



## MEMORANDUM



**TO:** Heritage Markham Committee

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

**DATE:** January 8, 2025

**SUBJECT:** Changes to Processing of Major Heritage Permit Applications

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**Project:** Processing of Major Heritage Permit Applications – Dec 2024 onwards

**Background:**

- The Major Heritage Permit application was introduced in January 2023 to address changes to the Planning Act which no longer allow Site Plan Approval to be used for residential development of 10 or less dwelling units. Council adopted a new by-law which addressed how minor and major heritage permits would be used and processed as well as submission requirements.
- See Attachment 1 for additional information on the two types of heritage permits.

**Status/ Staff Comment**

- Heritage Staff has been working with the Planning and Urban Design Department's Process Management Administration staff to ensure that the processing of Major Heritage Permit applications reflects the same manner in which other larger scale development applications are processed the City's E-plan technology. See Attachment 2 for additional information on the processes now being used.
- The Manager, Heritage Planning will provide an overview presentation on how the new process works and where on the City's website the information can be found to assist applicants.

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

That Heritage Markham receive the update on changes to the processing of Major Heritage Permit applications, as information.

**File:**

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# ATTACHMENT 1

## Minor and Major Heritage Permits

1. Heritage Permit Processing By-law
2. What Constitutes a Major Heritage Permit
3. What Constitutes a Minor Heritage Permit

### 1. Heritage Permit By-law

By-law 2023-20, as amended - A By-Law to Establish Procedures For Processing Permit Applications under the *Ontario Heritage Act* was approved by Council on December 13, 2022. This by-law identifies a) alterations that do not require a heritage permit, b) typical property alterations requiring a minor heritage permit and c) development/alteration projects that requires a major heritage permit. The by-law also provides general direction on how each type of permit will be processed.

### 2. What Constitutes a Major Heritage Permit

A **Major Heritage Permit Application** is required for more substantial *alteration* projects which includes new construction, additions and substantial alterations. See Attachment C for examples.

- These applications are reviewed by staff from the Heritage Section and Urban Design, and usually the Heritage Markham Committee. There are fees associated with the application based on scale of development.
- There are no fees associated with applications for residential development over 11 units or ICI properties as the fees are captured in the Site Plan Approval process which follows completion of a Major Heritage Permit
- These applications require the submission of a financial security (LC) to ensure compliance with approved drawings and the permit.

### 3. What Constitutes a Minor Heritage Permit

A Minor Heritage Permit Application is required for small *alteration* projects such as those that generally comply with approved or accepted heritage policies and guidelines, and may include, but are not limited to new or replacement treatment impacting foundations, walls, windows, doors, roofing, lighting and decorative or mechanical features. See Attachment D for examples.

- These simple applications are only reviewed by Heritage Section staff.
- Rarely taken to Heritage Markham Committee.
- There are no application fees or financial security.
- Approval is a simple one-page letter and permit card.

# ATTACHMENT 2

## Processing of Minor and Major Heritage Permits – Use of ProjectDox

### 1. Internal Review Process - MAJOR

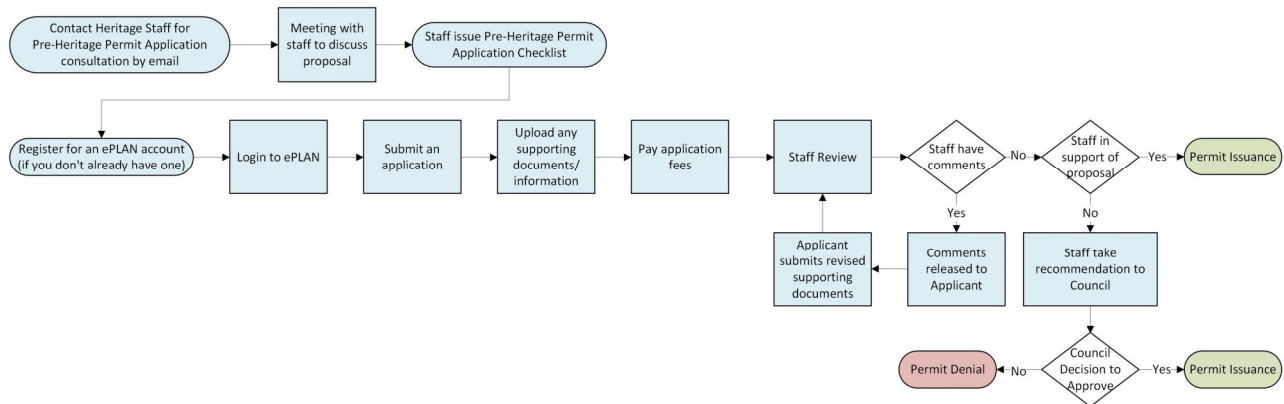
- Application is taken in through the EPLAN Portal. Material is automatically uploaded into ProjectDox.
- New ProjectDox process has been created for review and approval.
- ProjectDox automates review process and stores material. Assigns tasks to multiple reviewers and client.
- Projects are approved in ProjectDox. Approved materials are automatically uploaded to AMANDA.

#### Reason for Change

- The use of the new ProjectDox process developed for Major Heritage Permits was introduced as these are typically larger in scale and complexity which often require changes to the elevation or site plan drawings and resubmission by the client.
- Most applications are submitted by professionals on behalf of clients which are more familiar with electronic submission and the review of plans involving new technologies.

#### Major Heritage Permit & Demolition Heritage Permit Application Process

October 2024



## 2. Internal Review Process - MINOR

- Application is taken in through the EPLAN Portal. Some exceptions occur when staff must intervene and aid clients to ensure compliance.
- The submitted material is deposited into AMANDA
- The application is assigned to a Heritage Planner (Evan Manning) by front counter staff.
- Heritage Planner reviews and approves usually in 24-48 hours, or occasionally clarification or additional material is requested from the client through a simple email. Any revised material is sent to the Planner and uploaded into AMANDA
- Approval is in the form of a Simple Letter and Permit Card (for placement on the property). The letter and Card are uploaded into AMANDA

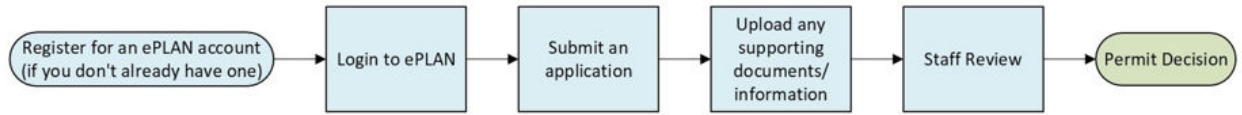
The existing process is to be retained.

### Reasons

- The use of ProjectDox is not needed for the scope of work being reviewed for Minor Heritage Permits. Often the applicant simply submits a photo, ordering code or catalogue cut of a product for review.
- ProjectDox was created for review of major plans, elevations and drawings where modifications are usually necessary. It allows comments from many departments to be consolidated and addressed whereas for Minor Heritage Permits, there is only one commenting person, and any changes are usually minor in nature (i.e. proposed paint colour is not acceptable, shutters should be wood and not plastic, etc.)
- There are no fees or securities to be collected.
- The current simple process is being retained because:
  - Our clients are not normally professional consultants or developers. Many of our current clients already have difficulty with creating an account and using the EPLAN Portal.
  - Our clients would typically only require this type of permit occasionally so familiarity with the process is not obtained.
  - Securing a Minor Heritage Permit is already a burden and another level of review for home and business owners that is not required for any other properties in the City.
  - Staff wish to make the process as easy, efficient and painless as possible for the client to ensure compliance with the approval process.
  - Staff can respond in 24-48 hours; whereas using ProjectDox would extend our response time.
  - An overly complex submission and review process is expected to result in non-compliance due to frustration or anger which then can trigger alterations without permits. Prosecution of these infractions results in an extensive workload commitment for Legal, Heritage and By-law Enforcement staff.
  - Improved public relations and customer service is achieved through direct and prompt interaction. We have received many positive feedback due to our personal contact with clients when follow up is needed.

## Minor Heritage Permit Application Process

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## ATTACHMENT C

### Project Requiring a Major Heritage Permit

Projects include, but are not limited to:

- a. **New Residential Dwelling Units in heritage conservation districts** such as detached, semi-detached, other forms of low rise units, multiplex buildings up to 10 units, townhouse, and coach house;
- b. **Residential Additions/Alterations/ Accessory Buildings** on a *designated heritage property*;
- c. **New construction, additions or alterations on residential designated heritage property involving more than ten dwelling units or non-residential designated heritage property, where the Permit requirements, including any terms and conditions, are not included in a Planning Act approval or agreement, such as a Site Plan Agreement;**
- d. **Relocation of a Heritage Building** including additions, *alterations*, accessory buildings, site layout and landscaping on a *designated heritage property* as per Schedule 'D'; (By-law 2023-142)
- e. **Retention of a Heritage Building** including additions, *alterations*, accessory buildings, site layout and landscaping on a *designated heritage property* as part of **a new development or on a new lot or block within a plan of subdivision** as per Schedule 'E'. (By-law 2023-142)

## Appendix D

### Projects Requiring a Minor Heritage Permit

Typical work includes small *alteration* projects such as those that generally comply with approved or accepted heritage policies and guidelines, and may include, but are not limited to:

- a. Any type of **minor project identified in a *heritage conservation district plan*** as requiring a *Permit*:
- b. **New or replacement foundation treatment, wall cladding, windows/storm windows, doors/storm or screen doors, roofing materials, soffits, eaves trough, downspouts, exterior lighting;**
- c. **Painting** (introducing a colour that is a historically-accurate or contextually-appropriate colour, or the same colour if not previously approved);
- d. **Masonry cleaning and repointing, or a new or replacement chimney;**
- c. **New or replacement porch or veranda**, including individual components such as posts, railings decorative features or stairs;
- d. **Introduction or removal of, and changes to architectural features or decorative elements;**
- e. Installation of **dormers, skylights, awnings or shutters;**
- f. Installation of **vents or exhaust pipes** which penetrate the building envelope, **satellite dishes, meters, utility boxes, air conditioning units** and other **mechanical or electrical equipment** that can be viewed from the public realm or impact a *heritage attribute*;
- g. **Major landscaping alterations** including installation of **front yard walkways, ramps, patios or lamp posts, grade changes, new fencing anywhere on the property and rear yard swimming pools/racket courts/recreational sports pads;**
- h. **New or increased vehicular parking areas;**
- i. **Planting or removal of trees** (incorporated as part of Tree Removal Permit approval process);
- j. **Public realm projects** such as public information signage, wayfinding, interpretive panels, planting or removal of trees, and above ground public works;
- k. **New commercial signage** (incorporated as part of a Sign Permit approval process);
- l. **Revisions or amendments to previously approved *permits***; and
- m. **Extensions to the one (1) year time limit to complete the *Permit's scope of work*** in accordance with the provisions of clause 25. j. of this By-law.