

DECISION/DIRECTION NOTE

Title: Amendment to Heritage By-Law – Exemption for Registered Charities or Institutions

Date Prepared: February 1, 2023

Report To: Committee of the Whole

Councillor and Role: Mayor Danny Breen, Governance & Strategic Priorities

Ward: N/A

Decision/Direction Required:

That Council amend subsection 10(3) of the Heritage By-Law as proposed.

Discussion – Background and Current Status:

The current subsection 10(3) of the Heritage By-Law gives Council the discretion to exempt new builds in a Heritage Area from the Heritage Design Standards.

Registered charities have a history of adapting and renovating buildings in Heritage Areas to serve their clientele and the community. Council has been supportive of such work and has demonstrated this support by waiving various fees for registered charities.

Registered charities often secure a portion of their funding, particularly in relation to housing initiatives, from other levels of government. Such funding often comes with time and potentially construction and/or design conditions. Such project conditions may make it difficult or even impossible for a registered charity to utilize funding available to them effectively. Waiving some or all of the Heritage Design Standards where appropriate in the discretion of Council will provide registered charities with the potential to utilize funding more effectively.

The proposed discretionary exemption would not apply to designated Heritage Buildings.

Key Considerations/Implications:

1. Budget/Financial Implications: None
2. Partners or Other Stakeholders: Registered charities and the communities they support
3. Alignment with Strategic Directions:

An Effective City: Achieve service excellence through collaboration, innovation and modernization grounded in client needs.

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4. Alignment with Adopted Plans: N/A
5. Accessibility and Inclusion: N/A
6. Legal or Policy Implications: The Heritage By-Law will need to be amended.
7. Privacy Implications: N/A
8. Engagement and Communications Considerations: The by-law amendment will need to be advertised and gazetted following adoption so that registered charities are aware of the change.
9. Human Resource Implications: N/A
10. Procurement Implications: N/A
11. Information Technology Implications: N/A
12. Other Implications: N/A

Recommendation:

That Council agree to adopt the Heritage (Amendment No. 2-2023) By-Law and that a Notice of Motion be given at a future Regular Meeting of Council to commence the amendment process.

Prepared by: Linda Bishop, K.C., Senior Legal Counsel

Approved by: Cheryl Mullett, City Solicitor

Report Approval Details

Document Title:	Amendment to Heritage By-Law re Exemption for Registered Charities and Institutions.docx
Attachments:	- Heritage By-Law Amd No 2-2023 - Exemption for Registered Charities or Institutions - Feb 1, 2023.docx
Final Approval Date:	Feb 2, 2023

This report and all of its attachments were approved and signed as outlined below:

Cheryl Mullett - Feb 2, 2023 - 10:23 AM