected and is significantly deteriorated. Roof framing and sheathing has deteriorated in a number of locations and will need reinforcement and repair. The first and second storey walls were in fair condition with the exception of some areas which have experienced water damage due to the absence of proper roofing.
- The floor joists appeared in good condition however the bearing ends of the first floor joists are not visible. The sills and foundation exhibit major structural deterioration. If the building is proposed to be relocated and used as a garage, however, the condition of these elements would not be important.
- The parts of the structure and external fabric which is proposed to be reused could be rehabilitated. Complete restoration would likely involve significant construction, repair and expense.

Application and requirements of the Building Code

- The building code permits existing buildings to be retained, relocated and reused. Existing timber framing may be retained and is not required to be modified or upgraded to meet part 9 of the building code. Where existing structures are altered, repaired or relocated, the building code applies only to changes in design and construction. Individual timber elements needing replacement or repair are permitted to match existing in these circumstances.
- If the existing second floor framing is insufficient to support normal live loads, the building code permits the structure to remain as-is provided the loading is restricted to the loading the floor will support. It need not be upgraded to meet the normally prescribed live load in the building code
- The new foundation will be required to meet the current building code
- A building permit must be obtained for the project

HERITAGE MARKHAM
EXTRACT

APPENDIX G

DATE: April 16, 2013
TO: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Project Planner

EXTRACT CONTAINING ITEM #3 OF THE FOURTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON APRIL 10, 2013

3. DEMOLITION PERMIT APPLICATION
FILE NUMBER: 13 109127 DP
26 ALBERT STREET
DEMOLITION PERMIT APPLICATION
- JAMES CAMPBELL HOUSE, MARKHAM VILLAGE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Project Planner

The Manager of Heritage Planning reminded the Committee that this item had been deferred from the previous meeting to permit investigation into the feasibility of moving the building. The application for demolition is not supported, and the applicant has the option of appealing to Council on this matter.

Mr. Crabtree reported that he had consulted with a contractor and presented a letter that quoted \$26,555 to raise the building, bringing the estimated total cost to restore the building, in his estimation, over \$100,000, whereas building a new garage would cost much less.

The Committee questioned the effort made by the owner to protect the building from deterioration.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham does not support the Demolition Permit application for the James Campbell House at 26 Albert Street and recommends that Council deny the application for the following reasons:

- The James Campbell House has historical, architectural and contextual significance within the Markham Village Heritage Conservation District;
- The owner has contractual obligations with the City of Markham through a Site Plan Agreement and a Heritage Easement Agreement to retain and restore the James Campbell House as part of the property's redevelopment;
- The City has demonstrated flexibility by permitting the dwelling to be relocated on the site and its conversion to a garage;

- At 11:45 AM
- The approval of a demolition permit in this case would legitimize the concept of demolition by neglect and
 - The preservation of authentic heritage resources within the Albert Street context is necessary to maintain the unique and special heritage character of the neighbourhood.

AND THAT the City require the owner to comply with the conditions of the Site Plan Agreement and Heritage Conservation Easement, and if not successful, utilize its authority under the Site Plan Agreement and the Heritage Easement Agreement to implement the restoration obligations associated with the heritage building.

CARRIED