



MEMORANDUM

TO: Heritage Markham Committee

FROM: Regan Hutcheson, Manager-Heritage Planning

DATE: September 13, 2023

SUBJECT: Changes to Processing of Specific Development Applications

Project: Processing Improvements
1) Planning Act Application Processing in Heritage Conservation Districts

Background:

- Since 1996, within the four heritage conservation districts, the following development applications have been processed by Heritage Section Staff:
 - Official Plan Amendment (OPA)
 - Zoning By-law Amendment (ZBA)
 - Site Plan Control (SPC)
 - Plan of Subdivision (SUB)
 - Condo Applications (CO)
 - Committee of Adjustment Variances
 - Committee of Adjustment Severance
- Outside of heritage conservation districts, applications which involve cultural heritage resources are processed by planners from other teams with Heritage Section staff and Heritage Markham Committee providing review and recommendations.
- Prior to 1996, Heritage staff provided heritage comments on standard development applications that were processed by development planners. In 1996, development teams were created and it was felt that the Heritage team should process development applications in heritage conservation districts as the staff was more familiar with the unique heritage context and the land use sensitivities involved in these environments.
- As of November 28, 2022, development involving ten or fewer residential units no longer requires site plan approval. For development of this nature in heritage conservation districts, the former site plan process has been replaced with a new **Major Heritage Permit** application that is processed by Heritage staff. This includes additions to existing residential buildings, accessory buildings, new singles, semis and multi-unit buildings. This type of development makes up the majority of development in the heritage

conservation districts. Staff also continue to process Minor Heritage Permit applications and other non-Planning Act applications.

- As of July 1, 2023, new submission requirements and timeframes have been introduced for OPA, ZBA and Site Plan Control (SPC) with financial penalties for the municipality if the timeframe is not met. Of particular note is that a Major Heritage Permit is now a SPC submission requirement.
- The processing of development applications (OPA, ZBA, SUB, CO, and large scale SPC) is becoming more complex involving more administrative, technological and processing requirements.
- Compared to other district development planners, Heritage staff do not regularly undertake these type of applications which means staff are not as familiar and not readily conversant with the often changing process and requirements.
- Heritage staff currently administer a large portfolio of other projects and programs many of which are time-consuming and extremely detail oriented (See Attachment). Also a number of these programs are not being undertaken or have been scaled back due to time constraints.
- Heritage Section staff also deal with applicants who require special care and extra time and effort, and often do not retain the services of consultants.

Status/ Staff Comment

New Process

- The responsibility for processing major development applications within the four heritage conservation districts is being transferred to the adjacent development teams with the Heritage staff providing heritage context info, commentary and recommendations. Heritage Markham Committee would continue to provide its recommendations and Heritage staff would continue to be responsible for acquiring that information from the advisory committee. Heritage staff may also assist by accompanying the development planner at any public or community meeting, and assist in preparation of the staff report, as required.
- The major development applications to be transferred are: OPA, ZBA, Condo and Plan of SUB. Also, if a Major Heritage Permit is a prerequisite to be obtained prior to submission for projects requiring Site Plan Approval (SPC) (those over 10 dwelling units and commercial/ industrial/ institutional developments), then SPC applications would also be transferred to the adjacent development team since the key heritage aspects would have already been addressed through the Major Heritage Permit.
- Heritage staff will continue to process Minor Heritage Permit applications, Major Heritage Permit Applications, and Committee of Adjustment Variance and Severance applications (as these are typically associated with smaller projects in the heritage conservation districts).

Benefits

- The change to processing of certain development applications in the heritage conservation districts should have a number of benefits:
 - It will permit Heritage Section staff to undertake applications, projects and programs more aligned with their educational and professional expertise.

- It will also allow Heritage Section staff to focus on detail design/restoration work which is very time-consuming given staff work primarily with property owners/residents as opposed to developers or professional consultants.
- It will allow Development Planners to utilize their knowledge and expertise to efficiently process and administer more complex land use planning applications in heritage conservation districts using a processing framework they are familiar with (with the assistance/guidance of Heritage Staff, as required, given the unique heritage environment).
- It should allow Heritage Staff to work on additional responsibilities in the Heritage portfolio.

Suggested Recommendation for Heritage Markham

That Heritage Markham receive the update on changes to the processing of specific development applications in heritage conservation districts.

File:

Q:\Development\Heritage\DEVELOPMENT PROCESSING INFO\Application Transfer 2023 to Dev Teams\HM Sept 13 2023 Update on Changes.doc

Attachment

In addition to development applications in heritage conservation districts, Heritage staff undertake the following duties:

- **Heritage Markham Committee** – staff liaison to committee and obtain comment and recommendations on development/alteration/policy affecting heritage resources. Create and Prepare detail reports for Heritage Markham Agenda every month (9-10 reports), attend meetings, review minutes and administer Extracts. Annual Orientation Session for new members. Assist in the interview and selection of candidates.
- **Administer Markham Heritage Estates subdivision**
- Processing **Minor Heritage Permits.**
- Processing **Major Heritage Permits.**
- Review of **Building Permit applications** to ensure compliance with approved plans.
- Review of **Signage Permit applications** to ensure compatibility with policy.
- **Process/Review Demolition Permits** (under the OHA and/or Building Code Act).
- **Inspection of development property** to ensure compliance and release of **Heritage Letters of Credit.**
- Maintain the **Markham Register** of Property of Cultural Heritage Value or Interest – updates as property status changes, link designation by-laws, Easement Agreements.
- Providing detailed **technical, restoration and design feedback** on projects (pre and post submission).
- **Research and Designation of Properties** including the massive **Designation Project 2023-24** involving the designation of 158 properties (including appeals to OLT). Preparing the OHA Notices for the posting on the City Website.
- Research and Preparation of **Heritage Easement Agreements** related to development approval and the provision of financial assistance.
- Response to **Legal and Real Estate enquiries** regarding heritage property status.
- **Financial Assistance Programs:** 1) **Commercial Facade Improvement** and 2) **Designated Heritage Property** – advertising, processing/evaluation/reporting and administration plus review of work undertaken and release of funding.
- **Financial Assistance Program: Heritage Property Tax Rebates-** advertising, processing/evaluation and administration –working with Finance to release funds
- **Street and Park Naming-** research and suggest heritage related options and review with internal team.
- **Policy - Land Use** – City Secondary Plans review, cultural heritage resource policies; need for new Secondary Plan for Markham Village and Unionville heritage areas.
- **Policy – Zoning** – comprehensive zoning by-law (improvements ongoing).
- **Policy – Heritage** – Updates to existing heritage conservation district plans, maintain and update a variety of heritage policies.
- **Policy - Government**– review of changes to policy and legislation initiated by senior levels of government.
- **City Projects in Heritage Areas** – i.e. involvement in park development, streetscape improvement master plans and implementation (working with other depts.)
- **City Assets** – ongoing involvement with Real Property - divesting of Markham heritage assets, purchase of new city properties.
- **Consultation- Public** – heritage program/policy implications for impacted properties.

- **Consultation – City of Markham Staff** on heritage matters and city owned properties; archaeological potential of specific properties.
- **Interpretation – Markham Remembered** plaque program; Heritage District property plaque program
- **Outreach – Heritage Week** Display/activity
- **Outreach – Heritage District Newsletter**
- **Outreach – Heritage Website** content
- **Outreach – community events (Doors Open Markham)**, tours of heritage areas for others.
- **Outreach – Heritage Markham Awards of Excellence** program.
- **Legal – OLT appeals** (Heritage Act-designations, Planning Act applications).
- **Legal – Prosecutions** under the Ontario Heritage Act – working with Prosecution and Enforcement Staff (Provincial Offences Court) as a witness.