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**SUBJECT:** Demolition Permit Application – Three Accessory Buildings  
10 Ruggles Avenue  
**FILE NO.:** 16 112239 DP  
**PREPARED BY:** George Duncan, Senior Heritage Planner, ext. 2296  
**REVIEWED BY:** Regan Hutcheson, Manager of Heritage Planning, ext. 2080

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**RECOMMENDATION:**

- 1) That the staff report entitled “Demolition Permit Application – Three Accessory Buildings, 10 Ruggles Avenue ”,dated April 11, 2016, be received;
- 2) That Council approve the demolition permit application for the three accessory buildings on this property designated under Part IV of the Ontario Heritage Act provided that Heritage Markham has no objection;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution;

**PURPOSE:**

To recommend that Council approve the demolition of three non-heritage accessory buildings at 10 Ruggles Avenue, a property designated under Part IV of the Ontario Heritage Act.

**BACKGROUND:**

**The Munshaw Homestead is designated under Part IV of the Ontario Heritage Act**  
The owners of 10 Ruggles Avenue have applied to demolish three non-heritage accessory buildings. These accessory buildings are located on the same property as the Munshaw Homestead, c.1854, a heritage building to be preserved in the context of future development.

The application clearly shows that the heritage house is not part of the demolition permit application and will remain. Staff has no objection to the demolition of the accessory buildings as they are of modern construction and are not listed as features of cultural heritage value or interest in the Statement of Significance attached to Designation By-law 2014-20.

**The Munshaw Homestead is protect by a Heritage Conservation Easement**

In addition to the individual heritage designation, the Munshaw Homestead is protected by a Heritage Conservation Easement Agreement registered on property title. The Reasons for Identification attached to the agreement list only the house as a significant feature of the property to be protected, and does not include any of the accessory buildings.

**A demolition permit is required for any structure located on a designated property**

As the property is individually designated under Part IV of the Ontario Heritage Act, review by Heritage Markham is required and the approval of Council is necessary to permit the demolition of the accessory buildings, even though they are not of heritage significance. Heritage Markham will not be able to review this application until their next meeting on April 13, 2016, however, since none of the accessory buildings to be removed have any cultural heritage value or interest due to their modern period of construction, it is not anticipated that Heritage Markham will have any issue with their removal. Heritage Markham's recommendation will be available by the time the minutes of the Development Services Committee meeting goes to Council.

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

The subject property 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 demolish or remove a building or structure on the property.

The Act does allow a municipality to delegate its power to consent to the alteration of designated property 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 or partial demolition of buildings and structures that are individually designated must be considered by Council.

**The proposed demolition of the accessory buildings is supported by staff**

Staff has no objection to the demolition of the three accessory buildings at 10 Ruggles Avenue.

**FINANCIAL CONSIDERATIONS**

None

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable


**ALIGNMENT WITH STRATEGIC PRIORITIES:**

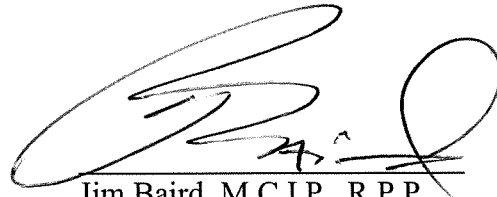
Not Applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The demolition request will be reviewed by Heritage Markham on April 13, 2016, after the April 11 meeting of the Development Services Committee, but prior to this matter being finalized at the following Council meeting.

**RECOMMENDED BY:**

  
Biju Karumanchery, 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 | Owner/Location Map                                  |
| Figure 2 | Property Map Indicating Structures to be Demolished |
| Figure 3 | Air Photo of 10 Ruggles Avenue                      |

**FIGURE 1**

**FILE PATH:** q:\development\heritage\property\ruggles\10\dscapril112016.doc

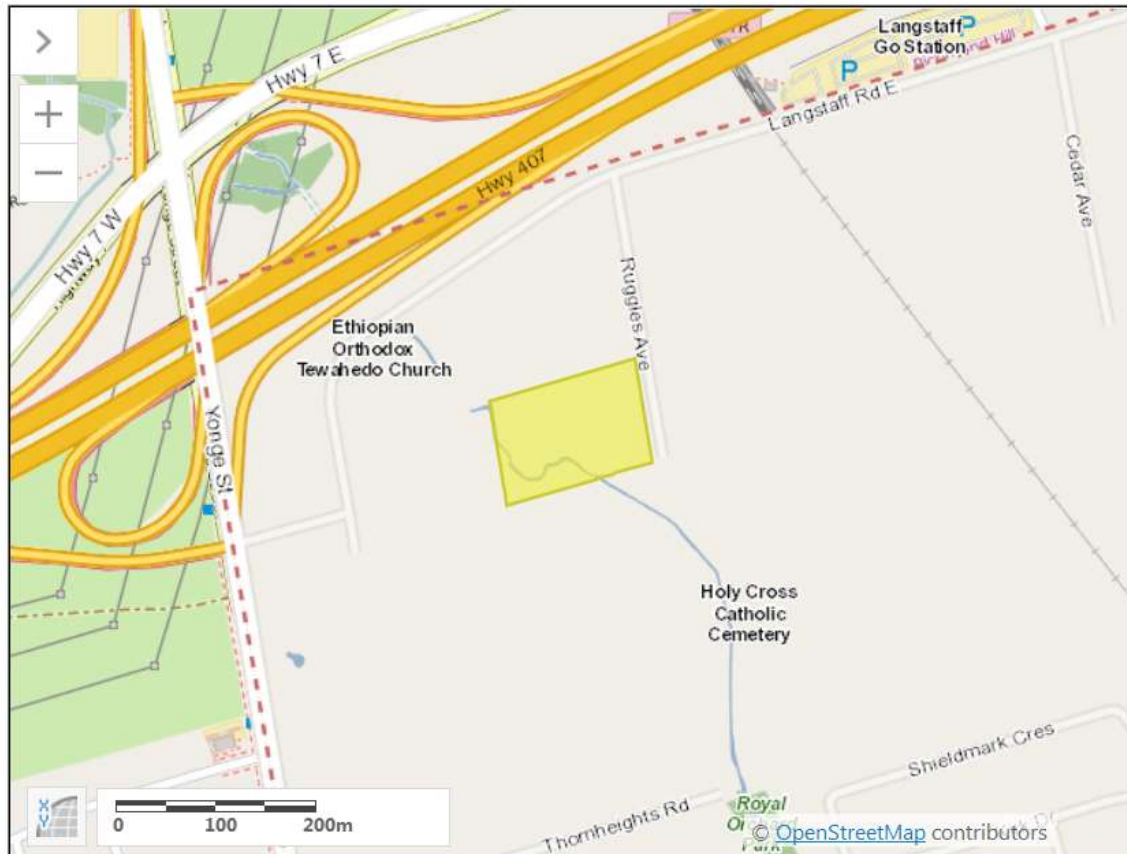
**APPLICANT/OWNER:**

Condor Properties Ltd.  
1500 Highway 7  
Concord ON L4K 5Y4

Attention: Davide Pellegrini  
Telephone: 905-907-1600

E-mail: dpellegrini@condorproperties.ca

**LOCATION MAP**



**FIGURE 2: Map Showing Accessory Buildings to be Demolished**



**Figure 3: Air Photo of 10 Ruggles Avenue**

