

Heritage Matters...in Markham

Demolition Control

Markham protects its heritage properties. Properties identified as being of cultural heritage value or interest possess specific levels of protection from demolition. These include properties:

- Listed on *Markham Register of Property of Cultural Heritage Value or Interest*
- Subject to a 'Notice of Intention to Designate' resolution passed by Council
- Individually Designated Property (Part IV of the *Ontario Heritage Act*)
- Located within a heritage conservation district (Part V of the *Ontario Heritage Act*)

Request for Demolition

To initiate a demolition request for a property of cultural heritage value or interest, there are two options:

- provide written notification to the Town of Markham Heritage Section requesting the demolition of a property; or
- submit an application for a demolition permit application pursuant to the *Ontario Building Code Act* through the Markham Building Standards Department.

Your request for demolition is considered an application for demolition or alteration under the applicable section of the *Ontario Heritage Act*. The date of the receipt of the request/application for demolition for the purposes of the *Ontario Heritage Act* is the date of the official "receipt letter" from the Town's Heritage Section.

Request to Demolish a Listed Property

For properties listed on the *Markham Register of Property of Cultural Heritage Value or Interest* that are:

- not designated individually or within a designated heritage conservation district, or
- where Council has not passed a resolution indicating an intention to designate the procedure outlined in Section 27(3) of the *Ontario Heritage Act* will be followed.

As a listed property, the demolition request must be reviewed by Heritage Markham and its recommendation addressed by Markham Council within 60 days of the official receipt letter's date.

Request to Demolish a Designated Property (individual or district)

- For properties individually designated under the *Act*, the procedures outlined in Section 34 of the *Act* will be followed.
- For **all** properties located within a heritage conservation district, the procedures outlined in Section 42 of the *Act* will be followed.
- In either case, the demolition application must be reviewed by Heritage Markham and its recommendation addressed by Markham Council within 90 days of the official receipt letter's date.



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Request to Demolish Properties in the process of being designated

- For a property subject to a 'Notice of Intention to Designate' approved by Council, Section 30 of the *Ontario Heritage Act* applies.
- Sections 33 and 34 of the *Act* also apply to the property as if the designation process were complete.

Heritage Markham reviews all demolition requests

A demolition request will be placed on an upcoming meeting agenda of the Heritage Markham Committee for consideration. If you wish to be notified of the meeting or attend, please contact the Heritage Section.

Council consideration of demolition requests

- Before demolishing or removing a building or structure, Markham Council must give its approval.
- Often staff and Council will attempt to negotiate alternative solutions to retain the heritage resource.
- If no agreement can be reached with the owner, Council can refuse to approve the demolition or removal.
- The decision of Council can be appealed to the Ontario Municipal Board.

Demolition without securing approval

Building or structures altered, removed or demolished without approval of Markham Council will result in prosecution under the *Ontario Heritage Act*.

“Heritage Matters...in Markham”
is a series of information brochures
on heritage planning topics.

For further information, contact:
Town of Markham, Heritage Section
Heritage@markham.ca

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