

**PART C**

**IMPLEMENTING THE  
DISTRICT**

# 8.0 Implementation

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## 8.1 Overview

Once Council has adopted the boundary and the Plan for the Heritage District and the Ontario Municipal Board has approved the boundary, a variety of measures are necessary to ensure the successful implementation of the District. These include:

- an application review process that is simple, efficient and fair;
- a review body to provide advice on proposed alterations, new construction, demolitions in the District;
- the availability of the policies and guidelines for use by the public;
- the availability of financial assistance to assist in conservation initiatives;
- public awareness of the District concept, its objectives and its boundaries;
- a mechanism to review and if necessary amend the District's policies and procedures.

## 8.2 Application Review Process

Once a heritage conservation designation comes into force, no person, including the municipality can erect, demolish, remove or alter any external portion of any building or structure without a permit issued by the Council of the municipality. The permit application process is a means for the municipality to assess proposed changes and determine if these will beneficially or detrimentally

affect the heritage attributes or character of the District.

The permit process can be simplified into three processes: Heritage Permit, Building Permit (Heritage) and Site Plan Approval (Heritage). Essentially, the application and approval process varies with the magnitude of the project. For example, approval to paint a building should be received, in most cases, almost immediately from Town staff whereas a request to construct an addition or a new building would require a Site Plan Approval Agreement followed by a Building Permit.

### 8.2.1 The Heritage Permit

This type of application is only used when no other permits are required for the work to be undertaken. The following list identifies some of the type of minor projects which require a Heritage Permit.

- structural changes that affect a building's external appearance (eg. removal or addition of a porch)
- new or different cladding materials for both wall and roofs
- painting
- new or different windows or doors
- changes or removal of architectural decoration or features
- new chimneys
- introduction of skylights or awnings
- masonry cleaning and repointing
- new or extended fences
- new or increased parking areas
- front yard patios
- permanent lamp installations
- television satellite dishes
- mechanical equipment that can be viewed from the streetscape
- public information signage
- planting or removal of trees in the public right-of-way
- all above ground public works

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The list is not complete and any undertaking should be discussed with Heritage Section staff. In addition, applicants are requested to confirm their projects with the Building Standards Department to ensure that a Building Permit is not required. There is no fee for a Heritage Permit.

A Heritage Permit is not required for the following projects:

- any interior work except that which affects the external appearance
- minor repair to roof, eavestrough, chimneys
- window repair, weatherstripping
- fence repair
- backyard patios, garden and tool sheds, gazebos, dog houses and other small outbuildings that are not readily visible from the street
- planting and removal of vegetation on private property

The procedure to be followed has been created to streamline and minimize the time and effort needed by the applicant to gain this approval. Council and Heritage Markham have delegated the approval of non-controversial Heritage Permits to Heritage Section staff.

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|-----------------|---|
| Applicant:      | Reviews project with Heritage Staff   |
|                 | · Confirms with Building Standards whether a Building Permit is required              |
|                 | · Completes one page Heritage Permit application form                                 |
| Heritage Staff: | Reviews application and either:   |
|                 | - approves or refuses permit  |
|                 | - circulates to Heritage Markham and/or Council                                       |
|                 | · Provides a summary of all decisions to Heritage Markham for information.            |
|                 | · Forwards application to Committee/Council if outstanding issues cannot be resolved. |

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### 8.2.2 Building Permit (Heritage)

A Building Permit in a Heritage District is considered to be a permit issued pursuant to the Ontario Heritage Act. The Building Permit (Heritage) process usually involves proposals that are generally minor, but require structural changes and therefore require compliance with the Building Code. Types of projects requiring a Building Permit include:

- new construction or structural repairs to porches, chimneys, roofs, walls, etc.
- demolition
- commercial signage
- additions to buildings if less than 50 m<sup>2</sup> (may also require site plan approval)
- new building construction less than 50 m<sup>2</sup> (may also require site plan approval)

A fee is required to obtain a Building Permit (Heritage). Council has delegated the approval of non-controversial Building Permits to staff.

The approval procedure is essentially the same as for any building permit application with Heritage Markham or, in some cases, Heritage Section staff, simply being a review body as part of the application circulation.

Applicant	· Applies to the Building Standards Department and completes the standard application
	· Consults with Heritage Staff, if desired
Building Standards	· Circulates application to Heritage Section
Heritage Staff	· Reviews application and either: <ul style="list-style-type: none"><li>- approves permit or refuses permit with comments</li><li>- circulates to Heritage Markham for comment</li></ul>
	· Provides a summary of all decisions to Heritage Markham for information.
	· Forwards application and report to Committee/Council if outstanding issues cannot be resolved.

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### 8.2.3 Site Plan Approval (Heritage)

The Site Plan Approval (Heritage) process requires the submission of detailed building elevations, a site plan and a tree preservation/ landscape plan. A full application review is required for all new construction and additions over 50 m<sup>2</sup> (including residential properties) whereas a simplified form of review may be required for:

- i) an alteration or addition to an existing building or structure where the alteration or addition is between 20m<sup>2</sup> and 50m<sup>2</sup>;
- ii) an accessory building or structure that has a gross floor area between 20m<sup>2</sup> and 50m<sup>2</sup>;
- iii) an enlargement, improvement or modification to a building or structure that has a floor area less than 20m<sup>2</sup> if such change will materially alter any building elevation that fronts onto a public or private street.

Determination of whether a site plan application is required for residential projects under 50 m<sup>2</sup> is at the discretion of Town staff.

The approval procedure is essentially the same as for any site plan application with Heritage Markham simply being a review body as part of the application circulation.

Applicant	<ul style="list-style-type: none"><li>· Applies to the Planning Department and completes the standard application form</li><li>· Consults with Heritage Staff, if desired</li></ul>
Planning Dept.	<ul style="list-style-type: none"><li>· Forwards application to Heritage Section</li></ul>
Heritage	<ul style="list-style-type: none"><li>· Circulates application to Town departments, and external agencies</li><li>· Assists Heritage Markham in reviewing application submission</li><li>· Forwards comments to applicant and may recommend changes</li><li>· Determines who can approve the application (Commissioner of Development Services, Minor Applications Committee or Development Services Committee).</li><li>· Forwards application and report to Committee/ Council if outstanding issues cannot be resolved.</li><li>· Prepares standard Letter Agreement if approved project is under 50 m<sup>2</sup></li></ul>
Town Staff	<ul style="list-style-type: none"><li>· Forward all requirements to Legal Department for inclusion in Site Plan Agreement for projects over 50 m<sup>2</sup>.</li></ul>
Legal Dept	<ul style="list-style-type: none"><li>· Drafts Site Plan Agreement and forwards to applicant for signing</li><li>· Forwards Agreement to Mayor/Clerk for execution after owner has signed</li></ul>

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In an attempt to streamline the approval process, Council has delegated the approval of the following types of applications to the Commissioner of Development Services:

- additions to existing buildings or minor changes to previously approved plans
- street townhouses
- single and semi-detached dwellings in the District
- additions and alterations to individually designated buildings

Once approval of a site plan submission is obtained, a Building Permit application can be submitted. A simplified Site Plan Agreement is used for low density residential development. A standard Site Plan Agreement is used for all commercial, institutional, industrial or multiple residential developments. A Site Plan Agreement in the District is considered to be a permit issued pursuant to the Ontario Heritage Act.

### 8.2.4 Review and Approval Authority in the District

The review of all proposed work in the District from a heritage perspective is shared by Heritage Section staff and Heritage Markham. Heritage Section staff is comprised of two Heritage Planners who work in the Development Services Commission. Heritage Section staff are responsible for the processing of all development applications in the District and assisting Heritage Markham in its review of applications. Heritage Markham is the Town's heritage advisory committee comprised of ten volunteers members and three Councillors. The citizen members represent Thornhill (3), Unionville (3), Markham Village (3) and Buttonville/ Rural Area (1). Council should be encouraged to appoint individuals from the District's business and residential community as future Unionville representatives.

In order to streamline the approval process, staff has been delegated the authority to review and approve many types of non-controversial projects on behalf of Council. If staff has any concern about an application, it can be forwarded to Council for resolution.

According to the provisions of the Ontario Heritage Act, if an application to erect a building or structure or to alter the external portions is denied by Council or approved with terms and conditions the applicant does not support, the applicant can appeal the decision to the Ontario Municipal Board. The Board can approve, approve with conditions or dismiss the application.

### 8.3 Enforcement of the District Plan

The Town will enforce the requirements of the District Plan using the regulatory provisions of the Ontario Heritage Act, the Town of Markham Act, 1991, the Planning Act, the Building Code Act and the Municipal Act.

### 8.4 Recognizing the District Plan

The following municipal documents should be amended to recognize the boundary of the District and be reviewed in order to facilitate the objectives of the District Plan: Town of Markham Official Plan, Site Plan Control By-law, and the Sign By-law.

### 8.5 Understanding the District Plan

The staff of the Heritage Section (Development Services Commission) is available to assist individuals wanting more information on or clarification of heritage conservation measures, funding assistance, administrative/approval procedures, and on the specific policies and guidelines of the District Plan.

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### 8.6 Monitoring the District Plan

Heritage Section staff, under the direction of the Senior Planner - Heritage and Conservation, should be responsible for the implementation of the policies and guidelines of the District Plan.

#### *Review of the District Plan*

The District Plan should be reviewed by Heritage Staff on an annual basis. The Plan is not a static document and should be monitored on a regular basis to ensure that the Plan's objectives are being achieved.

#### *Amendments to the District Plan*

The policies and guidelines of this Plan may be amended by by-law after consultation, amendment circulation to potentially impacted parties and public notice. Minor administrative and technical changes to the Plan may be implemented by a resolution of Council.

#### *Public Information Meetings*

Public information meetings may be held by the Development Services Commission (Heritage Section) or Heritage Markham on matters related to the District Plan of significant importance or public interest.

### 8.7 Financial Assistance for the District

Through the designation of a heritage conservation district, the municipality has recognized the importance of this area in terms of its architecture, history and special character. To assist in the conservation and understanding of the built heritage, the municipality has created the following financial assistance programs:

#### *Heritage Loan Fund*

The Town has created, by by-law, the Town of Markham Heritage Loan Fund for the purpose of promoting the repair, restoration or reconstruction of existing or original exterior architectural elements of designated heritage structures or significant structures within a heritage conservation district. The Heritage Loan Fund is used for making loans to designated property owners for approved work. A maximum loan of \$15,000 is available at 5% below bank prime interest rate with a minimum rate of 5%. Eligible project include:

- i) the conservation and repair of existing exterior architectural features in an historically accurate manner;
- ii) the authentic restoration or reconstruction of original exterior architectural elements provided that conclusive documentation of their presence is presented;
- iii) structural work required to preserve the integrity of the heritage character of the exterior details;
- iv) the relocation of a designated heritage building in order to avoid its demolition.

#### *Heritage Reserve Fund*

The Town has a Heritage Reserve Fund comprised of monies collected from Heritage Letters of Credit. The funds in this account can be used for i) municipal restoration projects, ii) municipal acquisition of heritage buildings, iii) municipal projects of a communicative nature such as plaques and interpretive signage, and iv) undertaking heritage studies.

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### 8.8 Public Awareness of the District

To inform Town staff, the general public and local property owners and tenants of the designation of the District, the following actions should be undertaken:

#### *Immediate Actions*

- all Town staff involved in municipal work that could potentially impact the District should be informed of the boundaries and the policies of the District.
- a press release should be issued to the local media.
- all property owners and tenants should receive notice of the District designation and informed where a copy of the District Plan can be reviewed or purchased. The use of the Heritage Permit should also be explained.
- the Unionville B.I.A., Unionville Ratepayers Association and the Unionville Historical Society should be notified by letter and sent a copy of the District Plan.
- all local real estate offices should be sent notice of the new District and should be requested to indicate this heritage status on any listings with the District boundary.
- the Unionville Library should act as a repository for reference copies of the District Plan and Heritage Permit application forms.
- An award program should be initiated in order to recognize those individuals who have undertaken outstanding restoration works on heritage buildings, and good examples of sympathetic infill construction in the District.

#### *Future Actions*

- the installation of District entry/ identity signage should be pursued.
- participation in local events such as the Unionville Festival should be pursued in order to increase public awareness of the District.
- the creation of a bi-annual Heritage District Newsletter directed to owners and tenants located in all three heritage districts (Unionville, Thornhill and Markham Village) should be pursued.
- the installation of Heritage District street name signs and the introduction of an interpretive plaque program for significant buildings should be pursued.



Main Street Unionville c.1920