



Report to: Development Services Committee

Date : March 5, 2013

SUBJECT: Request for Demolition-Garage
3 Rouge St. Markham Village

PREPARED BY: Peter Wokral, Planner Heritage Section ext. 7955

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning ext. 2080

RECOMMENDATION:

- 1) THAT the report titled "Request for Demolition-Garage, 3 Rouge St. Markham Village" dated March 5, 2013 be received
- 2) AND THAT Council endorse the demolition of the non-heritage, detached garage/accessory building at 3 Rouge St. within the Markham Village 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 one storey, non-heritage, detached, garage/accessory building at 3 Rouge St. in Markham Village (See Appendix 'A').

BACKGROUND:

The Owner of the property proposes to demolish a rear yard garage/accessory building

The owner of 3 Rouge St. wishes to demolish a one storey, non-heritage, detached rear yard garage (See Appendix 'A') and replace it with a new garage at some time in the future. The owner needs to demolish the existing garage because he recently obtained a severance of the rear of his property to create a new building lot fronting James Scott Road, and the existing garage is now partially located on two separate properties (See Figure 1).

The property is located within a heritage conservation district

As the property is designated under Part V of the *Ontario Heritage Act* (the "Act"), the review by Heritage Markham is required and the approval of Council is necessary to permit the demolition of the existing garage. Heritage Markham reviewed the request for demolition of the building on February 13, 2013 and had no objection (See Appendix 'B').

OPTIONS/ DISCUSSION:

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

Although the subject building is not considered to possess cultural heritage value, it is located within the Markham Village 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.

The *Act* does allow a municipality to delegate its power to grant permits for the alteration of property situated in a heritage conservation district to an employee or official of the municipality. Markham Council has approved such a by-law delegating its power for the approval of alterations to the Manager of Heritage Planning. However, upon consultation with Legal staff, it has been determined that the delegation of the authority to approve “alterations” to staff does not include the authority to consider applications for demolition or removal which are addressed under Part IV and V of the *Act*. No delegation provisions apply in such circumstances.

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.

The proposed demolition of the building can be supported

A review of the existing building by the Heritage Markham committee and Heritage Section Staff has determined that the structure has no cultural heritage value and that there are no grounds upon which to object to its demolition.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

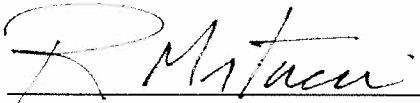
ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

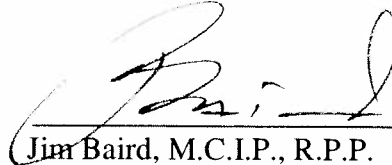
BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition request was reviewed by Heritage Markham, Council’s advisory committee on heritage matters.

RECOMMENDED BY:



Rino Mostacci, 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:

Appendix 'A' Photos of the Building

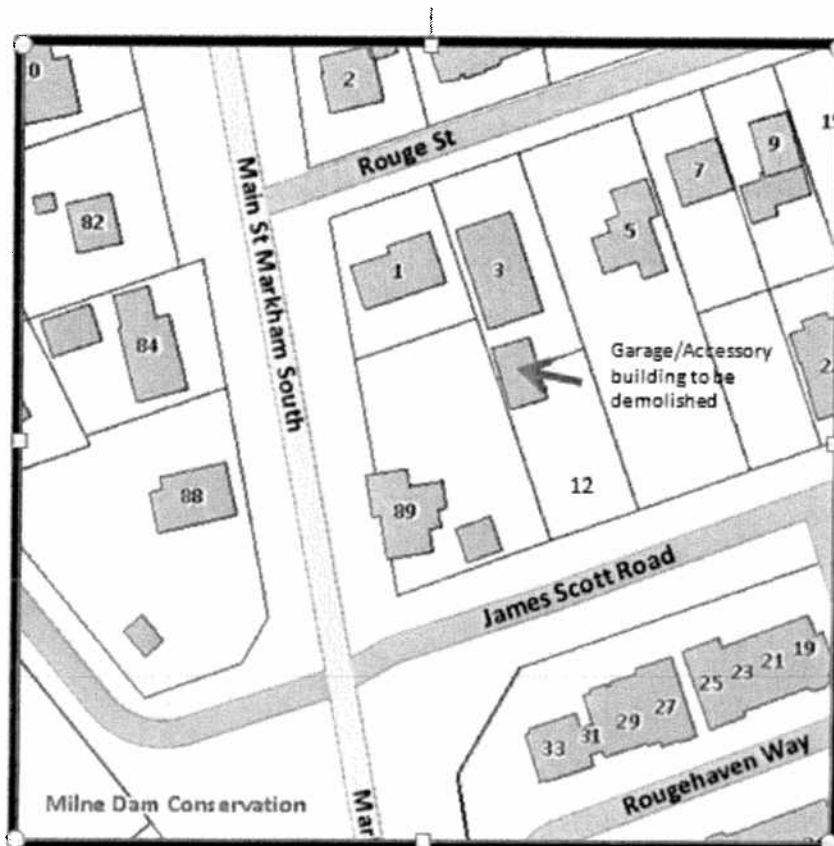
Appendix 'B' Heritage Markham Extract February 13, 2013

FIGURE 1

FILE PATH: Q:\Development\Heritage\PROPERTY\ROUGE\03\Demolition Report for garage 2013.doc

APPLICANT: Dino Alexandru

LOCATION MAP



Appendix 'A'

