



## MEMORANDUM

**TO:** Heritage Markham Committee

**FROM:** Regan Hutcheson, Manager-Heritage Planning

**DATE:** May 8, 2024

**SUBJECT:** By-law Enforcement and Cultural Heritage Resources

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**Issue:** Heritage Markham Committee is seeking information regarding the enforcement of by-laws affecting cultural heritage resources (ie. individually designated properties, properties in heritage conservation districts, and listed heritage properties)

**Background:**

- At the April 2024 Heritage Markham Committee, the issue of by-law enforcement was raised as a new business item.
- The following recommendation was supported by the Committee:

That Heritage Markham requests City staff to provide information on by-law enforcement processes and procedures related to issues affecting cultural heritage resources and properties within the City's heritage conservation districts, including:

1. Does the administration of heritage and property standards bylaws include the use of an AMPS automatic fine system?
2. Are there opportunities that may be available to enhance fines, such as:
  1. Can a fine be introduced regarding the notification of an infraction? (ie. an amount similar to or greater than costs of adherence to ensure their deterrent value).
  2. Is there an opportunity to consider a refund of the "ticket", or a portion thereof, if the property or issue is brought into compliance within an agreed upon time frame consistent with how long compliance might take?
  3. If not in compliance within the set time, (or an extension requested and agreed upon) can a new fine be issued, and the initial fine is no longer refundable?
3. Are there best practices in other jurisdictions that could be considered for Markham, and would the support of the Heritage Markham Committee be helpful when considering implementation?

**Status/ Staff Comment**

- At the April meeting, the Manager, Heritage, advised that the Manager of By-law Enforcement Services, Chris Bullen, is aware of concerns and was willing to attend a future

Heritage Markham Committee meeting to discuss current processes and issues encountered by By-law Enforcement related to cultural heritage resources.

- Typical matters of interest to the members of Heritage Markham include:
  - Protection of vacant or abandoned heritage properties
  - Maintenance and property standard issues involving heritage properties
  - Illegal commercial signage in heritage districts
  - How by-law enforcement infractions are processed.
- Chris Bullen, Manager, By-law Enforcement has confirmed he will attend this meeting.

### **Suggested Recommendation for Heritage Markham**

That Heritage Markham receive the presentation by Chris Bullen, Manager, By-law Enforcement as information.

Attachment: HM Recommendation from April 10, 2024

**File:**

Q:\Development\Heritage\SUBJECT\Bylaw Enforcement-Heritage Monthly meetings\HM May 8 2024 CB deputation on By-laws.doc

## Attachment

# HERITAGE MARKHAM EXTRACT

Date: April 26, 2024

To: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM # 8 OF THE FOURTH HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON April 10, 2024

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### 8. PART SIX - NEW BUSINESS

Lake Trevelyan shared a motion he had prepared related to By-law Enforcement and property maintenance issues on heritage properties. Mr. Trevelyan acknowledged staffing issues within the By-law Services Department but expressed concerns with ongoing non-compliance issues.

Regan Hutcheson, Manager, Heritage, advised that the manager of By-law Enforcement Services, Chris Bullen, is aware of concerns and is willing to attend a future Heritage Markham Committee meeting to present on current processes and issues encountered by By-law Enforcement. Mr. Hutcheson suggested that the member's motion be modified to seek information on enforcement matters and offered an alternate motion for consideration.

The Committee noted that some compliance issues have been addressed recently and By-law Enforcement has been noticed in the Heritage Districts. The Committee also expressed frustration with some enforcement issues in the past, acknowledging that the department is under new leadership which provides optimism for improvements.

#### Recommendation:

That Heritage Markham requests City staff to provide information on by-law enforcement processes and procedures related to issues affecting cultural heritage resources and properties within the City's heritage conservation districts, including:

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**Carried**