

Subject: 51 Napier Street, Kleinburg - Heritage Property
Date: Thursday, February 15, 2024 at 3:08:12 PM Eastern Standard Time
From: Stephanie Arias
To: Nick Borcescu, Christina Booth, Shahrzad Davoudi-Strike, Nancy Tuckett, Harinder Singh
CC: Anthony-George D'Andrea, Louise Vrebosch
Attachments: image001.jpg, image002.gif

Good afternoon:

We wish to provide an update on the charges that were filed at the Provincial Offences Court in December 2023 pertaining to the heritage home at 51 Napier in Kleinburg. After reviewing and preparing the file, we submitted the charges to be formally laid electronically and in normal course with court administration. However, due to staffing shortage and holiday closures, we have been informed that the file was inadvertently missed by court staff and was not processed by the limitation period set out in the *Provincial Offences Act*, which is 6 months from the date of offence, being January 12, 2024.

This matter was escalated to management both internally and at the Region for further investigation. Unfortunately, after much dialogue and further legal research, the legislation is quite restrictive on limitation periods, and it appears we are unable to bring these charges forward before the Court. We understand that much time and effort went into the investigation of this file, and more importantly that the destruction of this property is impactful to the community and the preservation of heritage properties in our City.

At this stage, we encourage staff to continue working with the property owner and their representatives on the heritage application process and ensure that any requirements are met. Going forward, we are working on ways to avoid these situations from happening again and are looping in the Region on these discussions as well. Again, we sympathize with what we're sure is a disappointing result.

If you have any questions, I'm happy to help.

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