



Report to: Development Services Committee

Date: January 22, 2013

SUBJECT: Request for Demolition
9 Albert St. Markham Village

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

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning

RECOMMENDATION:

- 1) THAT the report titled "Request for Demolition, 9 Albert St. Markham Village" dated January 22, 2013 be received;
- 2) AND THAT Council endorse the demolition of the non-heritage detached garage at 9 Albert 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 at 9 Albert St. in Markham Village (See Figure 1).

BACKGROUND:

Owner of the property proposes to demolish a rear yard garage

The owner of 9 Albert St. wishes to demolish a one-storey, detached rear yard garage (See Appendix 'A') and replace it with a proposed one and one half storey, 1,616 ft², detached, rear yard, two-car, garage having a loft space on the upper floor.

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 December 12, 2012 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: (external link)

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

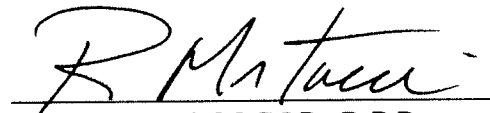
ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

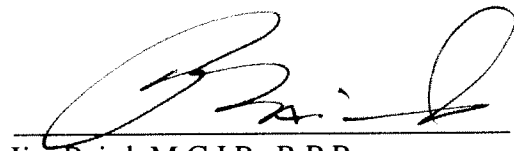
BUSINESS UNITS CONSULTED AND AFFECTED:

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

RECOMMENDED BY:



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’	Photo of Building
Appendix ‘B’	Heritage Markham extract

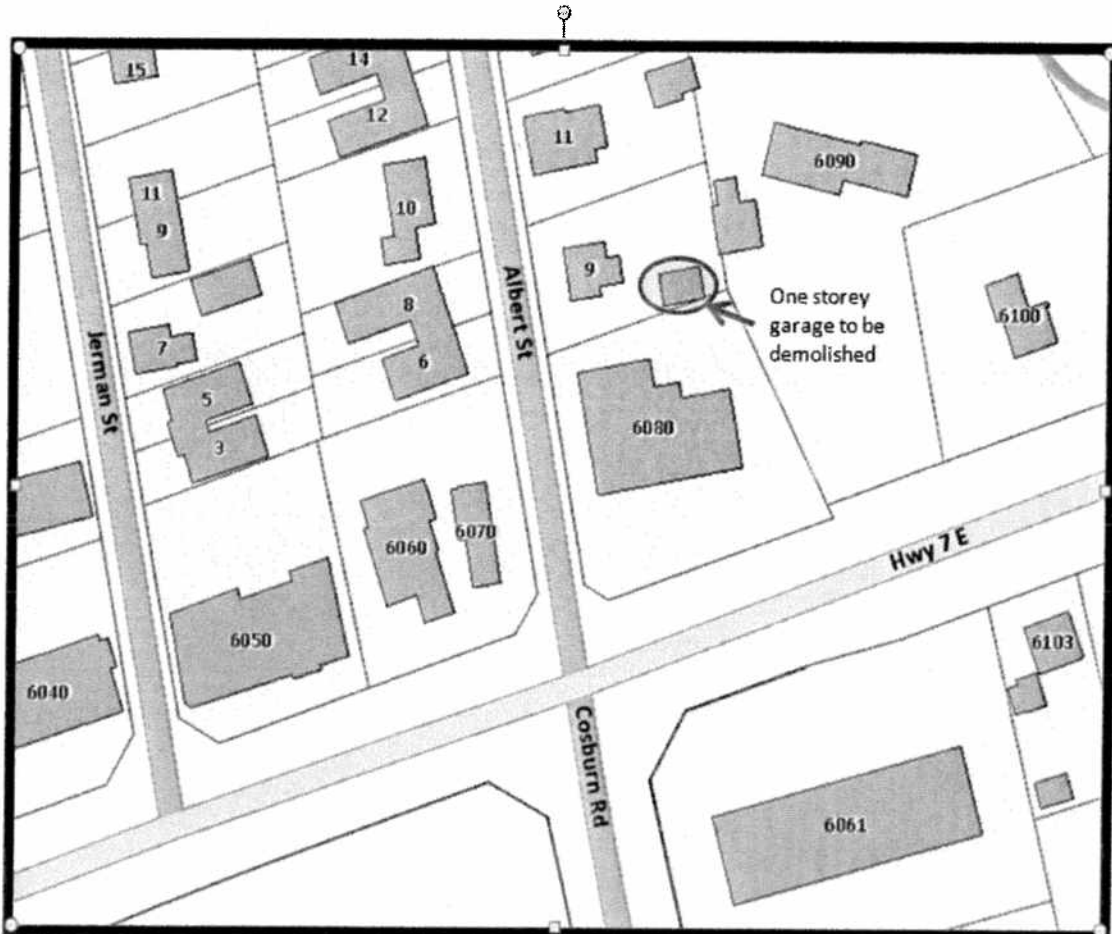
FIGURE 1

FILE PATH: Q:\Development\Heritage\PROPERTY\ALBERT\9\Demolition Report for detached garage.doc

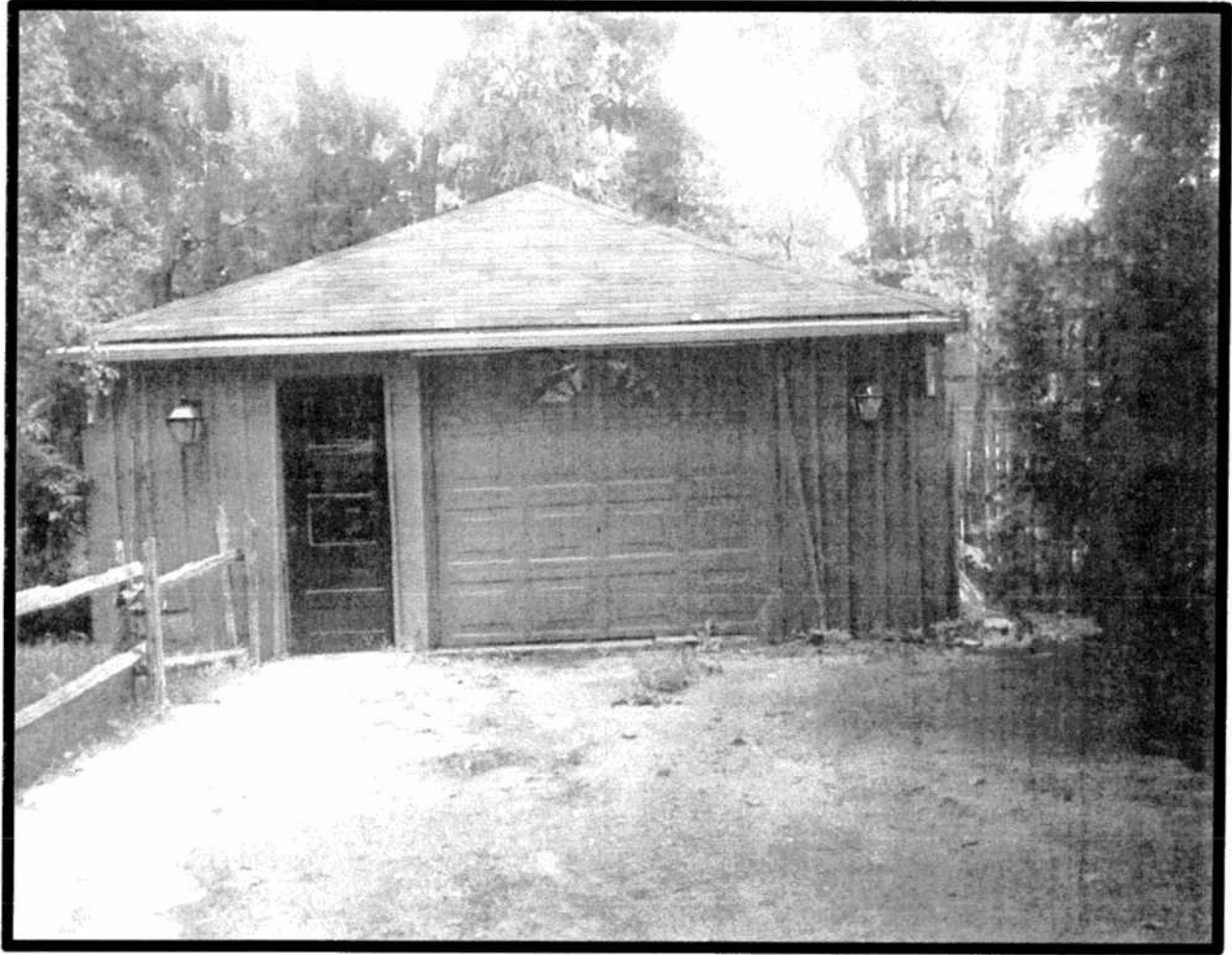
APPLICANT: The Gregory Design Group

Email – russ@gregorydesigngroup.net

LOCATION MAP



APPENDIX A



Photograph of the existing garage

APPENDIX B
HERITAGE MARKHAM
EXTRACT

DATE: December 19, 2012
TO: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner

**EXTRACT CONTAINING ITEM #15 OF THE TWELFTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON DECEMBER 12, 2012**

15. SITE PLAN CONTROL APPLICATION
SC 12 134029
9 ALBERT STREET
PROPOSED DEMOLITION OF DETACHED GARAGE
AND PROPOSED NEW GARAGE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
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The Heritage Planner gave a brief explanation of the proposal.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham has no objection to the demolition of the existing detached garage or design of the proposed 2 car garage with second storey loft at the rear of 9 Albert St.;

AND THAT final approval of the Site plan application be delegated to Heritage Section staff provided there are no significant changes to the drawings reviewed by Heritage Markham;

AND THAT the owner enter into Site Plan agreement with the City containing the standard provisions regarding materials, windows, colours etc.

CARRIED