



Report to: Development Services Committee

Report Date: April 3, 2012

SUBJECT: Demolition-of Non-Heritage Detached Garage
28 John St. Thornhill
PREPARED BY: Peter Wokral ext. 7955
REVIEWED BY: Regan Hutcheson, Manager Heritage, ext. 2080

RECOMMENDATION:

- 1) THAT the staff report titled "Demolition of Non-Heritage Detached Garage 28 John St. Thornhill" dated March 27, 2012 be received;
- 2) THAT Council endorse the demolition of the detached garage at 28 John St. located within the Thornhill 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 non-heritage detached garage at 28 John St. Thornhill.

BACKGROUND:

Owner of the property proposes to demolish a detached non-heritage garage

The owner of 28 John St. wishes to demolish a one storey, detached single-car , non-heritage garage (See Figure 2) and replace it with a new attached one and one half storey, attached, two-car garage. (See Figure 3)

The property is located within a heritage conservation district

As the property is designated under Part V of the Ontario Heritage 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 site plan application to demolish this building and replace it with a new attached two car garage on August 17, 2010 and had no objection. (See Heritage Markham Extract of August 17, 2010 Appendix 'A')

OPTIONS/ DISCUSSION:

The Ontario Heritage Act requires Council to consider all demolition applications.

Although the subject building is not considered to possess cultural heritage value, it is located within the Thornhill Heritage Conservation District. According to the Ontario Heritage Act [section 42(1)], 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, the delegation of "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, and where no delegation provisions apply in these 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.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

HUMAN RESOURCES CONSIDERATIONS

Not Applicable


ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

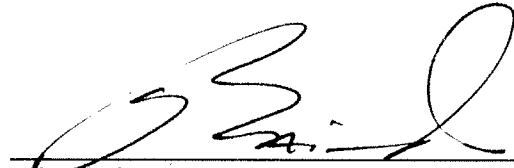
BUSINESS UNITS CONSULTED AND AFFECTED:

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, Planning & Urban Design



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

ATTACHMENTS:

- | | |
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| Figure 1 | Location Map |
| Figure 2 | Photograph of detached garage |
| Figure 3 | Proposed new attached garage |

Appendix 'A' Heritage Markham Extract August 17, 2010

FILE PATH: Q:\Development\Heritage\PROPERTY\JOHN\028\March 27 2012 DSC Garage Demolition Report.doc

APPLICANT: Michael Halligan & Elizabeth Wright
25 John St.
Thornhill, ON L3T 1X8

Figure 1

Location Map

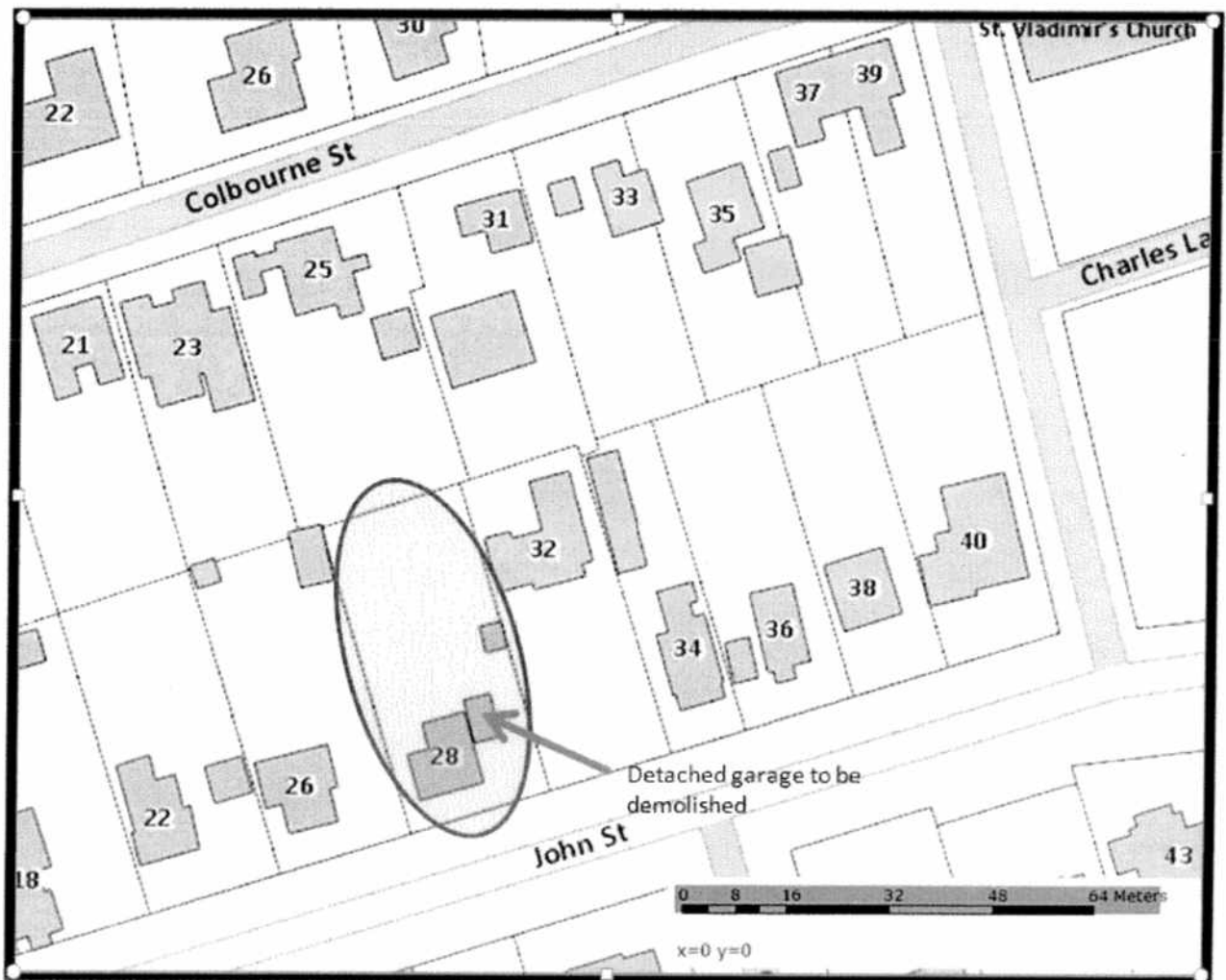
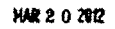


Figure 2

Photograph of existing non-heritage one car garage at 28 John St. Thornhill



Proposed new attached two-car garage 28 John
St. Thornhill



APPENDIX A
HERITAGE MARKHAM
EXTRACT

DATE: August 17, 2010

TO: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner

EXTRACT CONTAINING ITEM # 21 OF THE EIGHTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON AUGUST 11, 2010

21. SITE PLAN CONTROL APPLICATION
28 JOHN STREET, THORNHILL
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
-

The Heritage Planner advised that the owner wishes to demolish the existing garage and tail building, and build a new two-car garage and addition to the house. Staff have no concerns and note that there is a size cap on the garage and house in this area, regardless of the lot size.

The Committee suggested that more time is needed to review the proposal, and referred this matter to the Architectural Review Sub-Committee, with delegated authority to approve the proposal in order not to delay the project.

Mr. and Mrs. Halligan, applicants, were in attendance. In response to questions from the Committee, they confirmed that they intend to paint the house this year, time and weather permitting, and that a review by the Sub-committee would not delay their plans.

HERITAGE MARKHAM RECOMMENDS:

THAT the proposed addition and attached two car garage to the existing house at 28 John St. be referred to the Architectural Review Sub-committee with delegated authority to approve the proposal.

CARRIED